Township of Elizabethtown-Kitley
Consolidated Policies
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Township of Elizabethtown-Kitley

Accountability and Transparency Policy

1.0 Purpose and Goal

1.1 The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public. The purpose of this policy is to provide guidance for the delivery of the municipality's activities and services in accordance with the principles as outlined herein.

The goal of this policy is to ensure that the Township of Elizabethtown-Kitley is accountable to the public for its actions, and describes the manner in which the municipality will try to ensure that its actions are transparent to the public.

2.0 Legislative Authority

2.1 This policy has been developed in accordance with the *Municipal Act, 2001* to comply with Section 270.

3.0 Definitions

For the purpose of this policy:

"Accountability" – The principle that the municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions. Accountability involves setting out expectations about the outcomes to be achieved; monitoring and reporting publicly on progress; using that information to improve performance; and working to achieve results and taking responsibility for them.

"Transparency" – Transparency is the basis of an accountable, democratic government. To participate effectively in a democratic process, citizens must be able to see fully and clearly what their government is doing. Transparent communication with citizens involves not just making information available, but also ensuring its integrity and clarity. The principle that the municipality actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality's decision making process is open and clear to the public.

4.0 Scope

4.1 The Council of the Township of Elizabethtown-Kitley acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

4.1.1 Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
4.1.2 Delivering high quality services to our citizens; and

4.1.3 Promoting the efficient use of public resources.

5.0 Accountability Framework

5.1 Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the municipality will engage its stakeholders throughout the decision making process which will be open, visible and transparent to the public.

6.0 General Provisions

6.1 Financial Matters

The municipality will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. The Township of Elizabethtown-Kitley demonstrates such accountability and transparency through the following policies and practices:

i) External audit
ii) Financial reporting/statements
iii) Long term financial planning
iv) Asset management
v) Financial Procedures
vi) Disposition of land
vii) Budget process

6.2 Internal Governance

The municipality's administrative practices ensure specific accountability on the part of its employees through the following initiatives:

i) Human Resource Policies
ii) Recruitment Policy
iii) Continuing Education and Training
iv) Health and Safety Policy

6.3 Public Participation and Information Sharing

The Township of Elizabethtown-Kitley ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The municipality's meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make delegations or comments in writing on specific items at these meetings. In addition, the municipality has adopted policies which ensure that participation by the public can be meaningful and effective, through timely disclosure of information by various means including print media, websites, etc. Those policies/practices include:

i) Procedural By-law
ii) Strategic Plan
iii) Records Retention
iv) Public Notice Policy
v) Signing Authority
vi) Planning Process

7.0 Policy Review

7.1 Council shall review the Accountability and Transparency Policy during each term of Council.

7.2 This policy may be amended from time to time as deemed necessary.

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 18- 29

BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND ITS COMMITTEES, THE CONDUCT OF ITS MEMBERS, THE CALLING OF MEETINGS AND TO REPEAL BY-LAW 15-20

****

WHEREAS pursuant to Section 238(2) of the Municipal Act, 2001, as amended, every municipality and local board shall adopt a procedure by-law to govern the calling, place and proceedings of the meetings;

NOW THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

Part I – INTERPRETATION

1. GENERAL

a) The proceedings of Council, the conduct of the Members, and the calling of meetings shall be governed by the Rules of Procedure contained in this by-law.

b) These Rules of Procedure shall also apply to all Committees, Sub-Committees, Ad-Hoc Committees, where applicable, and similar entities of which at least 50 percent of the members are also members of the Township Council.

c) Where the term "Committee" is used in this by-law, the provision applies only to Committee meetings and related Committee matters.

d) The majority of Council shall decide all points of order not expressly provided for in this by-law.

e) If this by-law does not provide a procedure for dealing with a particular matter, the procedure to be followed shall be, as near as possible, the procedure set out in Robert's Rules of Order and approved by a majority vote of the members present.

2. DEFINITIONS

a) "Administrator-Clerk" means the Administrator-Clerk of the Corporation of the Township of Elizabethtown-Kitley, as appointed by by-law or the Deputy Clerk of the Corporation of the Township of Elizabethtown-Kitley who, when appointed, has all the powers and duties of the Clerk under the *Municipal Act* and any other Act.

b) "Closed Meeting" means a meeting closed to the public as defined by the *Municipal Act.*

c) "Committee" means a Committee of Council and includes Standing Committees, Sub-Committees and Ad-Hoc Committees.

d) "Committee Chair" means the Chair of a Committee.

e) "Council" means the Council of the Corporation of the Township of Elizabethtown-Kitley.

f) "Emergency" is a sudden, generally unexpected or time sensitive occurrence demanding immediate action by Council.

g) "Ex officio" means the Mayor is an ex officio member of all Committees and he/she is entitled to receive all notices and relevant information and may participate in the discussion but shall not vote and is not considered part of a quorum.

h) "Investigator" means the Investigator appointed by Council pursuant to Section 239.2 of the *Municipal Act*.

i) "Mayor" means the Head of Council.

j) "Meeting" means any regular, special or other meeting of Council or a Committee.

k) "Member" means a Member of Council, including the Mayor and, in the case of a Committee, a member of the Committee.

l) "Minister" means the Minister of Municipal Affairs and Housing.

m) "Municipal Act" means the *Municipal Act,* 2001 S.O. 2001, c.25, as amended from time to time.

n) "Quorum" subject to any other applicable statutory provisions, means:

(i) In the case of Council, a majority of Council Members, including the Mayor;

(ii) In the case of a Committee, a majority of appointed Committee Members with the understanding that the Mayor in his/her ex officio capacity, is not included in the quorum calculation.

o) "Resolution" means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly constituted Council or Committee meeting for debate and decision, and duly passed.

p) "Rules" or "Rules of Procedure" means the rules and procedures set out in this by-law.

q) "Special Meeting" means a meeting, other than a regularly scheduled meeting, called pursuant to the *Municipal Act* or the provisions of this by-law.

r) "Standing Committees" includes the following Committees:
- Bellamy Park Management Board
- Committee of Adjustment
- Community Emergency Management Committee
- Economic Development Committee
- Heritage Committee
- Planning Advisory Committee
- Property Committee
- Public Works/Waste Management Committee of the Whole
- Recreation Committee of the Whole
- Ad Hoc

s) "Two-thirds Vote" means the affirmative vote of at least two-thirds of the members present and eligible to vote.

t) "Township" means the Corporation of the Township of Elizabethtown-Kitley.

PART II – PRESIDING OFFICER

3. DUTIES OF THE PRESIDING OFFICER

a) Except as otherwise provided for herein, the Mayor shall be the Presiding Officer at all meetings of Council.

b) The Presiding Officer shall:

i) open all Council meetings by taking the Chair and calling the Members to order;

ii) make such remarks as is fitting for the information or assistance of Council;

iii) receive and submit in the proper manner, all motions presented by Members of Council;

iv) put to vote all questions which are regularly moved and seconded or necessarily arise in the course of the proceedings and announce the result;

v) decline to put to vote motions which infringe upon the Rules of Procedure;

vi) enforce on all occasions the observance of order and decorum among the members;

vii) to call by name any Member persisting in breach of the Rules of Procedure and order him/her to vacate the Chamber;

viii) to inform Council, when necessary or when referred to for the purpose, in a point of order;

ix) authenticate by his/her signature, when necessary, all by-laws, resolutions and minutes of Council;

x) represent and support Council; declaring its will and implicitly obeying its decisions in all things;

xi) ensure that the decisions of Council conform to the laws and by-laws governing the activities of Council;

xii) adjourn the meeting without question in the case of grave disorder arising in the council chamber.

c) The Presiding Officer may state relevant facts and his/her position on any matter before Council without leaving the chair, but the Presiding Officer must first leave the chair to move a motion.

d) If the Presiding Officer desires to leave the chair to move a motion, pursuant to subsection 3 c) above or otherwise, the Presiding Officer shall call upon the Acting Mayor as set out in the Acting Mayor By-law, passed by Council from time to time, who is in attendance to preside until the issue is resolved.

e) In the event that the Acting Mayor is not in attendance, the next member of Council as set out in the Acting Mayor By-law shall assume the duties of the Acting Mayor.

PART III – COUNCIL

4. INAUGURAL MEETING

a) Except as necessary to comply with any applicable law, an Inaugural Council meeting shall be held on the first Monday in December at 7:00 p.m., or such other day or time as Council may determine by resolution. No further Council business will be considered at this meeting.

b) A person shall not take his/her seat as a Member of Council until he/she takes the declaration of office in the form established by the Minister for that purpose.

5. REGULAR MEETINGS

a) The regular meetings of Council shall be held on the second and fourth Monday of each month at 7:00 p.m. in the Council Chambers, or at such other time as may from time to time be determined by resolution of Council. Regular meetings of Council shall adjourn no later than 10:00 p.m. unless authorized by resolution of Council.

b) The Clerk shall give written notice of all regular meetings to all Members of Council. Such notice shall be given in accordance with Section 20 to each member the Thursday prior to the date of the meeting.

6. USE OF CELLPHONES, PAGERS, RADIOS

All cell phones, pagers, radios, tablets and other devices with a radio transmitter shall be switched "off" or set to non-audible or muted upon entry to the Council Chamber. Only communications facilities utilized by a member shall be permitted to be switched "on" and audible.

7. SPECIAL MEETINGS

a) A special Council meeting may be convened upon:
   i) the Mayor summoning the Members to the meeting; or
   ii) upon receipt of a petition for a special meeting signed by a majority of Council Members

b) Upon receipt of a petition, the Clerk shall summon a special meeting for the purpose(s) and at the time stated in the petition.

c) Notice of all special meetings of Council shall include a statement of the matters to be considered at such special meeting, and shall be given to all members of Council not less than twenty-four (24) hours in advance of the time fixed for the meeting and in the same manner for giving Notice of Meeting set out in Section 7 of this by-law.

d) Council shall not consider or decide any matter not set out in the notice calling the special meeting unless the Mayor determines that a decision is required immediately.

e) Notwithstanding subsection 8 c), the Mayor may call a special Council meeting without notice to consider and deal with an emergency or other extraordinary matter and such meeting shall be deemed to have been properly constituted if at least two-thirds of all Members of Council are present at the meeting.

8. PUBLIC NOTICE OF MEETINGS

a) Notice of a regular or inaugural meeting of Council shall be posted on the Township's website and published in a local newspaper not later than the end of the month preceding the meeting dates.

b) Notice of a special meeting shall be posted on the Township's website and, where time permits, published in a newspaper not less than twenty-four hours in advance of the meeting.

Prior notice of a special meeting held pursuant to subsection 8 e) is not required but notice that the meeting has occurred shall be posted on the Township's website as soon as possible thereafter.

9. PLACE OF MEETING

All meetings of Council shall be held in the Council Chamber, 6544 New Dublin Road, Addison, Ontario or at such other place as Council may decide by resolution. Where an alternative location is chosen, Council shall, except in an emergency, ensure adequate notice of the venue change is provided to the public.

10. COMMENCEMENT OF MEETING

As soon as there is a quorum after the hour fixed for the meeting, the Mayor shall take the Chair and call the Members present to order.

11. ATTENDANCE

Every member of Council and every municipal employee, as directed by his/her Department Head, shall attend each meeting of Council or shall advise the Clerk of his/her inability to attend.

12. ABSENCE OF THE MAYOR

a) If the Mayor is not in attendance within fifteen minutes after the time fixed for a meeting of Council or where the Mayor has advised that he/she shall not be attending, the Acting Mayor, in accordance with the Acting Mayor By-law, shall call the Members to Order and preside until the arrival of the Mayor or for the duration of the meeting when the Mayor has advised that he/she shall not be attending.

b) While presiding, the presiding Officer shall have all the powers of the Mayor and shall be entitled to vote as a Member.

c) In the event of an extended absence of the Mayor, the Acting Mayor shall temporarily assume the Mayor's responsibilities until such time as the Mayor returns to duty.

d) In the event that the Acting Mayor is not in attendance, the next member of Council listed in the Acting Mayor By-law shall assume the duties of the Acting Mayor.

13. NO QUORUM AT BEGINNING OF THE MEETING

a) If no quorum is present to enable a Council meeting to commence thirty minutes after the time fixed for a Council meeting, the Clerk shall record the names of the Members present, and the Members shall stand discharged from waiting further.

b) If a meeting does not take place because of lack of a quorum under subsection 13 a), Council may meet at the next regularly scheduled Council meeting or at such other time and place as the Mayor may determine in accordance with Section 8 a).

14. QUORUM LOST – UNFINISHED BUSINESS

If, during the course of a meeting, a quorum is lost for a period of time greater than fifteen minutes, the meeting shall stand adjourned, but not ended, and shall reconvene at the next regularly scheduled Council meeting or at such other time and place as the Mayor may determine in accordance with Section 6 a) on a continuance; no other notice will be given.

15. COUNCIL CHAMBER

a) No person, except a Member or an authorized employee of the Township, shall be allowed to come on the Council floor during a council meeting without permission of the Presiding Officer.

b) No person, except a Member or an authorized employee of the Township shall, before or during a Council meeting, place on the desks of Members or otherwise distribute any material unless such person is so acting with the approval of the Clerk.

16. MEETINGS OPEN TO THE PUBLIC

a) Subject to Section 239 of the *Municipal Act*, all meetings shall be open to the public, and no person shall be excluded except of improper conduct.

b) The Presiding Officer may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

17. MEETINGS CLOSED TO THE PUBLIC

a) Council may, by resolution, close a meeting or part of a meeting to members of the public if the subject matter to be considered is permitted under Section 239 of the Municipal Act, 2001 (S.O. 2001, c.25), as amended.

b) All closed meetings will conform to the Closed Meeting Procedures Policy as adopted by Council from time to time.

c) Members shall keep confidential any information:
   i) Disclosed or discussed at a meeting or part of a meeting that is closed to the public;
   ii) That is received in confidence verbally in preparation of the closed meeting.

d) Any documentation marked confidential shall be kept securely by the Member until no longer required in the course of business and shall at that time be destroyed by the Member or returned to the office of the Clerk for destruction.

e) The obligation to keep information confidential applies to a Member after he/she ceases to be a Member of Council.

f) Minutes of closed meetings will be considered for adoption by Council at the next scheduled closed meeting.

g) All closed meetings of Council shall be audio recorded for the purposes of any closed meeting investigation. Only one copy of the audio recording will be kept in a secured location.

Enquiries Regarding Closed Meetings

h) The response of Members to enquiries about any matter dealt with by Council or Committee at a closed meeting shall be "no comment" as the matter was dealt with in a closed session or words to that effect. No Member shall release or make public any information considered at a closed meeting or discuss the content of such a meeting with persons other than Members or relevant staff members.

Violating Confidentiality of Closed Meetings

i) Any intentional or inadvertent violation of the provisions of Section 17 of this by-law shall be subject to consequences as set out in the Code of Conduct for Elected Officials.

j) The Complaint Protocol, as set out in the Code of Conduct for Elected Officials shall be followed where a violation of confidentiality is alleged.

k) If there is a purported violation of the provisions of Section 17 of this by-law by more than one member, Council shall make a separate decision in accordance with subsection 17 (i) with respect to each member.

l) The release of any information about any matters dealt with by Council at a closed meeting shall be by the Mayor or his/her delegate and only with the approval of Council.

m) Subject to Section 239 of the *Municipal Act*, items for consideration at a closed meeting by Council or a Committee shall not be released to the public save and except for disclosure of the general nature thereof.

Requests for an Investigation

n) Section 239.1 of the *Municipal Act* permits a person to request an investigation of whether Council has complied with the requirements of the *Municipal Act* or this Procedural By-law governing a meeting or part of a meeting that was closed to the public.

o) Upon receipt of a request, including the information set out in By-law 07-62, the Clerk shall refer the matter to the Investigator for an investigation and report to Council in accordance with Section 239.2 of the *Municipal Act.*

p) A report of the Investigator shall be made available to the public by a date that it is no later than the date of the next regular meeting of Council following the date the report is received.

PART IV – ORDER OF PROCEEDINGS

18. REGULAR AGENDA

a) The Clerk shall prepare an agenda under the following headings for the use of Members at Regular Council meetings:

i) Call to Order
ii) Adoption of Agenda
iii) Disclosure of Pecuniary Interest and General Nature Thereof
iv) Adoption of the Minutes of the Previous Council Session(s)
v) Delegations/Presentations
vi) Tenders
vii) Staff Reports
viii) Committee Reports
ix) By-laws
x) Correspondence, Communications and Petitions
xi) Information Items
xii) Unfinished Business
xiii) Motions and Notice of Motions
xiv) Questions from the Public
xv) Closed Meeting
xvi) Confirmatory By-law
xvii) Adjournment

b) The business of Council shall be considered in the order set forth on the agenda. The Mayor, with the approval of Council, may vary the order in which the items are presented to better deal with matters before Council.

c) Additions to the agenda shall be restricted to emergency matters requiring a decision before the next Council meeting. Additions to the agenda must be communicated to the Presiding Officer prior to the Adoption of the Agenda and shall be added to the agenda only with the approval of Council.

d) During the Questions from the Public portion of the agenda, any questions from the public must relate to agenda items or other matters discussed at the meeting, unless otherwise approved by the Presiding Officer. Not more than two (2) questions from each member of the public shall be permitted.

e) For special meetings, the agenda shall be prepared by the Clerk as directed by the Mayor, and if the meeting is called by a petition of the

majority of Members, the agenda shall be prepared by the Clerk for the purpose(s) stated in the petition.

19. DELIVERY OF AGENDA TO MEMBERS

a) On the Thursday previous to the Monday of any Regular meeting of Council, the Clerk shall cause the agenda and all supporting documentation to be delivered to each Member.

b) Items received from staff after the agenda package has been distributed may be added to the agenda, if approved by the Administrator-Clerk or Deputy Clerk.

c) The full agenda package, including draft minutes, reports and by-laws, for a regular Council meeting shall be posted on the Township's website for at least twenty-four (24) hours in advance of the Council meeting, barring any technical difficulties.

20. DELEGATIONS

a) Individuals or groups desiring to address Council must register with the Clerk no later than Noon on the day of the Council meeting, if the item to be addressed appears on that Council agenda. If the item does not appear on the agenda, the delegate may be referred to a later Council or Committee meeting. The individual or group shall provide to the Clerk his/her name or the name of the group, the nature of the business to be discussed and, if representing any organization, the name of the agency or other such body. An email or facsimile request is acceptable, with confirmation of receipt.

A delegation intending to distribute any reports or supporting documentation shall provide it to the Clerk at the same time of the request to appear as a delegation, in order that the material can be circulated to Council.

b) The inclusion of a delegation on the agenda shall be determined on a first come first served basis and regard shall be given to the length of the agenda. No more than two (2) delegations shall be heard at any meeting.

c) Delegations not listed on the agenda may be heard provided a majority of the Members present vote to hear the delegation.

d) Delegations shall be limited to ten (10) minutes of presentation time with an additional ten (10) minutes for questions and answers unless and until the Mayor has extended or reduced such time allotment.

e) Members of the public who constitute the audience in the Council Chamber during a Council meeting shall maintain order and may not:

i) Address Council, except upon request by the Mayor and with Council approval and in such event the presentation shall be limited to five (5) minutes;

ii) Interrupt any speech or action of the Members of Council or any other person addressing the Council;

iii) Display or have in their possession picket signs or placards in the Council Chamber or Meeting Room on Township property.

iv) Wear hats or bring into the Chamber any beverage or food.

21. COMMUNICATIONS AND PETITIONS

Every communication, including a petition to be presented to Council, shall be legibly written or printed and shall be signed by at least one person and filed with the Clerk.

22. MINUTES

a) Minutes shall record:
   i) the place, date and time of the meeting;
   ii) the names of the Presiding Officer or Officers and the record of Members' and staff attendance;
   iii) disclosures of pecuniary interest and general nature thereof;
   iv) the late arrivals and early departures of Members;
   v) the reading, if requested, correction and adoption of the minutes of previous Council meeting(s);
   vi) all other proceedings of the meeting without note or comment, including all resolutions and decisions.

b) If the minutes have been delivered to Members of Council in advance of the meeting, the minutes shall not be read and a resolution that the minutes be adopted as if read shall be in order.

c) Draft meeting minutes, stamped as such, shall be made available as soon as practicable.

PART VI – RULES OF CONDUCT AND DEBATE

23. ORDER OF SPEAKING

When two or more Members signify their desire to speak, the Mayor shall recognize the Members in the same order that, in the opinion of the Mayor, the Members signified their desire to speak.

24. CONDUCT OF MEMBERS DURING COUNCIL MEETINGS

a) Members shall:
   i) Wear appropriate attire to all Council meetings
   ii) Speak only when he/she has been recognized by the Mayor;
   iii) Not disturb another Member by any disorderly behaviour disconcerting to any Member speaking;
   iv) Refrain from using offensive words during Council or Committee meetings against Council or staff;
   v) Speak only on the subject in debate;
   vi) Adhere to the Rules of Procedure or a decision of the Mayor or of Council on questions of order or practice or upon the interpretation of the Rules of Procedure.

b) If a Member persists in disobeying any of the rules of conduct during a meeting after having been called to order by the Mayor, the Mayor may immediately put the question – without amendment, adjournment, or debate being allowed: "That such Member be ordered to leave his/her seat for the duration of the Meeting of Council" and the decision of Council shall be final."

c) If a Member apologizes to the Mayor and Council, the Member may, by vote of Council, be permitted to retake his/her seat.

25. MEMBERS SPEAKING

When a member is speaking, no other Member shall pass between the Member and the Mayor or interrupt the Member except to rise on a point of order.

26. POINT OF PRIVILEGE

a) A Member who directs a request to the Presiding Officer or, through the Presiding Officer to another Member or to staff, for information relevant to the business at hand shall raise a "Point of Information" in accordance with

the provisions of Section 32.

b) A Member who desires to call attention to a violation of the Rules of Procedure shall raise a "Point of Order".

c) Except when another Member is speaking, a Member may raise a point of order or point of information in respect of a matter under consideration by Council at any time prior to the Presiding Officer calling a vote on the matter, but at no time thereafter. When the Presiding Officer has granted leave, the Member shall state the point of order or point of information with a concise explanation and shall follow the decision of the Presiding Officer. A speaker in possession of the floor when a point of order or a point of information is raised shall have the right to the floor when the debate resumes.

d) A Member called to order by the Presiding Officer shall immediately remain in her/her seat until the point of order is dealt with and shall not speak again without the permission of the Presiding Officer unless to appeal the ruling of the Presiding Officer.

27. APPEAL

a) The decision of the Presiding Officer is final, subject to an immediate appeal.

b) If the decision is appealed, the Presiding Officer shall give concise reasons for the ruling and Council, if so appealed to, shall call a vote without debate, on the following question: "Shall the Chair be sustained?" Council's decision is final.

28. QUESTION READ

Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

29. SPEAK ONLY ONCE AND REPLY

a) No Member shall speak more than once to the same motion, without the Presiding Officer's permission, except that a reply shall be permitted from the Member who has presented the main motion.

b) To ensure that all Members have an opportunity to express an opinion on the motion placed on the table and before permitting a Member to speak a second time, the Presiding Officer shall ask, "Does any Member who has not spoken on the issue wish to speak?". After a second request and if no Member indicates a desire to speak, the Presiding Officer shall recognize the Member who wishes to speak a second time.

30. If a Member who is recognized asks for clarification of the issue from another Member, the Presiding Officer shall recognize the designated member for a response even if the Member has already spoken.

31. TIME LIMITED

No Member, without leave of the Presiding Officer, shall speak to the same question, or in reply, for longer than five minutes.

32. QUESTION PUT – NO FURTHER DEBATE

After the Presiding Officer puts a question to a vote, no Member shall speak to the question, nor shall any other motion be made, until after the result of the vote is declared. The decision of the Presiding Officer as to whether the question has been put is conclusive.

33. MEMBER'S QUESTIONS

a) A Member may, on a point of information, ask the Presiding Officer or, with the permission of and through the Presiding Officer, any Member of Council, the Administrator-Clerk or any Department Head, a question for the purpose of obtaining factual information only relating to a matter under discussion by Council.

b) A question asked in accordance with subsection 33 a) must be stated succinctly and without argument or opinion, and the person to whom the question is posed shall answer it in a forthright manner to the best of his/her ability and without debating or arguing the merits of the matter to which the question relates.

PART V – VOTING DURING COUNCIL MEETINGS

34. VOTING

a) Except as may otherwise be expressly provided for in this by-law, all decisions by Council shall be determined by a majority of votes cast by the Members present and eligible to vote on the matter.

b) When the Presiding Officer calls for a vote on a question, each Member shall occupy his/her seat until the result of the vote has been declared by the Presiding Officer, and during such time, no Member shall walk across the room or speak to any other Member or make any noise or disturbance. A Member who is absent from his/her seat when the vote is called does not have the right to vote.

35. ALL MEMBERS VOTE

Every Member present at a Council meeting shall vote when a question is put, unless the Member has declared a pecuniary interest in the matter in accordance with Section 41 of this By-law and the Member's declaration of pecuniary interest shall be recorded. Any member who refuses to vote or any Member who abstains from voting shall be recorded as voting in the negative.

36. SIMPLE VOTE

On a simple vote, every member of Council shall have one vote and the manner of determining the decision of Council on a question shall be by a show of hands.

37. RECORDED VOTE

Where a vote is taken for any purpose and a member requests immediately before or after the taking of the vote and prior to the transaction of any other business, that the vote be a Recorded Vote, each member of Council present, including the Presiding Officer, and entitled by law to vote, shall announce his/her vote verbally when called by name commencing with the Member who requested the vote and moving clock wise around the Council table. The Clerk shall record each Member's name and the Member's vote. Any Member absent from the proceedings will be recorded as such.

38. SECRET BALLOTS

No vote shall be taken during a Council meeting or a Committee meeting by secret ballot or by any other form of secret vote except a vote to elect a Committee Chair or Vice Chair.

39. TIE VOTE

A motion on which the voting results in a tie shall be declared lost.

40. SEVERABILITY OF QUESTION

When the matter under consideration contains distinct recommendations or propositions, any Member may request that a vote upon each recommendation or proposition be taken separately, or a recommendation(s) be removed from

the original motion and a new motion created and Council shall comply with the request for the purpose of dealing with the matter.

41. DISAGREEMENT WITH THE RESULT OF THE VOTE

If a Member disagrees with the Presiding Officer's announcement that a question is carried or lost, the Member may, but only immediately after the declaration by the Presiding Officer, object to the Presiding Officer's decision and request a recorded vote.

42. PRECUNIARY INTEREST

a) If a Member present at a meeting has declared a pecuniary interest in a matter under consideration by Council, the Member shall refrain from voting on the matter and abide with the provisions of the *Municipal Conflict Of Interest Act, R.S.O. 1990, Chapter M.50, as amended.*

b) It shall be the duty of the Clerk to record in the minutes of the meeting every oral declaration of pecuniary interest.

PART VI – MOTIONS AND RESOLUTIONS

43. MOTIONS

a) A "Principle or Main Motion" is a motion to consider any subject that is brought before Council for its consideration. Principle or main motions yield to Privileged and Subsidiary or Secondary motions.

b) A "Subsidiary or Secondary Motion" is a motion which affects the disposition of a Principle Motion. Subsidiary or Secondary Motions take precedence over Principle or Main Motions and must be decided before the Principle Motion can be acted upon. Examples include motions to:
   i) Refer;
   ii) Amend;
   iii) Divide;
   iv) Lay on the table;
   v) Take from the table; or
   vi) Postpone indefinitely or to a certain day.

c) A "Privileged Motion", due to its importance, takes precedence over all other questions and is not debatable. Examples include motions to:
   i) Adjourn (or fix a time to adjourn);
   ii) Questions relating to the rights and privileges of Council or its Members.

44. INTRODUCTION OF MOTIONS

a) Motions with respect to the following matters may be introduced orally, without notice and without leave, except as otherwise provided by the Rules of Procedure:
   i) A point of order or privilege;
   ii) To move the question to be put;
   iii) To adjourn.

b) The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:
   i) To refer;
   ii) To table, to postpone, or to defer to a certain day;
   iii) To amend;
   iv) Any other procedural motion.

c) Except for those motions described in Subsection 43 (a) of this By-law, all motions shall be moved and seconded.

d) All motions may be supported or opposed by the mover and seconder.

e) No motion made in open Council shall be debated or voted on unless the same is seconded.

f) There shall never be more than one principle or main motion before Council at one time.

g) When the motion under consideration contains two or more proposals, the same shall, at the request of any Member, be voted on separately.

h) The Clerk shall note the date on each motion, along with the results of the vote.

i) Any Member may require the motion under discussion to be read a second time for his/her information, at any time during debate, but not so as to interrupt a Member speaking.

45. READING

The Presiding Officer shall state the names of the Members moving and seconding the motion and read the motion. A motion so put shall be considered the main motion.

46. NO DEBATE UNTIL READ

No Member shall speak on any motion until it is first read and the mover is entitled to speak first if the Member so elects. If debated, the motion may be read again before being put.

47. WITHDRAWAL

After a motion has been duly moved and seconded, it shall be deemed to be in the possession of Council and it may only be withdrawn before decision or amendment with the permission of Council. A motion to withdraw shall be moved and seconded and disposed of prior to any other secondary motion being presented.

48. MOTIONS RULED OUT OF ORDER

Whenever the Presiding Officer is of the opinion that a motion is contrary to the Rules of Procedure, the Presiding Officer shall rule the motion out of order.

49. NOT WITHIN THE JURISDICTION OF COUNCIL

A motion which requires the exercise of a power or powers by Council which are not within its jurisdiction shall not be in order.

50. ORDER OF CONSIDERATION

a) When a motion is under consideration, no motion shall be received except a procedural motion or motion to amend.

b) Procedural motions shall be considered immediately upon receipt and are subject to debate as follows:
   i) To extend the time of the meeting (not debatable);
   ii) To adjourn (not debatable);
   iii) To defer indefinitely or to a certain day (debatable); or
   iv) Any other procedural motion (debatable).

51. MOTION TO ADJOURN (Privileged)

a) The purpose of a Motion to Adjourn is to bring a Council meeting to an end. A motion to adjourn:
   i) Is not in order when a Member is speaking or between the times a vote is called and the results of the vote have been declared;
   ii) May be verbal;
   iii) If resolved in the affirmative, shall cause Council to immediately rise and take no further proceeding until the next meeting of Council and the time of adjournment shall be noted;
   iv) If resolved in the negative, shall entitle Council to resume its debate to a point immediately prior to the point at which the motion to

adjourn was moved;

v) Is not debatable.

b) A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specific event, if carried, suspends the Council meeting to continue at such time or upon the happening of such event.

52. MOTION TO REFER (Subsidiary)

The purpose of a Motion to Refer is to refer a question to a Standing Committee, or Special Committee. A Motion to Refer:

i) Need not be presented in writing;
ii) Shall receive disposition of Council before the main motion;
iii) Shall state the committee or appointed official to which the matter shall be referred;
iv) Can be amended as to the method of disposition, size of committee or other similar instructions;
v) Shall preclude all amendments of the main question until it is decided;
vi) Shall not be debatable except that debate may be permitted on the advisability or propriety of the referring question.

53. MOTION TO TABLE (Subsidiary)

a) The purpose of a Motion to Table removes the subject from consideration until a vote of Council lifts it from the table. A Motion to Table cannot be debated or amended.

b) A motion to Table with some condition, opinion, or qualification added to the Motion to Table shall be deemed to be a motion to postpone or defer.

c) Council shall not consider the matter tabled again until a motion has been made to take up the tabled matter at the same or subsequent Council meeting, or until such time as is identified in the Motion to Table.

d) A motion to take up a tabled matter is not subject to debate or amendment.

e) A motion that has been tabled at a previous Council meeting cannot be lifted off the table unless notice is given.

f) A motion that has been tabled and not taken from the table for six months is deemed to be withdrawn and cannot be taken from the table.

54. MOTION TO POSTPONE OR DEFER (Subsidiary)

a) The purpose of a Motion to Postpone or Defer is to have a matter postponed or deferred to a definite date.

b) A Motion to Postpone or Defer indefinitely shall be treated as a Motion to Table.

55. MOTION TO AMEND (Subsidiary)

a) The purpose of a Motion to amend is to add or insert certain words or phrases, to strike out certain words or phrases, or to amend certain words or phrases. A Motion to Amend:

i) Need not be presented in writing;
ii) Shall be relevant and not contrary to the principle of the motion or report under consideration;
iii) May propose a separate and distinct disposition of a motion provided that such altered disposition continues to relate to the main issue and subject matter of the motion;
iv) Shall be voted on before the main motion.

b) Only an amendment or a sub-amendment to a question is allowed at the same time. When both have been dealt with, the Presiding Officer may

entertain a further amendment or sub-amendment, as the case may be. Amendments shall be voted on in reverse order to their introduction. For greater certainty, the amendment to the amendment must be disposed of before the amendment and the amendment must be voted on before the main motion.

c) The mover of a motion may, with the consent of the seconder agree to incorporate a "friendly" amendment into the main motion.

56. THE QUESTION BE NOW PUT (Subsidiary)

a) The purpose of a motion "That the Question Be Now Put" is to close debate and bring Council to a vote on a pending question. A motion "That the Question Be Now Put";
   i) Is not debatable;
   ii) Cannot be amended;
   iii) Cannot be moved when there is an amendment under consideration.

b) If a motion "That the Question Be Now Put" is resolved in the affirmative, the Presiding Officer shall forthwith put the main motion as a question.

c) If a motion "That the Question Be Now Put" is resolved in the negative, debate may continue on the main motion.

57. MOTION FOR RECONSIDERATION (Miscellaneous)

a) The purpose of a Motion for Reconsideration is to reconsider a matter decided by Council within the immediately preceding 12 months of its term, subject to the following:
   i) A Motion for Reconsideration shall be ruled out of order if any change to the previous decision would interfere with legally binding commitments of the Township existing as of the date the motion to reconsider is moved;
   ii) Such motion must be moved by a member in attendance at the meeting where the original motion was considered;
   iii) Such motion must be supported by a majority vote of the Members before the matter to be reconsidered can be debated;
   iv) Debate on the question must be confined to such matters as new information that has come forward, an error in documentation presented or incorrect statement made during the original debate.

b) If a Motion for Reconsideration is approved,
   i) No action shall be taken in respect of the matter under reconsideration until it has again been presented to Council and Council has made a decision on it;
   ii) The matter to be reconsidered shall be presented at the next regular meeting of Council, unless Council deems the matter to be an emergency that must be dealt with at the same meeting;
   iii) The matter shall be presented to Council in the exact manner in which it was first presented to Council; and
   iv) The matter shall be debated and determined according to the Rules of Procedure set out in this by-law.

58. MOTION TO RESCIND (Miscellaneous)

The purpose of a Motion to Rescind is to annul some action Council has previously taken when it is too late to reconsider the vote. Should it become necessary to rescind a motion that has been passed, notice of intention to do so can be given at one meeting or in advance in writing. A motion for rescinding is then introduced and dealt with at a subsequent meeting. Any action of Council can be rescinded regardless of the time that has elapsed.

59. NOTICE OF MOTION

a) A Notice of Motion:
   i) Must be given under Motions and Notice of Motions
   ii) Must state the intent of the motion;
   iii) Must indicate at which future meeting the motion is to be considered;
   iv) Requires no seconder;
   v) Is not debatable.

b) If the Presiding Officer calls a Member's Notice of Motion and the Member does not proceed with it, the Notice of Motion shall be dropped from the agenda and shall be deemed to have been withdrawn.

PART VII – BY-LAWS

60. READING OF BY-LAWS AND RELATED PROCEEDINGS

a) Except as otherwise provided, no by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless the subject matter has been considered and approved by Council or a Committee to which Council has delegated authority.

b) Every by-law shall be in writing and shall be introduced upon a motion by a Member, and any number of by-laws may be introduced together in one motion, but Council shall, at the request of the Member, deal separately with any by-law.

c) Every by-law shall have three readings prior to it being passed.

d) Amendment or debate on any by-law may take place prior to the vote being taken on the first and second reading. If the majority of Council Members present determine that a by-law is to be considered further it shall be so considered previous to the third reading. Debate will be limited to new information that has come forward, an error in documentation presented or incorrect statements made during the original debate.

e) All amendments to any by-laws approved by Council shall be deemed to be incorporated into the by-law and if Council enacts the by-law, the Clerk shall insert the amendments.

f) The Clerk shall endorse on all by-laws enacted by Council the dates of the readings and the date of passage by Council.

g) Every by-law, which has been enacted by Council, shall be numbered, dated, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and be recorded.

h) A confirmation by-law to confirm the proceedings of the Council of the Township of Elizabethtown-Kitley shall be passed at the first regular meeting of each month, covering the meetings of Council held the previous month.

PART VII – COMMITTEES OF COUNCIL

61. PROCEDURE

Except as otherwise provided herein, a Committee shall conform to the same Rules of Procedure that govern the protocol and procedures of Council insofar as they are applicable.

62. DUTIES OF THE COMMITTEE CHAIR

The Chair of a Committee shall:

a) Ensure that the Committee deals with policy issues effectively;
b) Ensure public dialogue and communication on policy matters are effective

and coordinated;

c) Ensure the needs of the Committee for administrative support, analysis, and advice are provided through the Administrator-Clerk;

d) Ensure that all Committee Members are fully informed on all matters within the jurisdiction of the Committee and on the duties and responsibilities of the Committee;

e) Liaise with the Mayor and communicate any matter within the knowledge of the Chair that is required to be communicated to another Committee.

f) The Clerk or an employee designated by the Clerk shall be the Recording Secretary of the Committee, unless stipulated under separate legislation.

g) Except as may be provided in the *Municipal Act* and herein, no Member shall have precedence or seniority over any other Member

63. COMMITTEE AGENDA

a) Designated staff shall prepare and distribute to all Members in accordance with Section 63 (b) an agenda setting forth the business to be considered at regular Committee meetings. The items of business to be included on the agenda shall be developed under the direction of the Department Head, the Clerk, and/or the Committee Chair.

b) The agenda package will be published on the website at least twenty four (24) hours ahead of the meeting.

c) The following headings shall be used in preparing the agenda for regular Committee meetings:

i) Adoption of Agenda
ii) Disclosure of Pecuniary Interest and General Nature Thereof
iii) Adoption of the Minutes of the Previous Committee meeting(s)
iv) Delegations/Presentations
v) Staff Reports
vi) Sub-Committee, Ad Hoc Committee and Member Reports
vii) Correspondence, Communications and Petitions
viii) Unfinished Business
ix) Questions from the Public
x) Closed Meeting
xi) Adjournment

d) The business of the Committee shall be considered in the order set forth on the agenda provided that the Chair, with the approval of the Committee, may vary the order of business to better deal with matters before the Committee.

64. STAFF REPORTS

a) A report may be forwarded to a Committee for information.

b) Notwithstanding that a report has been forwarded for information, motion(s) may be made by Members of the Committee for action to be taken on matters that arise from or are discussed in the report.

c) Motions made under Subsection 64 (b) may be made at any meeting where the report is presented to the Committee.

65. CONFIDENTIAL REPORTS

a) Confidential reports distributed with the agenda or handed out at the meeting shall be returned to the Administrator-Clerk or his/her designate on the day of the meeting for shredding unless it is determined by the Administrator-Clerk that the confidential reports can remain in the possession of the Members.

b) Members shall retain amongst themselves the confidential information until such time as the Committee agrees to release the information or part thereof.

PART IX – GENERAL PROVISIONS

66. EXECUTION OF DOCUMENTS

Whenever the execution of documents is required to give effect to any resolution or by-law of the Township the Mayor and the Clerk have general authority for and in the name of the Township to execute and affix the seal of the Township to such documents.

67. CONFIRMATORY BY-LAW

The proceedings of every regular or special meeting shall be confirmed by by-law so that every decision of Council at that meeting and every Resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted. The Confirmatory By-law will be enacted by Council at the first regular meeting each month, covering the meetings held by Council the previous month.

68. REPEAL

a) By-law 13-51 is hereby repealed in its entirety.

b) No amendment or repeal of this by-law shall be considered at any Council meeting unless notice of the proposed amendment or repeal was given at a previous regular Council meeting, and the Council may not waive such notice.

69. SEVERABLILITY

If any term, provision, clause or sub-clause of this by-law or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this by-law, or the application of such term, provision, clause or sub-clause to persons or circumstances other than those to which this by-law is held invalid or unenforceable, shall not be affected thereby and each term, provision, clause or sub-clause of this by-law shall be valid and enforced to the fullest extent permitted by law.

70. EFFECT

This by-law shall come into force and take effect upon the passing thereof and any other by-laws, parts of by-laws, resolutions or reports contrary to or inconsistent with this by-law are hereby repealed.

71. SHORT TITLE

This by-law may be referred to as either the "Procedural By-law" or the "Rules of Procedure".

Read a **First** and **Second** time this 16th day of July, 2018.

Read a **Third** time and finally **Passed** this 16th day of July, 2018.

Mayor

Clerk

Yvonne L. Robert, Clerk
rporation of the Township of Elizabethown-Kitley
the County of Leeds, do hereby certify that
foregoing is a true copy of
By-law 18-29
assed by the council of the said Corporation
e 16th day of July, 2018

Township of Elizabethtown-Kitley

POLICY: Public Notice Policy

POLICY STATEMENT:

In accordance with the *Municipal Act 2001,* as amended, the municipality must adopt a policy for public notification.

PROCEDURE:

Manner of Notice

1. Where notice of intention to pass a by-law or notice of a public meeting is required to be given, the Administrator-Clerk or designate shall cause such notice to be published in a local publication and on the Township website.

Time of Notice

2. Where notice of intention to pass a by-law or notice of a public meeting is required to be given, such notice shall be provided in the time frame prescribed in the *Municipal Act 2001*, as amended, or its regulations, and if not so prescribed, notice shall be given at least once during the fourteen days prior to the proposed action being taken.

Form of Notice

3. Unless otherwise prescribed in the *Municipal Act 2001*, as amended or its regulations, where notice of intention to pass a by-law or notice of a public meeting is required to be given, the form of the notice shall include the following information:
   a) A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;

   b) The date, time and location of the meeting;

   c) Where the purpose of the meeting or proposed by-law is related to specific lands within the Township, a key map showing the affected lands;

   d) The name and address of the person who will receive written comments on the issue which is the subject of the meeting and the deadline for receiving such comments.

FINANCIAL

Adoption of Annual Budget

4. The notice provisions set out in Sections 1, 2 and 3 shall apply to the adoption of the annual budget in total.

Operating Costs Incurred Prior to Budget Approval

5. Normal operating costs incurred prior to the adoption of the annual budget shall not require notice, and approval of such expenditures shall be deemed ratified upon the adoption of the annual budget.

GENERAL

6. No notice shall be required under this by-law, where the provision of notice will interfere with the ability of Council to conduct business with respect to a matter permitted for a closed session under the *Municipal Act 2001*, as amended.

7. Nothing in this by-law shall prevent the Administrator-Clerk from using more comprehensive methods of notice or providing for a longer notice period.

EMERGENCY PROVISION

8. If a matter arises, which in the opinion of the Administrator-Clerk, in consultation with the Head of Council, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the Township/ of Elizabethtown-Kitley or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived and the Administrator-Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

Committees of Council, Ad Hoc Committees and Board and Agency Representatives

Purpose:
In accordance with By-law 04-22, being a By-law to Govern the Proceedings of Council and Committees of Council, Committees of Council may be established by the Township of Elizabethtown-Kitley and Ad Hoc Committees may be appointed by the Mayor or Council to discuss and review matters pertaining to services and issues affecting the Township.

Committees of Council are frequently deemed an appropriate forum for such matters because, among other things:

- they often allow for more focused and timely investigation of a specific matter;
- the meetings are often more informal than Council meetings, albeit there are certain procedural requirements;
- they can meet as frequently as required;
- they often have volunteer members from the public and/of staff members adding their perspectives to the specific matter;
- they allow the public additional opportunities for participation and comment; and
- they may make recommendations to council for their review and potential approval.

Further, the Mayor and Council may establish, appoint members and set the terms of reference for Ad Hoc Committees. Such Committees tend to be issue or subject specific and the most informal in procedure and structure.

Structure – Committees of Council:
At a Council meeting or meetings soon following the inaugural meeting of Council, subsequent to the municipal election, Council shall establish or confirm the number of Committees of Council and their terms of reference as well as the nature and number of members. Subsequently, the Administrator-Clerk shall advertise in the appropriate local newspaper(s) and the Township's web page seeking written expressions of interest regarding the available Committees member vacancies. A copy of all submissions received shall be provided to the Councillors and pertinent Department Heads. The Mayor may solicit opinions from all or any Councillor regarding the subject written submissions and the Mayor shall confirm with the Administrator-Clerk a recommendation regarding the membership of Committees for Council's consideration. The Mayor may also solicit opinions from the immediate past Chairs of all Committees for input into committee member's effectiveness and commitment. All Committee of

Council membership shall be formalized by Council resolution or by-law. The Mayor may appoint or dismiss the Chair of all Committees of Council for which the Chair is to be member of Council. The Administrator-Clerk shall advise all Committee members of their appointment. The Mayor may be required to arbitrate those situations where they may be an actual or perceived conflict between Committees approaches or the overlapping of jurisdiction(s) between Committees as well as potentially the interpretation of a Committee's role. All Committees and their Chairs shall act in accordance with all applicable Township policies and by-laws. Decisions of Committees of Council shall be made by written resolutions for Council's subsequent review and decision. The Term of a Committee shall coincide with that of Council unless indicated otherwise.

Municipal Representation on Boards and Agencies:
The procedures for determining Committee of Council members shall generally be the same procedures for appointing those members who will represent the Township on the external Boards and Agencies the Township is authorized to have representation on. Examples of such Boards and Agencies include the Library Board, RVCA, CRCA, and the Brockville and Area Airport Commission. The term of the representative shall coincide with that of Council unless indicated otherwise. The representative shall keep Council and/or the pertinent Committee appropriately apprised of the actions of the subject Board or Agencies and shall report to the aforementioned at determined intervals or as requested. The Mayor may review and make recommendations annually regarding the effectiveness of the Township representative.

Established Committee of Council:
The Council of the Corporation of the Township of Elizabethtown-Kitley has established the following Committee of Council:

1. Committee of Adjustment
2. Community Emergency Management Program Committee
3. Economic Development Committee
4. Environmental Conservation and Advisory Committee
5. Heritage Elizabethtown-Kitley
6. Parks and Recreation Committee of the Whole
7. Planning Advisory Committee
8. Property Standards Committee
9. Public Works/Waste Management Committee of the Whole
10. Ad Hoc Committees

Committee Agendas, Minutes and Practices:
To address matters regarding the time and content of the Committee agenda, minutes as well as to identify relevant practices, it is appropriate to detail (i.e. from past and standard practices, the procedural by-law and legislated requirements) some additional structure regarding Committees.

1) Generally, the order and form of the Committee agenda shall be:

Agenda
Township of Elizabethtown-Kitley
_____Committee
Date/Time/Place

- Opening Meeting
- Adoption of Agenda
- Disclosure of Pecuniary Interest
- Minutes of Previous Meeting
- Delegations
- Discussion Items
- Correspondence/Information Items/Reports
- Other Business
- Public Questions
- Adjournment

Some Committees have the order of the above placed differently and this is generally not a concern provided the collective elements are all there. The opening of the meeting and disclosure of pecuniary interest shall always be items number one and two. In camera sessions are separate meetings with distinctive agendas and minutes held for the reasons allowed by legislation and the procedural by-law.

2) Staff should provide to the Committee appropriate reports and should have for the Committee clearly written options and recommendations. It is up to the Committee to select what actions they choose or recommend to have pursued. However, there should not be any question regarding the decision of the Committee and should it be unclear to the recording secretary or other staff or to the Committee members, then the Chair should be asked to either: i) have the mover repeat the motion on the table; or ii) have the Chair repeat their understanding of what is on the table and ask the Committee if they concur if that is what is on the table. Further, should the motion not be in a written format already or a written resolution is to be amended; the subject resolution should be written down and provided to the Chair or recording secretary.

3) Minutes should not be verbatim but rather a reflection of the direction of the Committee (e.g. Passed resolutions). However, it is acceptable to have some short summaries regarding delegations and verbal reports. A Committee speaks by resolutions approved by the majority of members. The recording secretary will work with the Chair to ensure there is appropriate follow up regarding any decisions (e.g. reports to Council, correspondences and/or implementation). A resolution of a Committee is only a recommendation to Council that Council may or may not choose to approve.

4) Committee members should get a copy of the agenda package or have an opportunity to pick up a copy of the package at least three (3) days prior to the Committee meeting. Obviously, special meetings will have different expectations relevant to the circumstances. Before the agenda is prepared, staff, to ensure any additional items they want to be included are included, should contact the Committee Chair.

5) The recording secretary assigned to a Committee will get a copy of the draft minutes to the Committee Chair within three (3) days subsequent to the subject meeting for their approval for circulation. They should then be provided to the Administrator-Clerk for inclusion in the earliest possible Council agenda package. The onus is on the relevant Chair, Committee staff person and Department Manager as well as the Administrator-Clerk to ensure such is done in a timely manner.

6) The Administrator-Clerk should be advised of the approved schedule of Committee meetings for the year and the onus is on the staff member serving the Committee to make sure such information is provided to the Administrator-Clerk. The Administrator-Clerk will keep a master list of Council and Committee meetings and will see that notice is given for such in the local newspaper and reflected on the Township's web page. It is up to staff to make sure the room or meeting location is reserved and that the Committee members, relevant staff and the Administrator-Clerk are advised of any meeting rescheduling, changes or cancellations.

7) Delegations should be given reasonable notice of the meeting and they should provide a written summary of their issue so that it can be included in the agenda package. This will allow the Committee members and staff time to have some appreciation of the issue before the meeting and can prepare appropriate information/recommendations concerning the matter. Hopefully, the Committee will then be more informed and able to deal with items more expeditiously should they so choose. Obviously, if a delegation refuses to

provide information for the agenda, staff may be required to place a memo in the agenda summarizing their understanding of the individual's issue(s) and option(s). It is the responsibility of the Chair to ensure the delegation is presented in a clear, focused and civil manner as well as keeping within the appropriate time lines when making a presentation to the Committee.

8) There are some Committees for which staff has not been assigned to record minutes at the actual meeting. In these cases staff should dialogue with the Chair regarding staff transcribing the meeting notes into draft Committee minutes for the Chair's approval for circulation and copying to the Administrator-Clerk for placement in the earliest possible Council agenda. Staff should also ensure the Committee agendas are prepared in accordance with the required format and timing. Similar to other circumstances, the Chair should be approached by staff regarding the items to be placed on the agenda. Further there may be times when (at the request of the Chair) staff assistance at a meeting may be required, and therefore the relevant Department Manager will be required to endeavour to provide such assistance to the Committee through some appropriate means.

9) Those Committees that do not have a Council appointed Chair shall select a Chair from within the Committee membership at their first meeting subsequent to the municipal election or at the first meeting feasible should the Chair position become vacant sometime during the term. The Chair of the Committee shall report, in writing, to Council generally by no later than two (2) months following the Committee's initial meeting, the goals and objectives of the Committee. Further the Chair shall provide to Council a written annual summary of the Committee's achievements towards implementing its objectives. The Mayor may review and make recommendations annually regarding the effectiveness of a Chair or Committee.

10) The Mayor and Administrator-Clerk shall be provided by relevant staff with a copy of all Committee agendas at the same time the Committee members are.

It is the expectation that the Committee members and staff will endeavour to comply with the afore referenced and that any deviations will be infrequent and only when otherwise unavoidable.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Committee of Adjustment

Purpose:
Appointed under the authority of the *Planning Act*, the Committee of Adjustment considers applications under the *Planning Act* with regard to minor variances, for the Township of Elizabethtown-Kitley.

Prescribed Committee regulations are found in the parent legislation and its applicable regulations.

Membership:
The Committee of Adjustment shall consist of five (5) laypersons as appointed by Council.

Meetings:
Committee meetings are called when applications dictate.

Department Jurisdiction:
Planning and Development

Staff Contact:
Secretary-Treasurer, Committee of Adjustment

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Community Emergency Management Program Committee

Purpose:
The purpose of the Community Emergency Management Program Committee is to develop and implement an emergency management program consisting of an emergency plan, training programs and exercises and public education. The Committee shall act in accordance with the duties and obligations as assigned by the *Emergency Management And Civil Protection Act.*

Membership:
The Community Emergency Management Program Committee shall consist of the Administrator-Clerk (Chairperson), CEMC, Fire Chief, Public Works Representative, CEMC Alternate and the Public Information Officer.

Meetings:
As required to complete the requirements of the Act.

Department Jurisdiction:
Protection to Persons and Property

Staff Contact:
Administrator-Clerk

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Economic Development Committee

Purpose
The Economic Development Committee is predominantly comprised of local business people and interested citizens striving to enhance the economic development opportunities and investment and increased local employment opportunities through active encouragement and assistance in business attraction, retention and expansion in Elizabethtown-Kitley that will maintain and enhance the valued lifestyle in this growing community. The Committee is committed to the promotion of commercial and residential development, campaigning for this municipality as the place to live and work.

Under the direction of Council, the Economic Development Committee is to manage the development of the Township businesses and industries within an environment that maximizes benefit to the Township and area residents. The Committee is also tasked with the responsibility for the management of the Business Park.

Membership
The Economic Development Committee shall consist of two (2) member of Council and four (4) layperson members

Meetings
Generally the second Tuesday of the month.

Department Jurisdiction
Economic Development

Staff Contact
Administrator-Clerk or Deputy Clerk

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Environmental Conservation and Advisory Committee

Purpose
Under the direction of Council the Environmental Conservation and Advisory Committee is to promote a healthy environment and ecological balance in the Township of Elizabethtown-Kitley in the long term interest of residents, resource conservation and the various living components of our natural environment that will meet the needs of today while protecting the environment for future generations.

Membership
The Environmental Conservation and Advisory Committee shall consist of one (1) member of Council and four (4) layperson members.

Meetings
Generally held once a month on the fourth Wednesday of the month.

Department Jurisdiction
Public Works

Staff Contact
Administrative Assistant – New Dublin

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Heritage Elizabethtown-Kitley

Purpose
Pursuant to the authorities granted under the Ontario Heritage Act, the purpose of Heritage Elizabethtown-Kitley is to advise Council on heritage matters including architectural, material culture, historical and natural heritage. This can be accomplished through conservation or restoration initiatives, education, or heritage designation of the built environment.

Under the direction of Council the Committee may advise and recommend; provide knowledge and expertise; facilitate the work of the organizing body; and act as a liaison between politicians, organizational staff, members of the publics and other stakeholders with regard to matters of architectural or historical significance.

Heritage Elizabethtown-Kitley is committed to furthering the investigation, identification, preservation, interpretation and wise use of the natural and constructed heritage of the Township.

Membership
The Heritage Elizabethtown-Kitley Committee shall consist of one (1) Council member and four (4) layperson members.

Meetings
Generally held once a month.

Department Jurisdiction
Heritage

Staff Contact
Deputy Clerk

Recording Secretary
A Recording Secretary shall be appointed from the committee membership.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Parks and Recreation Committee of the Whole

Purpose
Under the direction of Council the Parks and Recreation Committee of the Whole may address, in particular:

- the recreation services and lands owned or under the jurisdiction of the Township;
- Receive recommendations and reports of the Recreation User Group Committee;
- Review and make recommendations to Council with regard to recreation services and lands within the Township, including but not limited to operation, maintenance and general effectiveness of all Township recreational properties such as trails, paths, parks equipment;
- Inter-governmental relations relating to recreation functions

Membership
The Parks and Recreation Committee of the Whole shall consist of all members of Council.

Meetings
Generally held once a month on the third Monday of the month.

Department Jurisdiction
General Government

Staff Contact
Administrator-Clerk

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Planning Advisory Committee

Purpose
Appointed under the authority of the *Planning Act*, the Planning Advisory Committee considers applications under Section 52 of the *Planning Act* (e.g. minor variance) for the Township of Elizabethtown-Kitley.

Prescribed Committee regulations are found in the parent legislation and its applicable regulations.

Membership
The Planning Advisory Committee shall consist of one (1) member of Council and four (4) layperson members.

Meetings
Monthly, generally on the third Tuesday of the month, based on the number of applications/submissions received.

Department Jurisdiction
Planning and Development Department

Staff Contact
Director of Planning and Development

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Property Standard Committee

Purpose
In accordance with the Municipal Act and the Township of Elizabethtown-Kitley Property Standards By-law, the Property Standards Committee rules upon appeals of property standards orders.

The Appeals may consider whether orders were in accordance with provisions under the Property Standards By-law; if remedial action proposed is reasonable or the Property Standards Committee may make decisions regarding the length of time corrective action may take.

Prescribed Committee regulations are found in the parent legislation.

Membership
The Property Standard Committee shall consist of a maximum of five (5) layperson members.

Meetings
Upon appeal of an order under the Property Standards By-law.

Department Jurisdiction
Planning and Development Committee

Staff Contact
By-Law Enforcement Officer

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Public Works Committee/Waste Management Committee of the Whole

Purpose
Under the direction of Council the Public Works Committee may address, in particular:

- the transportation system, including but not limited to roads, sidewalks and pathways owned or under the jurisdiction of the Township;
- inter-governmental relations relating to Public Works functions; and
- utility relations such as Enbridge and Hydro One contracts pertaining to right-of-way usage.

Membership
The Public Works Committee shall consist of three (3) members of Council.

Meetings
Generally held once a month on the fourth Thursday of the month.

Department Jurisdiction
Public Works

Staff Contact
Director of Public Works

Township of Elizabethtown-Kitley

Closed Meeting Procedures Policy

Purpose:
The *Municipal Act, 2001 as amended* states that all meetings shall be open to the public, with some exceptions. The purpose of this policy is to provide clarity on when closed meetings are to be held and the processes to be followed by staff, Council and Committee members. These processes are designed to help ensure that the municipality adheres to the standards of accountability and transparency as set out in the *Municipal Act, 2001, as amended.*

Definitions:

"Body"	Means Council, a Committee of Council, Sub-committees or Ad Hoc committees of Council or Local Board.
"Chair"	Means the chair of the body.
"Clerk"	Means the Administrator-Clerk of the Township of Elizabethtown-Kitley
"Closed Meeting"	Means a meeting closed pursuant to the *Municipal Act, 2001, as amended*. The term "in camera" means closed meeting.
"Council"	Means the Council of the Corporation of the Township of Elizabethtown-Kitley.
"Member(s)"	Means the members of the respective body.
"The Act"	Means the *Municipal Act, 2001, as amended*.
"The Municipality"	Means the Corporation of the Township of Elizabethtown-Kitley.
"Township"	Means the Corporation of the Township of Elizabethtown-Kitley.
Effective Date:	This policy will come into force and effect upon passage of By-law 12-55 and forms Schedule "A" to By-law 12-55.
Scope:	This policy will apply to the Council of the Township of Elizabethtown-Kitley and all Committees of Council, including sub-committees, ad hoc committees and Local Boards.

Part 1 – Legislative Authority

Meeting shall only be closed to the public if they are so authorized under the *Municipal Act, 2001, as amended.* Section 239 (2) states that a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

a) The security of the property of the municipality or local board;
b) Personal matters about an identifiable individual, including municipal or local board employees;
c) A proposed or pending acquisition or disposition of land by the municipality or local board;
d) Labour relations or employee negotiations;
e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipal or local board;
f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
g) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another *Act.*

Section 239 (3) states that a meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of the Act.

Section 239 (3) (b) states that a meeting shall be closed if the subject matter being considered is an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act,* or Ombudsman.

Section 239 (3.1) states that a meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied;

1. The meeting is held for the purpose of educating or training the members.

2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

PART II – Before the Meting

1. Meeting Must Begin and End in Public

   It is the policy of the Township that a body shall only move into a closed meeting after first convening an open meeting. At a minimum, meetings shall first be convened openly and members provided an opportunity to

disclose any pecuniary interest, followed by the passing of a resolution or motion to move into closed meeting. The body shall adjourn the closed meeting by motion and return to open meeting, at which time the Chair, in accordance with this policy, will then report out and then the open meeting may adjourn.

2. Notice

As noted in Section 1, all meetings must begin and end in public. Notice of closed meetings is therefore incorporated into the municipality's practice for providing notice of open meetings, which is set out in the Notice By-law. The closed meeting and nature thereof is listed on the agenda of the open meeting.

3. Agenda

Closed meetings are to be listed on the agenda after Question Period, as outlined in the Procedural By-law. In the event it is necessary to change the order of proceedings to move the closed meeting earlier in the agenda, consent of the body is required. Closed meeting minutes of the body's previous closed meeting should be listed in the closed meeting section of the agenda for approval.

Closed meetings are to be listed on the agenda in such a way as to provide the most information possible without compromising confidentiality. For example:

Closed Session
a) Approval of Previous Closed Meeting Minutes – April 22, 2010
b) Litigation Matter – Litigation Regarding a Property Located at 123 Example Avenue

4. Multiple Closed Minutes/Reports/Supplemental Materials

Should it become necessary to address more than one closed meeting matter on one agenda, the agenda shall list each closed meeting matter separately. Following the closed meeting and once the open meeting has resumed, the Chair will then report out on each of the closed meeting matters in the open meeting in accordance with Part IV of this policy.

5. Closed Meeting Minutes/Reports/Supplemental Materials

Closed meeting minutes, reports and supplemental materials such as (but not limited to) letters from solicitors will be marked "Confidential" and prepared on blue paper. Staff will consult with the Clerk in determining if the matter meets the criteria for a closed meeting and if reports/supplemental materials should be marked "Confidential".

Closed Meeting Procedure, continued

Closed meeting reports shall use the standard report format and shall include a title that will appear on the open meeting agenda. Report authors should consider using titles for closed meeting reports that provides as much information to the public as possible without releasing information that must remain confidential.

Closed meeting materials, including closed meeting reports, supplemental materials and draft closed meeting minutes will be circulated at the direction of the Clerk.

Closed meeting material circulated in hard copy will be prepared on blue paper and marked "Confidential". Closed meeting material to be circulated electronically via e-mail will be circulated separately from open meeting material and the email will be marked "Confidential" in the subject line.

The onus remains with the members, staff and recipients to respect the confidentiality of closed meeting material.

Part III – During the Meeting

6. Resolution to Move into a Closed Meeting

A resolution to move into a closed meeting must be in writing and must identify the time the body moved into the closed meeting, as well as the section of the Municipal Act that authorizes the closed meeting. The resolution must also state the general nature of the matter to be discussed in the closed meeting.

The *Municipal Act, 2001 as amended*, Section 239 states:

(4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,

a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or

b) in the case of a meeting under subsection (3.1) (Educational or training sessions), the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed under the subsection.

7. Example of a Resolution to Move into Closed Meeting

The resolution to move into a closed meeting must state the general nature of the subject matter. Examples of descriptions to follow "Specifically" in the attached sample resolution may include:

- Specifically: With respect to litigation regarding a property located at 124 Example Avenue

- Specifically: To receive advise subject to solicitor-client privilege with respect to a potential lawsuit
- Specifically: To discuss labour relations or employee negotiations

Please see Schedule 1 attached for an example of the resolution to move into closed meeting.

8. Discussion and Voting in Closed Meeting

It is the responsibility of the chair to prohibit discussion of any matter that was not disclosed in the resolution authorizing the closed meeting.

Voting during a closed meeting is restricted to procedural matters, such as referring, tabling or deferring a matter, and providing instruction to staff.

9. Example of a Closed Meeting Resolution

All resolution in a closed meeting shall be in writing. It is the responsibility of the Clerk or designate to have blank resolutions prepared for completion during the course of a closed meeting. As example of a resolution providing direction to staff is attached as Schedule 2.

10. Resolution to Adjourn Closed Meeting and Return to Open Meeting

At the conclusion of the discussion, the body must pass a written resolution to adjourn the closed meeting and return to the open meeting. An example of such a resolution is attached as Schedule 3.

Part IV – After the Meeting

11. Chair Reporting Out in Open Meeting

After the closed meeting ends and the open meeting resumes, the Chair shall publicly report that the matters discussed were those authorized by the resolution to move into a closed meeting. Additionally, the chair shall report any votes that were taken in accordance with Part III, Section 8 of this policy. For example, the Chair would restate the general nature of the matter discussed and report that a resolution was passed providing instruction to staff.

Format of Closed Meeting Minutes

Minutes are required for all closed meetings. The Municipal Act, 2001, as amended, states in Section 239(7): A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions or other proceedings at a meeting of the body,

whether it is closed to the public or not.

The recording secretary for closed meeting shall be the Clerk or an individual designated by the Clerk. The Administrator-Clerk shall determine which members of staff shall be present during a closed meeting.

At a minimum, minutes of a closed meeting shall contain the following:

a) The date, time and place at which the meeting took place*
b) Those in attendance at the meeting*
c) The time the meeting was called to order*
d) Any disclosure of pecuniary interest*
e) The resolution to move into the closed meeting, including the time it took place, the section of the Municipal Act authorizing the closed meeting, and the general nature of the matter*
f) All resolutions passed while in the closed meeting
g) The closed meeting adjournment resolution, including the time the open meeting resumed*
h) The report out by the Chair*
i) The signature of the Chair and Secretary

*Items are also to appear in open meeting minutes.

12. Approval of Closed Meeting Minutes

Closed meeting minutes containing resolutions, decisions or directions will be approved by the body at the time of the next closed meeting. The closed meeting minutes will be approved in a closed meeting.

13. Confidential Documents Kept by the Clerk

All confidential documents, including closed meeting minutes, closed meeting resolutions, closed meeting reports and confidential supplemental materials shall be kept in a secure location by the Clerk of the municipality

Part V – Closed Meeting Complaints and Closed Meeting Investigations

14. Closed Meeting Complaints

The Township of Elizabethtown-Kitley has appointed Local Authority Services (LAS) as a closed meeting investigator.

Closed Meeting Procedure, continued

In accordance with Section 239 of the *Municipal Act, 2001, as amended*, members of the public including corporations, may request that an investigation of whether a municipality or local board has complied with Section 239 or a municipal procedural by-law.

SCHEDULE 1
CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

January 1, 2016 Session **Res. No. XXX-12**

Moved by _____

Seconded by _____

Closed Meeting

THAT Council adjourn to a closed meeting under Section 239 of the *Municipal Act, 2001*, as specified below, to facilitate discussion with respect to:

□ (2) (a) the security of the property of the municipality or local board;
SPECIFICALLY :_____

□ (2) (b) personal matter about an identifiable individual, including municipal or local board employees;
SPECIFICALLY:_____

□ (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
SPECIFICALLY:_____

□ (2) (d) labour relations or employee negotiations;
SPECIFICALLY:_____

□ (2) (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
SPECIFICALLY:_____

□ (2) (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
SPECIFICALLY:_____

□ (2) (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
SPECIFICALLY:_____

□ (3) (a) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board or commission or other body is the head of an institution for the purposes of that Act.
SPECIFICALLY:_____

□ (3) Section 239 (3) (b) states that a meeting shall be closed if the subject matter being considered is an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act,* or Ombudsman.
SPECIFICALLY:_____

Closed Meeting Procedure, continued

Closed meeting draft resolution, continued

□ (3.1) A meeting of a council or local board of a committee of either of them may be closed to the public if the following conditions are both satisfied;
(3.1)(1) The meeting is held for the purpose of educating or training the members.

(3.1)(2) At the meeting, no members discussion or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee
SPECIFICALLY:_____

- □ Carried
- □ Lost
- □ Tabled

_____
Jim Pickard, Mayor

SCHEDULE 2

CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

January 1, 2016 Session **Res. No. CXX-16**

Moved by _____

Seconded by_____

THAT Council direct staff to pay the $48.50 interest to XXXX XXXXXX.

- ☐ Carried
- ☐ Lost
- ☐ Tabled

_____
Jim Pickard, Mayor

SCHEDULE 3

CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

January 1, 2016 Session **Res. No. XXX-16**

Moved by _____

Closed Meeting Adjournment

THAT the closed meeting of Council adjourn at _____ and the open meeting of Council reconvene.

- □ Carried
- □ Lost
- □ Tabled

_____
Jim Pickard, Mayor

Joint Leeds & Grenville Election
Compliance Audit Committee

	Terms of Reference
1	Name The name of the Committee is the "Joint Leeds & Grenville Election Compliance Audit Committee" consisting of the following municipalities: Township of Athens Township of Augusta City of Brockville Township of Edwardsburgh/Cardinal Township of Elizabethtown-Kitley Township of Front of Yonge Town of Gananoque Township of Leeds and the Thousand Islands Village of Merrickville-Wolford Municipality of North Grenville Town of Prescott Township of Rideau Lakes Village of Westport
2	Duration The term of office is from December 1, 2014 to November 30, 2018 to deal with applications from the 2014 election and any by-elections during Council's term.
3	Mandate The powers and functions of the Committee are set out in Sections 81 and 81.1 of the *Municipal Elections Act, 1996* (Appendix "A"). The Committee will perform the functions relating to the compliance audit application process as outlined in the Act. These functions include: a. within 30 days receipt of a compliance audit application by an elector, consider the application and decide whether it should be granted or rejected; b. appoint a licensed auditor, if the application is granted; c. receive the auditor's report; d. within 30 days receipt of the auditor's report, consider the report; e. if the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, commence legal proceedings against the candidate for the apparent contravention; f. if the report concludes that the candidate does not appear to have contravened a provision of the Act relating to election campaign finances and the Committee finds that there were no reasonable grounds for the application, Council may recover the auditors costs from the applicant.

4	Membership The Committee will be composed of three (3) voting members, with three (3) alternate members that would assume all the rights and privileges of a voting member if called upon. Alternate members will be called upon to replace a voting member when required. Membership will be drawn from the following groups: a. accounting and audit - accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates; b. legal; c. professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and/or d. other individuals with knowledge of the campaign financing rules of the *Municipal Elections Act, 1996.* Municipal employees, members of Council and any candidates in the municipal election or in any by-election during the term of Council for any member municipality are ineligible to be appointed as a member of the Committee pursuant to subsection 81.1(2) of the of the *Municipal Elections Act, 1996.* Members will be required to take Accessible Customer Service training as a condition of appointment.
5	Membership Selection The terms of reference and application form will be posted on the municipal websites of the member municipalities. Staff will also contact and solicit those individuals as set out under section 4 of the Terms of Reference. In addition, advertisements will be placed in a local paper. All applicants will be required to complete an application form outlining their qualifications and experience. Leeds & Grenville Clerks may interview applicants who meet the selection criteria and prepare a short list of three voting members and three alternate members. Recommended candidates will be submitted to the Council of each member municipality for consideration. The selection process will be based upon clearly understood and equitable criteria. Members will be selected on the basis of the following: a. demonstrated knowledge and understanding of municipal election campaign financing rules; b. proven analytical and decision-making skills;

	c. experience working on a committee, task force or similar setting; d. availability and willingness to attend meetings; and e. excellent oral and written communication skills. Any members appointed must also agree in writing they will not be a candidate in the Municipal election or in any by-election during the term of Council for any member municipality. Failure to adhere to this requirement will result in the individual being removed from the Committee.
6	Conflict of Interest The principles of the *Municipal Conflict of Interest Act*, apply to this Committee. Failure to adhere to this requirement will result in the individual being removed from the Committee. To avoid a conflict, any person appointed to the Committee must agree in writing not to prepare or audit the election financial statements of any candidate for office for any of the member municipalities in the municipal election. Failure to adhere to this requirement will result in the individual being removed from the Committee.
7	Chair The Committee will select a Chair from amongst its members at its first meeting upon receipt of each compliance audit application. The Chair is the liaison between the members and the Secretary of the Committee on matters of policy and process. The Chair shall enforce the observance of order and decorum among the Committee members and the public at all meetings. When the Chair is absent, the Committee may appoint another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair.
8	Staffing and Funding The Clerk or designate from the applicable member municipality shall act as Secretary to the Committee. The member municipality requiring the services of the Committee shall be responsible for all associated expenses.
9	Meetings Meetings of the Committee will be conducted in accordance with the open meeting provisions of the *Municipal Act, 2001.*

An alternate member shall be used in the following circumstances:

- a committee member is an eligible elector in the municipality requiring the audit.
- a committee member has a personal or business relationship with the subject of the audit.
- a committee member is unavailable for the duration of the audit.

The Clerk or designate of the member municipality will confirm the committee membership.

Timing of Meetings
Upon receipt of each application, the first meeting will be called by the Clerk or designate of the member municipality. The date and time of the meeting will be determined by the Clerk or designate and communicated directly to the Committee members. Subsequent meetings will be held at the call of the Chair in consultation with the Clerk or designate.

Committee activity shall be determined primarily by the number and complexity of applications for compliance audits that may be received. The frequency and duration of meetings will be determined by the Committee in consultation with the Clerk or designate.

Meeting Location
The Committee shall meet at the location determined by the member municipality.

Meeting Notices, Agendas & Minutes
The agenda shall constitute notice. The Clerk or designate of the member municipality requiring the services of the Committee shall cause notice of the meetings to be provided to members of the Committee a minimum of two (2) business days prior to the date of each meeting, not including weekends or holidays. The agendas and minutes of meetings shall be posted on the member municipality's website.

Minutes of each meeting shall outline the general deliberations and specific actions and recommendations that result.

Agenda Format
1. Call to Order
2. Disclosure of Pecuniary Interest and General Nature Thereof
3. Consideration of Compliance Audit Application *or* Auditor's Report
4. Adjournment

	Quorum Quorum for meetings shall consist of a majority of the members of the Committee. If no quorum is present thirty (30) minutes after the time appointed for a meeting, the Clerk or designate shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting. *Meeting Attendance* Any member of the Committee, who misses three (3) consecutive meetings, without being excused by the Committee, may be removed from the Committee. The Committee must make recommendations, by a report to Council for the removal of any member. *Motions & Voting* A motion shall only need to be formally moved before the Chair can put the question or a motion can be recorded in the minutes. Every Member present shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest. In the case of a tie vote, the motion shall be considered to have been lost. The manner of determining the vote on a motion shall be by show of hands. The Chair shall announce the result of every vote.
10	<u>Administrative Practices and Procedures</u> The Terms of Reference constitute the Administrative Practices and Procedures of the Committee. Any responsibilities not clearly identified within these Terms of Reference shall be in accordance with Section 81 of the *Municipal Elections Act, 1996*. The Clerk or designate at any time has the right to develop additional administrative practices and procedures.

APPENDIX "A"

Municipal Elections Act, 1996
S.O. 1996, c. 32
(for reference only)

Compliance Audit Application & Committee

Compliance audit
Application

81. (1) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances. 2009, c. 33, Sched. 21, s. 8 (44).

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office; and it shall be in writing and shall set out the reasons for the elector's belief. 2009, c. 33, Sched. 21, s. 8 (44).

Deadline

(3) The application must be made within 90 days after the latest of,

(a) the filing date under section 78;

(b) the candidate's supplementary filing date, if any, under section 78;

(c) the filing date for the final financial statement under section 79.1; or

(d) the date on which the candidate's extension, if any, under subsection 80 (4) expires. 2009, c. 33, Sched. 21, s. 8 (44).

Application to be forwarded to committee

(4) Within 10 days after receiving the application, the clerk of the municipality or the secretary of the local board, as the case may be, shall forward the application to the compliance audit committee established under section 81.1 and provide a copy of the application to the council or local board. 2009, c. 33, Sched. 21, s. 8 (44).

Decision

(5) Within 30 days after receiving the application, the committee shall consider the application and decide whether it should be granted or rejected. 2009, c. 33, Sched. 21, s. 8 (44).

Appeal

(6) The decision of the committee may be appealed to the Ontario Court of Justice within 15 days after the decision is made and the court may make any decision the committee could have made. 2009, c. 33, Sched. 21, s. 8 (44).

Appointment of auditor

(7) If the committee decides under subsection (5) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2009, c. 33, Sched. 21, s. 8 (44).

Same

(8) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (7). 2009, c. 33, Sched. 21, s. 8 (44).

Duty of auditor

(9) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate. 2009, c. 33, Sched. 21, s. 8 (44).

Who receives report

(10) The auditor shall submit the report to,

(a) the candidate;

(b) the council or local board, as the case may be;

(c) the clerk with whom the candidate filed his or her nomination;

(d) the secretary of the local board, if applicable; and

(e) the applicant. 2009, c. 33, Sched. 21, s. 8 (44).

Report to be forwarded to committee

(11) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee. 2009, c. 33, Sched. 21, s. 8 (44).

Powers of auditor

(12) For the purpose of the audit, the auditor,

(a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and

(b) has the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to the audit as if it were an inquiry under that Act. 2009, c. 33, Sched. 21, s. 8 (44).

Note: On a day to be named by proclamation of the Lieutenant Governor, clause (b) is repealed and the following substituted:

(b) has the powers set out in section 34 of the *Public Inquiries Act, 2009* and section 34 applies to the audit.

See: 2009, c. 33, Sched. 21, ss. 8 (45), 13 (2).

Costs

(13) The municipality or local board shall pay the auditor's costs of performing the audit. 2009, c. 33, Sched. 21, s. 8 (44).

Power of committee

(14) The committee shall consider the report within 30 days after receiving it and may,

(a) if the report concludes that the candidate appears to have contravened a provision of this Act relating to election campaign finances, commence a legal proceeding against the candidate for the apparent contravention;

(b) if the report concludes that the candidate does not appear to have contravened a provision of this Act relating to election campaign finances, make a finding as to whether there were reasonable grounds for the application. 2009, c. 33, Sched. 21, s. 8 (44).

Recovery of costs

(15) If the report indicates that there was no apparent contravention and the committee finds that there were no reasonable grounds for the application, the council or local board is entitled to recover the auditor's costs from the applicant. 2009, c. 33, Sched. 21, s. 8 (44).

Immunity

(16) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (7) for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith. 2009, c. 33, Sched. 21, s. 8 (44).

Saving provision

(17) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances. 2009, c. 33, Sched. 21, s. 8 (44).

Compliance audit committee

81.1 (1) A council or local board shall, before October 1 of an election year, establish a committee for the purposes of section 81. 2009, c. 33, Sched. 21, s. 8 (44).

Composition

(2) The committee shall be composed of not fewer than three and not more than seven members and shall not include,

(a) employees or officers of the municipality or local board;

(b) members of the council or local board; or

(c) any persons who are candidates in the election for which the committee is established. 2009, c. 33, Sched. 21, s. 8 (44).

Term of office

(3) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed. 2009, c. 33, Sched. 21, s. 8 (44).

Role of clerk or secretary

(4) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions. 2009, c. 33, Sched. 21, s. 8 (44).

Costs

(5) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities. 2009, c. 33, Sched. 21, s. 8 (44).

The Corporation Of The Township Of Elizabethtown-Kitley

By-Law No. 18- 34

A By-Law To Establish A Code Of Conduct For The Council Of The Township Of Elizabethtown-Kitley And To Repeal By-law 15-07

****

WHEREAS Section 11(2) of the Municipal Act 2001, SO 2001, c. 25, as amended, authorizes municipalities to pass by-laws regarding Accountability and Transparency of the municipality and its operations;

AND WHEREAS Section 223.2(1) of the Municipal Act 2001, SO 2001, c. 25, as amended, authorizes municipalities to establish codes of conduct for members of the council of the municipality;

AND WHEREAS Ontario Regulation 55/18 sets out the prescribed subject matters for municipal codes of conduct;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1 That the Code of Conduct, as attached as 'Schedule A' hereto be adopted by the Council of the Corporation of the Township of Elizabethtown-Kitley.

2. That By-law 15-07 be repealed in its entirety.

3. That this by-law shall come into force and take effect upon receiving the final passing thereof.

Read a **First** and **Second** time this 13th day of August, 2018.

Read a **Third** time and finally **Passed** this 13th day of August, 2018.

MAYOR

CLERK

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 18-34
passed by the council of the said Corporation
the 13 day of August, 2018

Code of Conduct for Elected Officials

Purpose: The purpose and intent of this Policy is to establish guidelines for ethical and interpersonal standards of conduct for Members of Council and shall also apply to all future Members of Council. This Code of Conduct also applies equally to all Members of Boards and Committees of the Municipality, whether or not a Member of that Board or Committee is also a Member of Council.

STANDARDS OF CONDUCT

1. Members of Council shall at all times seek to advance the common good of the community which they serve.
2. Members of Council shall truly, faithfully and impartially exercise the office to the best of their knowledge and ability.

CONDUCT TO BE OBSERVED

1. Confidential Information

"Confidential information" includes information in the possession of the Township that the Township is either prohibited from disclosing or has decided to refuse to disclose under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) or other legislation. Confidential information also includes:

i) "personal information" as defined in MFIPPA;

ii) information of a corporate, commercial, scientific or technical nature received in confidence from third parties;

iii) information that is subject to solicitor client privilege;

iv) information that concerns any confidential matters pertaining to personnel, labour relations, litigation, property acquisition, or the security of the property of the municipality or a local Board;

v) information provided or discussed in a closed session of Council;

vi) information members of Council obtain by virtue of their position that is not in the public domain, including e-mails, documents and correspondence from other Members, or third parties; and

vii) any other information determined by Council to be confidential or required to remain or be kept confidential by legislation or order.

1. No member shall disclose or release by any means to any member of the public, or in any way divulge, any confidential information, in either oral or written form, except when required by law or authorized by Council resolution to do so.

2. Members shall not release information subject to solicitor-client privilege, unless expressly authorized by Council, Local Board resolution (if so empowered), or required by law to do so.

3. Any matter that has been discussed at a closed meeting remains confidential. Members have a duty to hold information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. Members shall not, either directly or indirectly, release, use for personal reasons, make public or in any way divulge the content of any such matter, or the substance of deliberations of the closed meeting, including memorandums and staff reports that are distributed for consideration during the in-camera meeting, unless specifically authorized by Council resolution or required by law.

4. Members of Council shall not access or attempt to gain access to confidential information in the custody of the Township unless it is necessary for the performance of their duties and not prohibited by Council policy.

5. Members are only entitled to information in the possession of the Township that is relevant to matters before the Council or a committee. Otherwise, they enjoy the same level of access rights to information as any other member of the community and must follow the same processes as any private citizen.

6. The obligation to keep information confidential applies event if the Member ceases to be a Member for any reason.

Consequences

A Member found by Council to have contravened any provision of this Code is subject to one or more of the following consequences imposed by Council.

Where recommended by the Integrity Commissioner, Council may impose the following penalties:

i. a reprimand; or
ii. suspension of the remuneration paid to the Member in respect of his or her services as a member of Council or a local board, as the case may be, for a period of up to 90 days.

In appropriate circumstances, Council may impose remedial measures on any Member determined to have breached the Code of Conduct, including any of the following:

a. require an apology to Council, the complainant or both;
b. require that municipal property wrongfully used be returned;
c. prohibit the Member from attending closed sessions of Council for a specified period of time, with no impact on the Member's remuneration;
d. remove a Member from a Committee or Board;
e. remove a member as Chair of a Committee or Board; and
f. any other remedial measure deemed appropriate by Council.

2. **Release of Information to Public and Media**

Members of Council acknowledge that official information related to decisions and resolutions made by Council will normally be communicated to the community and the media by the Council as a whole or the Mayor as Head of Council or by his or her designate.

Members, when communicating with the public and media, will accurately and adequately communicate the decisions of the Council, Board or Committee, even if a Member disagrees with a majority decision, so that there is respect for and integrity in the decision making process.

Any use of social media in any form by a Member constitutes communication with the public that is governed by this section. Members shall identify in any social media communication that the views expressed by the Member are the views of that Member personally, and do not represent the views of the Municipality.

If Council has taken a position in a Local Planning Appeals Tribunal, or other tribunal or court, and instructed the Municipal Solicitor to appear at a hearing in support of such position, no Member who disagrees with such position shall give evidence at such hearing or otherwise work against the will of Council expressed in its direction to the Municipal Solicitor in such matter.

3. **Acceptance of Gifts Prohibited**

The stipend paid to each Member of Council is intended to fully remunerate Members of Council for service to the Corporation. Members of Council shall not solicit, accept, offer or agree to accept a commission, reward, gift, advantage or benefit of any kind, personally or through a family member or friend, which is connected directly or indirectly with the performance or duties of office.

A family member is defined as set out in the Municipal Conflict of Interest Act, more specifically the parent, spouse and/or child of the member.

Members of Council are not precluded from accepting:

- personal gifts, benefits, rewards, commissions or advantages from any person or organization not connected directly or indirectly with the performance or duties of office;
- political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- food and beverages at banquets, receptions, ceremonies or similar events;
- services provided without compensation by persons volunteering their time during an election campaign in accordance with the applicable legislation;
- food, lodging, transportation and entertainment provided by other levels of government or by other local governments, boards or commissions;
- a reimbursement of reasonable expenses incurred in the performance of duties or office;
- a reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations;
- token gifts such as souvenirs, mementoes and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the Corporation at an event; and
- gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

Members of Council shall return any gifts or benefits which exceed these limits, along with an explanation why the gifts or benefits cannot be accepted.

Where it is not possible to decline unauthorized gifts, hospitality or other benefit, Members shall report the matter to the Administrator-Clerk. The gift shall become the property of the Municipality and the Administrator-Clerk may require that the gift be retained by the Corporation or be disposed of for charitable purposes in the Administrator-Clerk's sole discretion.

4. **Engaging in Incompatible Activity Prohibited**

Members of Council shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of official duties in the public interest.

Without limiting the generality of the foregoing, Members of Council shall not:

- use any influence of office for any purpose other than official duties;
- act as an agent before Council or any committee, board or commission of Council;
- solicit, demand or accept the services of any corporate employee, or individual providing services on a contract for service, for re-election purposes during hours in which the employee, or individual providing services under a contract for service, is in the paid employment of the Corporation;
- use any information gained in the execution of office that is not available to the general public for any purpose other than for official duties;
- place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
- give preferential treatment to any person or organization in which a Member or Members of Council have a financial interest;
- influence any administrative or Council decision or decision-making process involving or affecting any person or organization in which a Member or Members of Council have a financial interest;
- use Corporate materials, equipment, facilities or employees for personal gain or for any private purpose, and
- post-employment conflict: elected officials shall not act, after they leave public office, in such a manner as to take improper advantage of the Corporation in which they were elected to serve.

Members shall abide by the following principles:

a) Members shall at all times act ethically;
b) Members shall perform their functions with integrity, accountability and transparency;
c) Members shall comply with all applicable legislation, by-laws and policies pertaining to their position, including this Code of Conduct;
d) Members acknowledge that the public has a right to open government and transparent decision-making; and

e) Members shall at all times serve the interests of their constituents and the Municipality in a conscientious and diligent manner and shall approach decision-making with an open mind.

5. **Avoidance of Waste**

Members of Council shall avoid waste, abuse and extravagance in the provision or use of public resources, and shall expose fraud and corruption of which the Member of Council is aware.

INTERPERSONAL BEHAVIOUR OF MEMBERS OF COUNCIL

1. **Treat Every Person with Dignity, Understanding and Respect**

Every Member has the duty and responsibility to treat members of the public, staff and each other in a respectful manner, without abuse, bullying, harassment or intimidation.

A Member shall not use indecent, abusive, or insulting words or expressions toward any other Member, any member of Staff, or any member of the public.

Members of Council shall abide by the provisions of the *Human Rights Code* and, in doing so, shall treat every person, including other Members of Council, corporate employees, individuals providing services on a contract for service, students on placements, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.

2. **Not to Discriminate**

In accordance with the *Human Rights Code*, Members of Council shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability. "Age", "disability", "family status", "record of offences", "same sex partnership status" shall be as defined in the *Human Rights Code*.

3. **Not to Engage in Harassment**

In accordance with the *Human Rights Code*, harassment shall mean engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

Without limiting the generality of the foregoing, Members of Council shall not:

- make racial, homophobic, sexist or ethnic slurs;
- display pornographic, homophobic, sexist, racist or other offensive or derogatory material;
- make leering (suggestive staring) or other offensive gestures;
- make written or verbal abuse or threats;
- vandalize the personal property of others;
- commit physical or sexual assault;
- make unwelcome remarks, jokes, innuendos or taunting statements about a person's physical appearance, racial background, colour, ethnic origin, place of origin, citizenship, ancestry, creed (religion or belief), sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, disability (physical or mental);
- make unwelcome remarks, insulting gestures or jokes which cause embarrassment or awkwardness;
- refuse to converse or interact with anyone because of their racial or ethnic background, colour, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability;
- make unnecessary or unwanted physical contact, including touching, patting, or pinching; and
- demand sexual favours or requests.

Harassment which occurs in the course of or related to the performance of duties by Members of Council is subject to this policy.

A good faith exercise of performance management with respect to corporate employees for legitimate purposes by Council is not harassment.

USE OF CORPORATE RESOURCES

No Member shall use or permit the use of Township property, including land, facilities, equipment, supplies, services, employees or other resources (i.e. Township owned materials, computers, networks, websites, corporate transportation) for activities other than the business of the Corporation. Nor shall any Member or the Member's family members or friends obtain personal benefit or financial gain from the use or sale of Township property, including Township developed intellectual property (i.e. inventions, creative writings, computer programs and drawings), technical innovations, township owned

images, logs, cost of arms, or other items capable of being patented, since all such property remains exclusively that of the Township.

COUNCIL AND STAFF RELATIONS

1. Members shall not:

    a) maliciously or falsely injure the professional or ethical reputation of Staff;
    b) compel Staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities; or
    c) use their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any Staff member with the intent of interfering with Staff duties.

2. Operational inquiries and complaints received from the public will be addressed by Members as follows:

    a) Members who are approached by the public with inquiries/complaints regarding operational matters should encourage the party to contact the appropriate department for review/resolution.
    b) where the Member of the public is reluctant to contact the department directly, the Member should take the person's name, phone number and details of the inquiry/complaint and advise them that the matter will be referred to the Administrator-Clerk for review/resolution.
    c) members of the public should be encouraged to provide their issue/matters of concern in writing to the appropriate department.
    d) where the inquiry/complaint is not resolved to the satisfaction of the member of the public, then the issue may be brought forward to the Mayor and then Council for resolution.

3. Members shall recognize and respect that many members of Staff are bound by professional associations to a code of ethics and professional conduct and that they provide their reports and recommendations objectively, in the best interests of the Township and within the requirements of their profession.

4. Municipal Council, acting as a body, can dictate that staff performs such duties as are necessary for the efficient management of the affairs of the community, and/or research such matters as the Council deems necessary. Individual Council members do not have authority to direct staff. Council shall direct staff through the Administrator-Clerk.

5. Board and Committee Members do not have the authority to direct Staff, with the limited exception of any Staff member assigned by Council to that Board or Committee. Ultimately, Council retains the discretion to assign, remove and direct Staff who provide assistance to any Board or Committee. Requests for Staff changes shall be directed to the Administrator-Clerk who shall make Staffing determinations, and consult with Council as necessary.

CONFLICT OF INTEREST

1. Members must be familiar with and comply with the *Municipal Conflict of Interest Act*, 1990, as amended. It is the responsibility of each Member, not Staff, to determine whether they have a direct or indirect pecuniary interest with respect to matters arising before Council, a Board or Committee. Each Member shall determine whether he or she has a direct or indirect pecuniary interest and shall at all times comply with the Act.

2. For purposes of this Code, a pecuniary interest, direct or indirect, of a Family Member of the Member shall be deemed to also be the personal/pecuniary interest of the Member. All Members shall declare a conflict of interest where they or their Family Member has a pecuniary interest in a matter and shall take all of the actions prescribed in the *Municipal Conflict of Interest Act* as if the Act applied to that interest.

3. In addition to pecuniary interests, Members must perform their duties impartially, such that an objective, reasonable observer would conclude that the Member is exercising their duties objectively and without undue influence. Each Member shall govern their actions using the following as a guide:

    a) in making decisions, always place the interests of the taxpayers and the Township first and, in particular, place those interests before your personal interests and the interests of other Members, staff, friends, business colleagues or Family Members;
    b) interpret the phrase "conflict of interest" broadly and with the objective of making decisions impartially and objectively;
    c) if there is doubt about whether or not a conflict exists, seek the advice of the Integrity Commissioner or legal counsel;
    d) do not make decisions that create an obligation to any other person who will benefit from the decision;
    e) do not make decisions or attempt to influence any other person for the purpose of benefitting yourself, other Members, Staff, friends, business colleagues or Family Members, or any organization that might indirectly benefit such individuals;

f) do not put yourself in the position where a decision would give preferential treatment to other Members, Staff, friends, business colleagues or Family Members, or any organization that might indirectly benefit such individuals; and
g) do not promise or hold out the prospect of future advantage through your influence in return for a direct or indirect personal interest.

4. Direct or indirect personal interests do not include:

a) a benefit that is of general application across the Municipality;
b) a benefit that affects a Member or his or her Family Members, friends or business colleagues as one of a broad class of persons; or
c) the remuneration of Council, a Member or benefits available to Council or Members.

5. Every Member has the following obligations:

a) To make reasonable inquiries when there is reason to believe that a conflict of interest may exist;
b) To make Council or the Board or Committee aware of the potential conflict of interest and where appropriate declare the interest;
c) To refuse to participate in the discussion of Council, the Board or Committee and to not vote on the matter or seek to influence the vote of any other Member where a conflict of interest exists;
d) To refuse be involved in any way in the matter once the conflict is identified, including without limitation participating in meetings, facilitating meetings or introductions to Staff or Members or providing advice to any person that would materially advance the matter; and
e) If the matter which creates the conflict of interest is discussed in closed session, the Member may not attend that portion of the closed session where that matter is discussed.

ADVICE AND OPINIONS

1. Members may request, in writing, advice or opinions from the integrity Commissioner with respect to:
   a) The obligations of the Member under the *Municipal Conflict of Interest Act*;
   b) The obligations of the Member under this Code; and
   c) The obligations of the Member under a procedure, rule or policy of the Municipality governing the ethical behavior of the Member.

2. The Integrity Commissioner shall not provide to any Member any advice or opinion with respect to obligations of another Member.

3. The advice and opinions received by any Member are personal to the Member and are considered confidential. No opinion or advice may be shared by the Integrity Commissioner without the written permission of the Member who requested the opinion or advice. The Member may grant permission to share part of an opinion or advice, but in circumstances where the member shares only a portion of an opinion or advice the Integrity Commissioner may release all or a part of the opinion or advice without the consent of the Member.

ROLE OF THE INTEGRITY COMMISSIONER

1. The Integrity Commissioner shall be appointed by By-law of the Municipality.

2. The Integrity Commissioner shall operate independently of Council in accordance with all of the authority and powers granted by the *Municipal Act*.

3. The Integrity Commissioner may delegate his or her duties and powers to any person, other than a Member. The delegation shall be in writing, shall be disclosed to the Clerk and shall set out the precise delegation, including the duration of the delegation.

4. Any delegation shall be at the sole discretion of the Integrity Commissioner, provided that the delegate is qualified and capable of independently undertaking the work.

5. The Integrity Commissioner shall make an assessment prior to undertaking any investigation as to whether the complaint gives rise to the need for another entity to undertake an investigation. In those circumstances where the allegations disclose a potential Criminal Code offence or the breach of other legislation (other than the *Municipal Conflict of Interest Act*), the Integrity Commissioner shall refer the investigation to the appropriate entity and shall not conduct his or her own investigation unless the entity determines that no investigation is required.

6. The Integrity Commissioner shall prepare and submit to Council an Annual Report that shall include at a minimum:

    a) A break-down of costs incurred for the following categories of work performed (advice/investigations/dispute resolution/training);

b) A summary of the nature of requests made and the resolution of the matters, without providing any confidential information in the Report; and
c) Any recommendations for improvements to this Code or processes.

COMPLAINT PROTOCOL

The complaint protocol shall not retroactively apply to any alleged transgression occurring prior to the date on which the Code of Conduct was formally adopted by Council.

The complaint protocol will be as follows:

1. A request for an investigation of a complaint that a member has contravened the Code of Conduct shall be in writing as set out in Appendix A of this Policy.

2. All complaints must be signed by an identifiable individual (which includes the authorized signing officer of an organization).

3. A complaint shall set out reasonable and probable grounds for the allegation that the member has contravened the Code of Conduct and include a supporting affidavit that sets out the evidence in support of the complaint.

4. The request shall be filed with the Municipal Clerk who shall forward the matter to the Integrity Commissioner for initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council policies.

5. If the complaint is determined not to be a complaint with respect to non-compliance with the Code of Conduct, the complainant shall be advised that the matter is not within the jurisdiction of the Integrity Commissioner to process with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

6. If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.

7. The Integrity Commissioner shall not issue a report finding a violation of the Code of Ethics on the part of any member unless the member has had

reasonable notice of the basis for the proposed finding and any recommended sanction and an opportunity either in person or in writing to comment on the proposed finding and any recommended sanction, provided that comment period after having been notified does not exceed 30 calendar days.

8. The Integrity Commissioner shall report to the complainant and the member generally no later than 90 days after the making of the complaint.

9. Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Council outlining the findings, the terms of any settlement, or recommended corrective action.

10. Any recommended corrective action must be permitted by law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.

11. Section 223.4 of the *Municipal Act, 2001* authorizes Council to impose either of two penalties on a member of Council following a report by the Integrity Commissioner that, in his/her opinion, there has been a violation of the Code of Conduct:

    a) reprimand; or
    b) suspension of the remuneration paid to the member in respect of his or her services as a member of Council for a period of up to 90 days.

12. The Integrity Commissioner may also recommend that Council take the following actions:

    a) removal from membership from a committee or local board;
    b) removal as Chair of a committee or local board;
    c) repayment or reimbursement of moneys received;
    d) return of property or reimbursement of its value; or
    e) request for an apology to Council, the complainant or both.

13. Where the complaint is dismissed, the Integrity Commissioner shall not report to Council, except as part of an annual or other periodic report.

14. A complaint will be processed in compliance with the confidentiality requirements of Section 223.5(1) of the Municipal Act, 2001, as amended.

15. If the Integrity Commissioner reports to Council his or her opinion about whether a member of council has contravened the Code of Conduct, the Commissioner may disclose in the report such matters as, in the Commissioner's opinion, are necessary for the purposes of the report.

16. The Township of Elizabethtown-Kitley will not tolerate retaliations, taunts or threats against anyone who complains about harassment or takes part in an investigation.

APPENDIX A

FORMAL COMPLAINT PROCEDURE
AFFIDAVIT

Please note that signing a false affidavit may expose you to prosecution under Sections 131 and 132 or 134 of the Criminal Code, R.S.C. 1985, c. C-46, and also to civil liability for defamation.

AFFIDAVIT OF_____
(Full Name)

I,_____, of the _____
(Full Name) *(Township, Town, City, etc)*

Of_____ in the Province of Ontario **MAKE OATH AND**
(Municipality of Residence)

SAY (or **AFFIRM**):

1. I have personal knowledge of the facts as set out in this affidavit because

   _____

   _____

   _____

   (insert reasons, e.g. I work for, I attended the meeting at which, etc)

2. I have reasonable and probable grounds to believe that a Member of the Township of Elizabethtown-Kitley Council, advisory committee or local board

   _____

(Specify name of Member)

has contravened section (s)_____ of the Code of
(Specify Section (s))

Conduct. The particulars of which are as follows:

(Set out the statements of fact in consecutively numbered paragraphs in the space below, with each paragraph being confined as far as possible to a particular statement of fact. If you require more space, please use additional sheets and check the appropriate box below. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B, etc. and attach them to this affidavit.)

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

☐ *Please see additional, attached sheet(s)*

This affidavit is made for the purpose of requesting that this matter be reviewed and for no other purpose.

SWORN (or AFFIRMED) before me at the)
)
_____ of)
(Township, Town, City, etc))
)
_____ In the)
(Municipality Name))
Province of Ontario on this _____)
day of_____, 20__.)
)
)
)
)
_____)
Signature of Commissioner)
A Commissioner for Taking Affidavits)

_____
Signature of Complainant

The Corporation of the Township of Elizabethtown-Kitley

By-law No. 16- 39

A By-law to Provide Indemnification for Members of Council and Employees with Respect to Certain Actions or Proceedings Arising from their Duties

****

Whereas Section 279 of the Municipal Act, S.O. 2001, as amended, provides that, despite the Insurance Act, a municipality may be or act as an insurer to provide insurance and/or indemnities:

1. to protect its employees or former employees or those of any local board of the municipality against risks that may involve pecuniary loss or liability on the part of the employees;

2. subject to Section 14 of the Municipal Conflict of Interest Act, to protect the members or former members of the Council or of any local board of the municipality or any class of those members against risks that may involve pecuniary loss or liability on the part of the members;

3. subject to Section 14 of the Municipal Conflict of Interest Act, to pay any damages or costs awarded against any of its employees, members, former employees or former members or expenses incurred by them as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees or members, including while acting in the performance of any statutory duty; and

4. subject to Section 14 of the Municipal Conflict of Interest Act, to pay any sum required in connection with the settlement of an action or other processing referred to in Paragraph 3, above, and for assuming the cost of defending the employees or members in the action or proceeding.

And Whereas Council deems it desirable to indemnify its members, members of local boards and its employees and volunteers against certain pecuniary loss or liability which may arise as a result of their duties on behalf of the municipality;

Now Therefore the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. In this By-law, the following terms shall have the following meaning:

   a. "Action" shall mean a civil, criminal or administrative action or proceeding commenced or threatened to be commenced seeking damages or some other remedy related to an alleged act or omission of an Employee or Member acting in the course of their employment or office with the Municipality. Action is deemed to include any counterclaim or third-party claim or appeal of an Action, but shall not include:

      i. a legal proceeding related to a grievance filed under the provisions of a collective agreement or any disciplinary action taken by the Municipality as an employer;

ii. an action or proceeding brought under the Highway Traffic Act, R.S.O. 1990, as amended or the Criminal Code, R.S.C. 1985, as amended;

iii. any expense incurred by a Member in obtaining legal advice to determine whether the Member has a pecuniary interest in a matter which is the subject of a determination or consideration by Council or a local board; or

iv. any investigation, sanction or penalty imposed on a Member or Employee related to the Code of Conduct applicable to Council or Employees.

b. "Committee" shall mean a committee as established in this By-law;

c. "Council" shall mean the duly elected Council of the Township of Elizabethtown-Kitley;

d. "Damages" shall mean all sums to be paid to satisfy an order of a court of competent jurisdiction, monetary penalites, fines and interest thereon;

e. "Employee" shall mean an employee, former employee, volunteer, former volunteer, salaried officer or former salaried officer, who, during the term of their employment with the Municipality, did or failed to do an act which is alleged to be related to the Action commenced against the Employee;

f. "Member" shall mean an elected representative of the Council, a member of a Local Board or a former elected representative of Council or Local Board, who, during their term of office with the Municipality, did or failed to do an act alleged to be related to the Action commenced against the Member, including the Mayor;

g. "Municipality" shall mean the Corporation of the Township of Elizabethtown-Kitley

2. The Municipality may contract for insurance to protect Employees and Members against risks that may involve liability on the part of such Employees or Members arising out of acts or omissions done in their capacity as Employees or Members while acting in the performance of their job duties or in the performance of any statutory duty on behalf of the Municipality.

3. Where the indemnity is insured, the provision of any indemnification authorized under this by-law shall be subject to and conditional upon any rights, obligations, and duties of any insurer of the Municipality that may respond to an Action under an insurance policy issued to the Municipality and is subject to any rights, duties and obligations of the Municipality and its Employees in respect of such insurance.

4. Where an Employee or Member becomes aware that an Action has been commenced, or is threatened, against them, the Employee or Member shall forthwith provide the Municipality with notice of same.

5. The Employee or Member shall cooperate with the Municipality to permit the Municipality to determine the factual background of the Action and shall provide all necessary assistance that the Municipality requires, including without limitation attending all proceedings upon request.

6. Council hereby establishes a Committee and delegates to the Committee the authority to determine whether or not an Employee or Member is entitled to receive an indemnity and the nature, scope and quantum of any indemnity provided pursuant to this by-law.

7. The Committee shall be comprised of all Municipal Managers and the Administrator-Clerk of the Municipality. The Committee shall:

   a) Call its meeting at the pleasure of the Chair:

   b) conduct business only where a quorum of three members or more are present;

   c) establish its own rules of procedure; and

   d) seek advise from the Municipal Solicitor in exercising its delegated authority pursuant to this by-law.

8. The Committee shall consider the following factors in assessing whether to provide indemnification pursuant to this by-law:

   a) the alleged actions or omissions of the Employee or member and all facts related to the alleged act or omission;

   b) whether the alleged actions or omissions related to the performance of the Employee's or Member's duties or statutory obligations;

   c) whether the alleged actions or omissions of the Employee or Member were performed honestly and in good faith in an attempt to fulfil his or her duties/obligations and whether they were consistent with all applicable Municipal policies; and

   d) whether the Employee or Member has complied with his or her obligations pursuant to this by-law.

9. The decision to provide or deny an indemnity and the scope, nature and quantum of any indemnity provided is final and shall not be subject to reconsideration, judicial review or appeal.

10. Where an Employee or Member is entitled to indemnification pursuant to this by-law, the Municipality shall:

   a. represent the Employee or Member in the name of, and on behalf of, the Employee or Member through legal counsel employed by the Municipality or through the payment of reasonable legal costs incurred by the Employee or Member to defend the Action through the use of legal counsel approved by the Municipality;

   b. pay all Damages and reasonable legal costs, including interest, awarded against the Employee or Member; and

   c. pay all Damages required in connection with the settlement of the Action, provided that the Municipality approves the terms of settlement.

11. The Committee shall, in its sole discretion, determine whether to respresent the Employee or Member in the Action through the use of counsel employed by the Municipality or through the use of outside counsel retained by the Municipality.

12. The Municipality and the Employee or Member shall cooperate and consult with one another in all matters relevant to the defence of the Action. Notwithstanding the foregoing, all decisions to be made in the defence of the Action shall be made by the Municipality, in its sole discretion, after having taken into consideration the consultation with the Employee or Member.

13. Where an Employee or Member is not entitled to indemnification, the Employee or Member shall be responsible for all costs in connection with his or her defence of the Action, and the Employee or Member shall be responsible for the payment of any Damages or costs awarded against him or her in the Action.

14. The Committee shall have the discretion at any time during the Action or after the Action to review its decision to provide an indemnity and may terminate or rescind the indemnity where facts are available to the Municipality that demonstrate that the Employee or Member was not entitled to an indemnity pursuant to this by-law. Prior to terminating or rescinding an indemnity, the Employee or Member shall be afforded the opportunity to present arguments to the Committee relevant to the decision to terminate or rescind the indemnity, but the decision of the Committee is otherwise not subject to review or appeal.

15. Where the Municipality has paid for the legal costs, or any portion thereof, to defend an Employee or Member in a Action and the indemnification is subsequently terminated or rescinded, the Employee or Member shall be responsible for all costs in connection with his or her defence of the Action and the Employee or Member shall be responsible for the payment of any Damages or costs awarded against him or her in the Action. The Employee or Member shall also be liable to repay to the Municipality, upon written demand, all costs incurred by the Municipality in the defence of the Action on behalf of the Employee or Member.

16. Where the Municipality provides indemnification to an Employee or Member, any association sponsored or prepaid legal assistance plan or available insurance personal to the Employee or Member shall be taken into account and the cost paid by the Municipality shall be reduced accordingly.

17. Any award of costs paid to an Employee or Member in the Action where the Municipality has provided an indemnity pursuant to this by-law, shall be paid to the Municipality and by accepting an indemnity pursuant to this by-law, the Employee or Member shall be deemed to agree to this paragraph as a condition of the Municipality providing the indemnity.

18. In order to receive the benefit of the indemnity provided in this by-law, the Employee or Member must agree to execute any and all documents required by the Municipality to enable the Municipality to subrogate itself to the position of the Employee or Member as it concerns an Action.

19. Where an Employee or Member has been afforded an indemnity under this by-law and where in connection with the Action there exists a conflict between the Municipality and the Employee or Member, the Employee or Member may, subject to the provisions of this by-law, retain his or her own legal counsel for the defence of the Action.

20. The Municipality shall not be obliged to pay for the legal costs of an Employee's or Member's own legal counsel unless, in addition to the other provisions of this by-law being met, the Municipality has preapproved the legal counsel retained and approved a monetary limit for the defence of the Action, which monetary limit shall not be exceeded without the express consent of the Committee.

21. Where there is a dispute between the Municipality and an Employee or Member as to whether a conflict exists between them in relation to an Action, the decision of the Committee shall be final and shall not be subject to any right of judicial review or appeal.

22. Neither the termination of an Employee for just cause nor the decision to refuse indemnity or to terminate or rescind an indemnity shall constitute a conflict of interest.

23. In any Action, regardless of whether the Employee or Member are separately respresented by legal counsel, the Municipality may make such investigation, negotiation or settlement on behalf of the Municipality and the Employee or Member as may be deemed appropriate by the Municipality. By accepting an indemnity an Employee or Member hereby irrevocably accepts that the Municipality may negotiate and/or settle any Action on their behalf, regardless of whether or not individual counsel has been retained.

24. An Employee or Member may not commence either a counterclaim or a third party claim as part of an Action unless the commencement of such proceeding has been approved, in advance, by the Committee.

25. Where an Employee or Member seeks to appeal a judgement or decision in an Action, the Committee shall, in its sole discretion, determine whether to indemnify the Employee or Member in the appeal and the amount of indemnification provided. Where the Employee or Member is not entitled to indemnification for an appeal, the Employee or Member may nevertheless proceed with the appeal at his or her own expense. If the Employee or Member proceeds with the appeal and they are successful on the appeal, the Committee may, in its sole discretion, determine whether it will reimburse the Employee or Member for his or her costs of the appeal.

26. The Municipality shall have the right to assess any account rendered by legal counsel acting for any Employee or Member in the defence of an Action.

27. Nothing in this by-law shall prejudice any right the Municipality may have as against any Employee or Member in connection with any Action.

28. The provisions of this by-law shall in no way limit the Municipality's right respecting discipline, removal and dismissal.

29. Council may provide indemnification to Members charged with breaching Section 5 of the Municipal Conflict of Interest Act for costs or expenses incurred by the Member to defend a charge where the Member is found not guilty of the charge.

30. Notwithstanding any provision of this by-law, Council shall not be prevented from exercising its discretion to extend an indemnity in appropriate circumstances to persons who may be provided with an indemnity pursuant to the Municipal Act, but are not otherwise provided for in this by-law. Where Council provides indemnification, all provisions of this by-law shall apply to such person as if they were an Employee or Member within the meaning of this by-law.

31. This By-law shall take effect and come into force upon final passing.

Read a first and second time this **15th** day of **August, 2016.**

Read a third time and finally **Passed** this 12th day of September, **2016.**

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 16-39
passed by the council of the said Corporation
the 13th day of September, 2016

Use of Corporate Resources for Election Purposes

Introduction

As leaders of this community, all members of Council are held to the highest standards of conduct and ethical behaviour. In practical terms, this obligation requires that during a municipal election year, all members of Council who are also candidates must avoid any conflict between personal interest and official duties, and any potential conflict be resolved in favour of public interest. While the business of the Township of Elizabethtown-Kitley must continue to be carried out during the entire term of Council, members are responsible for ensuring that corporate resources are not used for any election-related purpose. For these reasons, it is necessary to establish guidelines on the appropriate use of corporate resources during an election period to protect the interests of both the members of Council and the Township of Elizabethtown-Kitley.

Further, the Municipal Elections Act, 1996, Section 88.18 states that Before May 1 in the year of a regular election, municipalities shall establish rules and procedures with respect to the use of municipal resources during the election campaign period.

Legislative Authority

The Municipal Elections Act, 1996, as amended (the "Act"), permits candidates to file nominations in a municipal election year as early as the first day of May that the Clerk's Office is open. Once a candidate has filed a nomination paper, they can begin to campaign, raise campaign funds or incur campaign expenses in accordance with the provisions of the Act.

Contributions are defined under Campaign Contributions, Subsection 88.15 of the Municipal Elections Act, 1996. Further, Subsection 88.8(4) (5) states "the following shall not make a contribution – The Crown in the right of Canada or Ontario, a municipality or local board". In addition, Subsection 88.8(7) states that "a candidate may only accept a contribution from a person or entity that is entitled to make a contribution". Upon conviction, penalties for breaching the campaign financing provisions of the Act include fines of not more than $50,000 for a Corporation and up to $25,000 for an individual.

In defining contributions as money, goods and services, it is apparent that the use of the Corporation's resources relative to an election campaign would be in violation of the Municipal Elections Act. Resources would include, but are not limited to the following: facilities, equipment, supplies, services, staff or other resources of the municipality. Further, the use of staff services, or any person receiving compensation from the municipality, during their regular working hours is also deemed to be in contravention of the Act.

Guidelines

The following guidelines shall be used for the Corporation of the Township of Elizabethtown-Kitley, from the commencement of the Nomination and Campaign Period (1st business day in May) until the end of the Election Day (3rd Monday in October) regarding the use of corporate resources for election purposes:

Members of Council and all candidates for the municipal election who have submitted their Nomination Paper to the Clerk or are intending to run for re-election shall not:

- use the facilities, equipment, supplies, services, staff or other resources of the Corporation of the Township of Elizabethtown-Kitley for any election campaign or campaign-related activities. Such resources could include but are not limited to: postage or the use of fax or photocopy machines;
- use municipally funded expense allowances for electoral purposes or electoral gain;
- undertake any campaign-related activities on any municipal property unless full market value rent is paid. No campaign-related activities shall be allowed at the municipal offices in New Dublin and Toledo, the public works facility in New Dublin and Toledo or the three fire stations at any time;
- use business cards, envelopes, letterhead or any material imprinted with the municipal logo for election purposes;
- enlist the use of Township staff to work in support of a municipal candidate during working hours unless they are on a leave of absence without pay, lieu time, or vacation leave;
- print or distribute any material paid for by the municipality that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;
- profile, or make reference to, in any material paid for by the municipality, any individual who is registered as a candidate in any election;
- print or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections; minutes of Council and/or Committee Meetings being exempt;
- use any website or domain names that are funded by the municipality for the dissemination of election-related messages and material.

Limitation

Nothing in these guidelines shall preclude a member of Council from performing their duties as Mayor or Councillor, nor inhibit them from representing the interests of the constituents who elected them to office.

Administration

In accordance with the Municipal Elections Act, 1996, as amended, the Clerk or designate shall take the necessary action to give effect to this guidelines. All complaints received from the public shall be in writing and addressed to the Clerk.

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

By-law No. 18-23

BEING A BY-LAW TO ESTABLISH AN EMERGENCY PLAN AND AN EMERGENCY MANAGEMENT PROGRAM FOR THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

****

WHEREAS Section 3(1) of the Emergency Management and Civil Protection Act R.S.O. 1990, Chapter E.9, states that every municipality shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan;

AND WHEREAS under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 and Ontario Regulation 380/04 (the "Act") every municipality in the province is required to:

- Develop and implement an emergency management program, which shall consist of:
  - an emergency plan;
  - training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
  - public education on risks to public safety and on public preparedness for emergencies; and
  - any other elements required by the standards for emergency management set under the Act or by Emergency Management Ontario;
- Designate an employee of the municipality or a member of the council as its emergency management program coordinator;
- Establish an emergency management program committee;
- Establish an municipal emergency control group;
- Establish an emergency operations centre to be used by the municipal emergency control group in an emergency; and
- Designate an employee of the municipality as its emergency information officer;

AND WHEREAS it is prudent that the emergency management program developed under the Act be in accordance with international best practices, including the five core components of emergency management; prevention, mitigation, preparedness, response and recovery;

AND WHEREAS the purpose of such a program is to help protect public safety, public health, the environment, critical infrastructure and property during an emergency and to promote economic stability and a disaster resilient community;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley hereby enacts as follows:

1. **That** an Emergency Management Program for the municipality will be developed and reviewed annually by the Emergency Management Program Committee consistent with and in accordance with the Act and international best practices, including the four core components of emergency management, namely: mitigation/prevention, preparedness, response and recovery, and such program shall include:
   a. training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
   b. public education on risks to public safety and on public preparedness for emergencies; and

c. any other elements required by the standards for emergency management set under the Act or by Emergency Management Ontario.

2. **That** the Emergency Management Program shall be consistent with the objectives of protecting public safety, public health, the environment, critical infrastructure and property, and to promote economic stability and a disaster-resilient community.

3. **That** the Emergency Response Plan, which has been developed in accordance with the requirements of the Act and international best practices, and which is attached hereto as Schedule A is hereby adopted (the "Plan").

4. **That** the Plan shall be reviewed annually by the CEMC (or designate) and the Township's Emergency Management Program Committee. The CEMC is authorized to make such administrative changes to the Plan as appropriate to keep the Plan current, such as personnel, organizational and contact information updates. Any significant revision to the body of the Plan shall be presented to Council for approval.

5. **That** when an emergency exists but has not yet been declared to exist, Township employees and the Municipal Emergency Control Group may take such action under the Plan as may be required to protect property and the health, safety and welfare of the inhabitants of the Township.

6. **That** this by-law shall come into force and take effect upon the passing thereof.

7. **That** By-law 04-05 and By-law 05-36 are hereby repealed.

Read a **First and Second** time this 23rd day of April, 2018.

Read a **Third** time and finally **Passed** this 23rd day of April, 2018.

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley in the County of Leeds, do hereby certify that the foregoing is a true copy of By-law 18-33 passed by the council of the said Corporation the 23rd day of April, 2018

TOWNSHIP
OF
ELIZABETHTOWN-KITLEY

EMERGENCY RESPONSE PLAN

2018

Annexes as noted in Annex C
Updated February 2018

DISCLAIMER

The Township of Elizabethtown-Kitley Emergency Response Plan has been formulated to contain information pertinent to the Township of Elizabethtown-Kitley. However, it is not intended to fulfill the needs of every community in Ontario. Pursuant to completion of the community risk profile, each community must draw up their plans accordingly.

TOWNSHIP OF ELIZABETHTOWN-KITLEY
EMERGENCY RESPONSE PLAN

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TOWNSHIP OF ELIZABETHTOWN-KITLEY
EMERGENCY RESPONSE PLAN

PART 1: ADMINISTRATION

1.0 Glossary

Administrative Assistant:	Refers to the Administrator-Clerk of the Township of Elizabethtown-Kitley's Administrative Assistant. Can be more than one person as required.
Administrator-Clerk:	Refers to the Administrator-Clerk of the Township of Elizabethtown-Kitley. Also fulfills the function of the Emergency Management Coordinator.
Communications Liaison:	This individual is appointed by the Amateur Radio Emergency Service to communicate between the Radio Operators in the Alternate Communications Centre and the Community Control Group.
Catholic District School Board Of Eastern Ontario	Refers to the separate School Board operating within the Township.
Citizen Inquiry Centre:	Located within the Emergency Information Centre. This is a facility where inquiries from the public can be addressed. The Citizen Inquiry Supervisor is the Emergency Management Coordinator or their delegate.
Citizen Inquiry Supervisor:	Refers to the Emergency Management Coordinator or their delegate, who processes inquiries from the public.
Communications Coordinator:	This individual is appointed by the Emergency Management Coordinator to oversee the operations of the Communications Centre, and to assist the Amateur Radio Emergency Service with any issues that may arise with regard to communication.
Community Control Group	The Group is responsible for managing the emergency situation on a community wide basis. The membership, as detailed in the plan, consisting of all key decision makers and officials who have the authority to direct or coordinate human and material resources within the community.

Community Spokesperson: See Emergency Information Officer.

Director of Finance: Refers to the Director of Finance of the Township of Elizabethtown-Kitley.

Director of Public Works: Refers to the Director of Public Works of the Township of Elizabethtown-Kitley. Includes duties and activities that may also be referenced as belonging to the Roads Superintendent, the Public Transportation Manager, and Public Works.

Emergency: Defined in the *Emergency Management and Civil Protection Act* as "a situation or an impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property".

Emergency Information Centre: The facility set up, in proximity, but not directly adjacent to the Emergency Operations Centre, where the Emergency Information Officer briefs the media, and where the Citizen Inquiry Centre is located.

Emergency Information Officer: Also known as the Community Spokesperson. This individual reports to the Emergency Management Coordinator. Their position is to disseminate information to the media and the public through news releases, press conferences and briefings. The Emergency Information Officer works out of the Emergency Information Centre, which is also the site for Citizen Inquiries.

Emergency Management & Civil Protection Act: Refers to provincial legislation governing emergency responses.

Emergency Management Coordinator: This individual is responsible for the preparation of the Township's Emergency Response Plan.

Emergency Management Field Officer: A person appointed by the province to assist the Community Control Group as needed.

Emergency Medical Services Chief: Refers to the Chief or Deputy Chief of the Leeds Grenville (EMS) Emergency Medical Services.

Emergency Operations Centre: The structure/facility wherein the Control Group conducts its Emergency Management function. There is a primary and secondary Emergency Operations Centre.

Emergency Site Manager:	Appointed by the Community Control Group, this is the most appropriate person to control and manage the situation at the site of the emergency. This person **cannot** be a member of the Community Control Group.
Evacuation Centre:	The centre is a facility set up to provide Emergency shelter, food, recreation and basic requirements to a group of people who have been evacuated from an area resulting from the emergency. The Evacuation Centre is opened, organized and operated by the Leeds & Grenville Community & Social Services.
Fire Chief:	Refers to the Fire Chief of the Township of Elizabethtown-Kitley.
Information Centre:	See Emergency Information Centre.
Kit (Emergency Kit):	Refers to the Emergency Kit as described in Annex B: Logistics. This kit contains basic supplies to be utilized by the Community Control Group during the course of an emergency. The location of the Kit is established in Part 13.
Legal Services:	Refers to the Township of Elizabethtown-Kitley's legal counsel, as retained at the time of the emergency.
Medical Officer of Health:	Refers to the Medical Officer of Health as assigned by the Lanark, Leeds and Grenville District Health Unit.
Ontario Provincial Police, Detachment Commander:	Refers to the Commander of the Leeds County Detachment of the Ontario Provincial Police.
Operating Cycle:	The Operating Cycle describes the frequency of, and procedures for meetings held by the Community Control Group.
Operations Officer:	This position is held by the Administrator-Clerk/Emergency Management Coordinator or their delegate. This person ensures that the Community Control Group follows the Operating Procedures, and interprets questions with regard to the Operating Cycle.
Police:	Refers to the Ontario Provincial Police.

Reception Centre:	The centre is a facility which is set up for the purpose of receiving evacuees, providing refreshments and temporary shelter. Its primary purpose is to register evacuees and if necessary direct them to an evacuation centre as required. This facility is opened, organized and operated by the Leeds & Grenville Community & Social Services.
Community & Social Services:	Refers to the Leeds & Grenville Community & Social Services Director or Housing Manager or a member of staff as assigned by the United Counties of Leeds and Grenville.
Upper Canada District School Board:	Refers to the Public School Board within Elizabethtown-Kitley.

1.1 Emergency Quick Reference Guide

1. Upon the arrival of three or more members, the Community Control Group may initiate its function.

2. Ensure that all Community departments have been notified and either activated or placed on standby. Each Community Control Group member is responsible for their own department.

3. The Mayor must inform the Province of Ontario that the Township has declared an emergency, and specify the nature of the emergency situation. The provision of a return contact number is required for communications purposes. The call is made to the Office of the Fire Marshal and Emergency Management, Ministry of Community Safety and Correction Services. The number to use for this purpose is included in Annex 'A' and is not shared with the public.

4. Turn to individual responsibilities within the plan. Provide input and assistance as required.

5. Each member of the Community Control Group will report and respond to immediate needs in accordance with the Operations Cycle format.

1.2 Distribution List

Plan Complete with Annexes

Position/Location	Number of Copies
Administrator-Clerk/CEMC	1
Deputy Clerk/CEMC Alternate	1
Fire Chief	1
Director of Public Works	1
Emergency Management Ontario	2
Emergency Operations Centre, Primary Location	12
Emergency Operations Centre, Secondary Location	12

Plan Complete without Annexes

Position/Location	Number of Copies
Mayor	1
Councillors (Acting Mayor)	6
OPP Inspector / Detachment Commander	1
OPP Staff Sergeant	1
Medical Officer of Health	2
Social Services Director	1
Social Services Housing Manager	1
Emergency Information Officer	1
Public Works Lead Hand	1
Deputy Fire Chief	1

1.3 Introduction and Aim

The aim of this plan is to make provision for the extraordinary arrangements and measures that may have to be taken to protect the health, safety, welfare, environment and economic health of the residents, businesses and visitors of the Township of Elizabethtown-Kitley when faced with an emergency.

It enables a centralized controlled and coordinated response to emergencies in the Township of Elizabethtown-Kitley, and meets the legislated requirements of the Emergency Management and Civil Protection Act.

Emergencies are defined as situations or impending situations caused by forces of nature, accident or an intentional act that constitutes a danger of major proportions to life and property. They affect public safety, meaning the health, welfare and property, as well as the environment and economic health of the Township of Elizabethtown-Kitley.

The population of the Township of Elizabethtown-Kitley is 9,700 residents.

In order to protect residents, businesses and visitors, the Township of Elizabethtown-Kitley requires a coordinated emergency response by a number of agencies under the direction of the Community Control Group. These are distinct arrangement and procedures from the normal, day-to-day operations carried out by emergency services.

The Township of Elizabethtown-Kitley developed this emergency response plan. Every official, municipal department and agency must be prepared to carry out assigned responsibilities in an emergency. The response plan has been prepared to provide key officials, agencies and departments of the Township of Elizabethtown-Kitley important emergency response information related to:

- Arrangements, services and equipment; and
- Roles and responsibilities during an emergency.

In addition, it is important that residents, businesses and interested visitors be aware of the provisions of this Plan. Copies of the Township of Elizabethtown-Kitley Emergency Response Plan may be viewed at the Main Administration Office, 6544 New Dublin Road, and the Satellite Office, 424 Highway 29. For more information, please contact:

Community Emergency Management Coordinator
Main Administration Office
Township of Elizabethtown-Kitley
6544 New Dublin Road, RR 2, Addison ON K0E 1A0
Tel. 613-345-7480 or 1-800-492-3175
Fax. 613-345-7235
Email: mail@ektwp.ca
Website: www.ektwp.ca

1.4 Authority

The *Emergency Management and Civil Protection Act* is the legal authority for this emergency response plan in Ontario.

The Emergency Management and Civil Protection Act states that the:

> "Every municipality shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan." [Section 3 (1)]
>
> "The head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area." [Section 4 (1)]

As enabled by the Emergency Management and Civil Protection Act, this emergency response plan and its' elements have been:

- Issued under the authority of Township of Elizabethtown-Kitley **By-law 04-05**; and
- Filed with the Office of the Fire Marshal and Emergency Management, Ministry of Community Safety and Correctional Services.

Definition of an Emergency
The Emergency Management and Civil Protection Act defines an emergency as:

> "An emergency means a situation or an impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property."

The Emergency Operations Centre (Emergency Operations Centre) can be activated for any emergency for the purposes of managing an emergency, by maintaining services to the community and supporting the emergency site.

Action Prior to Declaration
When an emergency exists but has not yet been declared to exist, community employees may take such action(s) under this emergency response plan as may be required to protect property and the health, safety and welfare of the Township of Elizabethtown-Kitley.

PART 2: EMERGENCY OPERATIONS

2.0 Community Control Group Definition

The emergency response will be directed and controlled by the Community Control Group - a group of officials who are responsible for coordinating the provision of the essential services necessary to minimize the effects of an emergency on the community.

2.1 Community Control Group Members

The Community Control Group consists of the following officials:

- Mayor of the Township of Elizabethtown-Kitley, or Acting Mayor;
- Administrator-Clerk/Emergency Management Coordinator, or Deputy Clerk/CEMC Alternate;
- Fire Chief, or Deputy Fire Chief;
- Director of Public Works, or Lead Hand;
- Emergency Information Coordinator/Communications Coordinator;

The Community Control Group may function with only a limited number of persons depending upon the emergency. While the Community Control Group may not require the presence of all the people listed as members of the control group, all members of the Community Control Group must be notified.

2.2 Community Control Group Responsibilities

The members of the Community Control Group are likely to be responsible for the following actions or decisions:

1. Calling out and mobilizing their emergency service, agency and equipment;
2. Coordinating and directing their service and ensuring that any actions necessary for the mitigation of the effects of the emergency are taken, provided they are not contrary to law;
3. Determining if the location and composition of the Community Control Group are appropriate;
4. Advising the Mayor as to whether the declaration of an emergency is recommended;
5. Advising the Mayor on the need to designate all or part of the township as an emergency area;
6. Ensuring that an Emergency Site Manager is appointed;
7. Ensuring support to the Emergency Site Manager by offering equipment, staff and resources, as required;
8. Ordering, coordinating and/or overseeing the evacuation of inhabitants considered to be in danger;
9. Discontinuing utilities or services provided by public or private concerns, i.e. hydro, water, gas, closing down a shopping plaza/mall;
10. Arranging for services and equipment from local agencies not under community control i.e. private contractors, industry, volunteer agencies, service clubs;

11. Notifying, requesting assistance from and/or liaison with various levels of government and any public or private agencies not under community control, as considered necessary;
12. Determining if additional volunteers are required and if appeals for volunteers are warranted;
13. Determining if additional transport is required for evacuation or transport of persons and/or supplies;
14. Ensuring that pertinent information regarding the emergency is promptly forwarded to the Emergency Information Coordinator and Citizen Inquiry Supervisor, for dissemination to the media and public;
15. Determining the need to establish advisory groups and/or sub-committees/working groups for any aspect of the emergency including recovery;
16. Authorizing expenditure of money required dealing with the emergency;
17. Notifying the service, agency or group under their direction, of the termination of the emergency;
18. Maintaining a log outlining decisions made and actions taken, and submitting a summary of the log to the Administrator-Clerk within one week of the termination of the emergency, as required;
19. The Community Control Group will also ensure that the rest of the community maintains municipal services.
20. Participating in the debriefing following the emergency.

2.3 Emergency Site Manager

Depending on the nature of the emergency, and once the Emergency Site Manager has been assigned, the Community Control Group relationship with the Emergency Site Manager is to offer support with equipment, staff and other resources, as required.

The Emergency Site Manager ***cannot*** be a member of the Community Control Group.

The Emergency Site Manager will establish ongoing communications link with the senior police official at the scene of the emergency, and will establish the inner perimeter within the emergency area.

The senior staff for each emergency responder (police, fire, EMS, public works) at the site will consult with the Emergency Site Manager, so as to offer a coordinate and effective response. Regular briefings will be held at the site and chaired by the Emergency Site Manager, so as to establish the manner and process by which response to the emergency will be provided.

2.4 Emergency Operations Centre Location and Procedure

The primary and secondary locations are geographically separated so that in the event that one or the other is endangered or rendered non-functional as a result of the emergency situation the other should be safe and operational. During the notification process, direction must be given as to which location member members of the Community Control Group will report to. Unless otherwise indicated, members will report to the primary location.

Primary Location: The Community Control Group will report to the Emergency Operations Centre located at the Main Administration Office, 6544 New Dublin Road.

Secondary Location: In the event this operation centre cannot be used, then the alternate location will be the Satellite Office in Toledo, 424 Highway 29.

Upon receiving notification the Operations Officer will contact the administrative staff who have been assigned the task of setting up the Emergency Operations Centre. The Centre will be set up and operational within one hour of activation. The Operations Officer will supervise the set up and ensure viability.

It is essential that the Emergency Operations Centre is comfortable, has good communications and is secure from unnecessary distractions. Only Community Control Group members, and Emergency Operations Centre support staff should have access to the Emergency Operations Centre. No media are allowed into the Emergency Operations Centre, nor is anyone who has not been authorized by the Operations Officer.

Sign In Procedures

Upon arrival at the Emergency Operations Centre, each Community Control Group member will:

1. Sign In
2. Check Telephone/Communications Devices
3. Open Personal Log
4. Contact their own agency and obtain a status report

5. Participate in the initial briefing
6. Participate in planning initial response/decision making process
7. Pass Community Control Group decisions on to member's agencies/areas of responsibility
8. Continue participation in the Emergency Operations Centre Operations Cycle

Sign Out Procedures

Upon leaving the Emergency Operations Centre, each Community Control Group member will:

1. Conduct a debriefing with the person relieving them
2. Sign out on the location board indicating where they can be reached.

Once the initial response is established, routines are put into place by the Operations Officer. The most effective routine will be known as the Operating Cycle.

2.5 Operating Cycle

Members of the Community Control Group will gather at regular intervals to inform each other of actions taken and problems encountered. The Administrator-Clerk will establish the frequency of meetings and agenda items. Meetings will be kept as brief as possible thus allowing members to carry out their individual responsibilities. The Administrator-Clerk's Assistant will maintain status board and maps and which will be prominently displayed and kept up to date.

During Meetings

An operating cycle is how the Community Control Group manages overall emergency operations. Members will come together usually around a planning board or map at which time they will in turn report their agencies'/departments' status to the Mayor and the Operations Officer. It is essential that ever member, covering each area of responsibility, be heard from during this process. The Community Control Group is a team, and the actions taken by one, or the lack of action by one, may have a significant impact upon operations.

The round table discussion should include problems, questions, resources requests and any other relevant information so that timely informed decisions can be made as a group. Once the meeting is completed, the members should contact their agencies' and pass on any relevant information or directives that come out the Community Control Group meeting. The frequency of the meetings are determined by the Operations Officer in conjunction with the Mayor, but should reflect the pace of the emergency and occur on a scheduled basis which may be adjusted accordingly.

After and Between Meetings

During the period after the meeting and dissemination of information, members will be in the process of gathering information and preparing for the next scheduled meeting. Community Control Group members use this time to follow up an ensure Community Control Group decisions are being implemented. Each member is responsible for informing their respective agency of the schedule for Community Control Group meetings. No calls are supposed to interrupt the proceedings. All calls must occur prior to or after the formal meetings of the Community Control Group.

PART 3 EMERGENCY NOTIFICATION PROCEDURES

3.0 Initial Steps

Upon receipt of a warning of a real or potential emergency, the responding department will immediately contact the Administrator-Clerk to request that the notification system be activated.

Upon receipt of the warning, the Administrator-Clerk will notify all members of the Community Control Group.

Upon being notified, it is the responsibility of all Community Control Group officials to notify their staff and volunteer organizations.

Where a threat of an impending emergency exists, the Community Control Group will be notified and placed on standby.

3.1 Requests for Assistance

Assistance may be requested from the County at any time by contacting the County Warden. The request shall not be deemed to be a request that the County assume authority and control of the emergency.

Assistance may also be requested from the Province of Ontario at any time without any loss of control or authority. A request for assistance should be made by contacting Emergency Management Ontario.

The Emergency notification contact list, including contact numbers for requesting assistance, is attached as Annex A.

3.2 A Declared Community Emergency

The Mayor or Acting Mayor of the Township of Elizabethtown-Kitley, as the Head of Council, is responsible for declaring an emergency. This decision is usually made in consultation with other members of the Community Control Group.

Upon declaring an emergency, the Mayor will notify:

- Emergency Management Ontario, Ministry of Public Safety and Security;
- Township Council;
- County Warden, as appropriate;
- Public;
- Neighbouring community officials, as required;
- Local Member of the Provincial Parliament (MPP);
- Local Member of Parliament (MP).

3.3 Terminating an Emergency

A community emergency may be terminated at any time by:

- Mayor or Acting Mayor; or
- Township Council; or
- Premier of Ontario.

When terminating an emergency, the Mayor will notify:

- Emergency Management Ontario, Ministry of Public Safety and Security;
- Township Council;
- County Warden, as appropriate;
- Public;
- Neighbouring community officials, as required;
- Local Member of the Provincial Parliament (MPP);
- Local Member of Parliament (MP).

PART 4: COMMUNITY CONTROL GROUP INDIVIDUAL DUTIES AND RESPONSIBILITIES

The individual responsibilities of the Community Control Group:

4.0 Mayor or Acting Mayor

The Mayor or Acting Mayor is responsible for:

1. Declaring an emergency within the designated area;

2. Declaring that the emergency has terminated (Note: Council may also terminate the emergency);

3. Notifying the Emergency Management Ontario, Ministry of Public Safety and Security of the declaration of the emergency, and termination of the emergency;

4. Ensuring the members of Council are advised of the declaration and termination of an emergency, and are kept informed of the emergency situation;

5. On behalf of council, authorize the release of official statements to the media and the general public, as well as act as the spokesperson for council; and,

6. Maintaining a Personal Log.

4.1 Administrator-Clerk/Emergency Management Coordinator

The Administrator-Clerk/Emergency Management Coordinator for the Township of Elizabethtown-Kitley is responsible for:

a.) Initial Responsibilities and Liaison Functions

The Administrator-Clerk/Emergency Management Coordinator, or their delegate, is responsible for

1. Activation of the emergency notification system;
2. Upon activation of the emergency notification system, contacting members of the Community Control Group using the Contact List found in Annex 'A' of the Plan;
3. Ensuring liaison with the Ontario Provincial Police Detachment Commander regarding security arrangements for the Emergency Operations Centre;
4. Advising the Mayor on policies and procedures, as appropriate;
5. Approving, in conjunction with the Mayor, major announcements and media releases prepared by the Emergency Information Coordinator, in consultation with the Community Control Group;
6. Ensuring that a communication link is established between the Community Control Group and the Emergency Site Manager;
7. Providing advice and clarifications about the implementation details of the Emergency Response Plan;
8. Ensuring liaison with community support agencies (e.g. St. John Ambulance, Canadian Red Cross);
9. Calling out additional Township staff to provide assistance, as required;
10. Acting as Chairperson in all Community Control Group meetings;
11. Maintaining and updating a list of all vendors (including 24-hour contact numbers) who may be required to provide supplies and equipment.
12. Maintaining a Personal Log;

b.) Emergency Operations Centre/Operations Officer

The Administrator-Clerk/Emergency Management Coordinator, or their delegate, is responsible

1. Activating and arranging the Emergency Operations Centre;
2. As the Operations Officer, coordinating all operations within the Emergency Operations Centre, including the scheduling of regular meetings;

3. Ensuring that security is in place for the Emergency Operations Centre and registration of Community Control Group members;

4. Ensuring that all members of the Community Control Group have necessary plans, resources, supplies, maps, and equipment;

5. Supervising the Communications Coordinator;

6. Ensuring that the operating cycle is met by the Community Control Group and related documentation is maintained and kept for future reference;

7. Addressing any action items that may result from the activation of the Emergency Response Plan and keeping Community Control Group informed of implementation needs;

8. Maintaining the records and logs for the purpose of debriefings and post-emergency reporting that will be prepared.

4.2 Fire Chief

The Fire Chief is responsible for:

1. Activating the emergency notification system;

2. Providing the Community Control Group with information and advice on firefighting and rescue matters;

3. Establishing an ongoing communications link with the senior fire official at the scene of the emergency;

4. Informing the Mutual Aid Fire Coordinator and/or initiating mutual aid arrangements for the provision of additional firefighters and equipment, if needed;

5. Determining if additional or special equipment is needed and recommending possible sources of supply, e.g., breathing apparatus, protective clothing;

6. Providing assistance to other community departments and agencies and being prepared to take charge of or contribute to non-firefighting operations if necessary, e.g., rescue, first aid, casualty collection, evacuation;

7. Providing an Emergency Site Manager, if required;

8. Maintaining a Personal Log.

4.3 Director of Public Works

The Director of Public Works is responsible for:

1. Activation of the emergency notification system;
2. Providing the Community Control Group with information and advice on engineering and public works matters;
3. Depending on the nature of the emergency, assigning the Site Manager and informing the Community Control Group;
4. Establishing an ongoing communications link with the senior public works official at the scene of the emergency;
5. Ensuring liaison with the public works director or a Public Works Department staff member from the neighbouring community(s) to ensure a coordinated response;
6. Ensuring provision of engineering assistance;
7. Ensuring construction, maintenance and repair of township roads;
8. Ensuring the maintenance of sanitary sewage and water systems;
9. Providing equipment for emergency pumping operations.
10. Ensuring liaison with the fire chief concerning emergency water supplies for firefighting purposes;
11. Providing emergency potable water, supplies and sanitation facilities to the requirements of the Medical Officer of Health;
12. Discontinuing any public works service to any resident, as required, and restoring these services when appropriate;
13. Ensuring liaison with public utilities to disconnect any service representing a hazard and/or to arrange for the provision of alternate services or functions;
14. Providing public works vehicles and equipment as required by any other emergency services;
15. Ensuring liaison with the conservation authority regarding flood control, conservation and environmental matters and being prepared to take preventative action;
16. Coordinating the acquisition, distribution and scheduling of various modes of transport (i.e. public transit, school buses, trains, boats, and trucks) for the purpose of transporting persons and/or supplies, as required, by members of the Community Control Group and the support and advisory staff;

17. Procuring staff to assist, as required;

18. Ensuring that a record is maintained of drivers and operators involved;

19. Providing an Emergency Site Manager, if required;

20. Maintaining a Personal Log.

4.4 Emergency Information Officer/Community Spokesperson

The Emergency Information Office/Communications Coordinator reports to the Administrator-Clerk/Emergency Management Coordinator and is responsible for:

1. Activating the emergency notification system of the local amateur radio operators group;

2. Initiating the necessary action to ensure the telephone system at the community offices functions as effectively as possible, as the situation dictates;

3. Ensuring that the emergency communications centre is properly equipped and staffed, and working to correct any problems which may arise;

4. Maintaining an inventory of community and private sector communications equipment and facilities within the community, which could, in an emergency, be used to augment existing communications systems;

5. Making arrangements to acquire additional communications resources during an emergency;

6. Disseminating news and information to the media for the public.

7. Establishing a Citizen Inquiry Centre, located within the Emergency Information Centre, including the appointment of personnel and designation of telephone lines;

8. Informing the affected emergency services, the Community Control Group and Township switchboards of the establishment of the Citizen Inquiry Centre and designated telephone numbers;

9. Responding to, and re-directing inquiries and reports from the public based upon information from the Emergency Information Officer. (Such information may be related to school closings, access routes or the location of evacuee centres.);

10. Responding to and redirecting inquiries pertaining to the investigation of the emergency, deaths, injuries or matters of personnel involved with or affected by the emergency to the appropriate emergency service;

11. Preparing initial and subsequent media releases subject to the Mayor and Administrator-Clerk's approval;

12. Coordinating interviews and media conferences;

13. Ensuring set-up and staffing of support and public inquiry lines;

14. Monitoring news coverage;

15. Maintaining copies of all media releases;

16. Establishing and maintaining links with provincial, county and industry officials as appropriate;

17. Responding to and redirecting inquiries pertaining to persons who may be located in evacuation and reception centres to the registration and inquiry telephone number(s);

18. Maintaining a Personal Log;

19. Procuring staff to assist, as required.

A detailed Emergency Information Plan is included in Part 7.

PART 5: SUPPORT AND ADVISORY SERVICES AND STAFF DUTIES AND RESPONSIBILITIES

5.1 Ontario Provincial Police, Detachment Commander

The Detachment Commander is responsible for:

1. Activation of the emergency notification system;
2. Activate the Ontario Provincial Police Emergency Alert System;
3. Establishing a site command post with communications to the Emergency Operations Centre;
4. Depending on the nature of the emergency, assign the Site Manager and inform the Community Control Group;
5. Establishing the outer perimeter in the vicinity of the emergency to facilitate the movement of emergency vehicles and restrict access to all but essential emergency personnel;
6. Providing traffic control staff to facilitate the movement of emergency vehicles;
7. Alerting persons endangered by the emergency and coordinating evacuation procedures;
8. Ensuring liaison with the Social Services Officer regarding the establishment and operation of evacuation and reception centres;
9. Ensuring the protection of life and property and the provision of law and order;
10. Providing police service in Emergency Operations Centre, evacuee centres, morgues, and other facilities, as required;
11. Notifying the coroner of fatalities;
12. Ensuring liaison with other community, provincial and federal police agencies, as required;
13. Providing an Emergency Site Manager, if required;
14. Maintaining a Personal Log.

5.2 Medical Officer of Health

The Medical Officer of Health is responsible for:

1. Activation of the emergency notification system;
2. Acting as a coordinating link for all emergency health services at the Community Control Group;
3. Ensuring liaison with the Ontario Ministry of Health and Long Term Care, Public Health Branch;
4. Establishing an ongoing communications link with the senior health official at the scene of the emergency;
5. Ensuring liaison with the ambulance service;
6. Providing advice on any matters, which may adversely affect public health;
7. Providing authoritative instructions on health and safety matters to the public through the Emergency Information Coordinator;
8. Coordinating the response to disease related emergencies or anticipated emergencies such as epidemics, according to Ministry of Health and Long Term Care policies;
9. Ensuring coordination of care of bed-ridden citizens and invalids at home and in evacuee centres during an emergency;
10. Ensuring liaison with voluntary and private agencies, as required, for augmenting and coordinating public health resources;
11. Ensuring coordination of all efforts to prevent and control the spread of disease during an emergency;
12. Notifying the Director of Public Works regarding the need for potable water supplies and sanitation facilities;
13. Ensuring liaison with Leeds & Grenville Community & Social Services Director or Housing Manager on areas of mutual concern regarding health services in evacuee centres;
14. Maintaining a Personal Log.

5.3 Leeds & Grenville Community & Social Services Director

The Leeds & Grenville Community & Social Services Director or Housing Manager is responsible for:

1. Activation of the emergency notification system;

2. Ensuring the well-being of residents who have been displaced from their homes by arranging emergency lodging, clothing, feeding, registration and inquiries and personal services;

3. Supervising the opening and operation of temporary and/or long-term evacuee centres, and ensuring they are adequately staffed;

4. Establishing and operating evacuation and reception centres;

5. Ensuring liaison with the Ontario Provincial Police Officer regarding the establishment and operation of evacuation and reception centres;

6. Liaison with the Medical Officer of Health on areas of mutual concern regarding operations in evacuee centres;

7. Ensuring that Upper Canada District School Board and/or Separate School Board is/are notified when facilities are required as evacuee reception centres, and that staff and volunteers utilizing the school facilities take direction from the Board representative(s) with respect to their maintenance, use and operation;

8. Making arrangements for meals for the staff volunteers at the Emergency Operations Centre and the Site;

9. Maintaining a Personal Log.

5.4 Emergency Medical Services

The Emergency Medical Services Chief or Deputy Chief is responsible for:

1. Activation of the emergency notification system;
2. Ensuring emergency medical services at the emergency site;
3. Establishing an ongoing communications link with the senior Emergency Medical Services official at the scene of the emergency;
4. Obtaining Emergency Medical Services from other municipalities for support, if required;
5. Ensuring triage at the site;
6. Advising the Community Control Group if other means of transportation is required for large scale large scale response;
7. Liaising with the Ministry of Health and Long Term Care Central Ambulance Communications Centre to ensure balanced emergency coverage is available at all times throughout the community;
8. Ensuring liaison with the receiving hospitals;
9. Ensuring liaison with the Medical Officer of Health, as required;
10. Maintaining a Personal Log.

5.6 Emergency Management

The Emergency Management Field Officer is responsible for:

1. Activation of the emergency notification system;
2. Ensuring liaison with the Province of Ontario, as required;
3. Providing advice and resources, as required and requested;
4. Maintaining a Personal Log.

5.7 Administrative Assistant(s)

The following staff may be required to provide support, logistics and advice to the Community Control Group:

The Administrative Assistant(s) is/are responsible for:

1. Assisting the Administrator-Clerk, as required;
2. Ensuring all important decisions made and actions taken by the Community Control Group are recorded;
3. Ensuring that maps and status boards are kept up to date;
4. Providing a process for registering Community Control Group members and maintaining a Community Control Group member list;
5. Notifying the required support and advisory staff of the emergency, and the location of the Emergency Operations Centre;
6. Initiating the opening, operation and staffing of citizen inquiry lines at the community offices, as the situation dictates, and ensuring operators are informed of Community Control Group members' telephone numbers in the Emergency Operations Centre;
7. Assuming the responsibilities of the Citizen Inquiry Supervisor;
8. Arranging for printing of material, as required;
9. Coordinating the provision of clerical staff to assist in the Emergency Operations Centre, as required;
10. Upon direction by the Mayor, ensuring that all Council are advised of the declaration and termination of declaration of the emergency;
11. Upon direction by the Mayor, arranging special meetings of Council, as required, and advising members of Council of the time, date, and location of the meetings;
12. Procuring staff to assist, as required.
13. Coordinating and processing requests for human resources;
14. Coordinating offers of, and appeals for, volunteers with the support of the Community Control Group;

15. Selecting the most appropriate site(s) for the registration of human resources;

16. Ensuring records of human resources and administrative detail, that may involve financial liability, are completed;

17. Ensuring that a Volunteer Registration Form is completed, when volunteers are involved and a copy of the form is retained for township records;

18. Ensuring identification cards are issued to volunteers and temporary employees, where practical;

19. Arranging for transportation of human resources to and from site(s);

20. Obtaining assistance, if necessary, from Human Resources Development Canada, as well as other government departments, public and private agencies and volunteer groups.

5.8 Legal Services

The Township's legal counsel is responsible for providing advice to any member of the Community Control Group on matters of a legal nature as they may apply to the actions of the Township of Elizabethtown-Kitley in its response to the emergency, as requested.

5.9 Director of Finance

The Director of Finance is responsible for:

1. Providing information and advice on financial matters as they relate to the emergency;
2. Ensuring that records of expenses are maintained for future claim purposes;
3. Ensuring the prompt payment and settlement of all the legitimate invoices and claims incurred during an emergency.

5.10 ARES – Amateur Radio Emergency Service

The Amateur Radio Emergency Service operators report to the Emergency Management Coordinator and is responsible for activating the emergency notification system of the local amateur radio operators group. All messages are to be written on the Amateur Radio Message Forms and logged.

For Contact Information see Annex A: Emergency Notification Contact Lists

5.11 Other Agencies

In an emergency, many agencies may be required to work with the Community Control Group. Two such agencies are detailed below. Others might include industry, volunteer groups, conservation authorities and provincial ministries.

(i) Upper Canada District School Board and Catholic District School Board of Eastern Ontario

The Upper Canada District School Board and the Catholic District School Board of Eastern Ontario are responsible for:

1. Providing any school (as appropriate and available) for use as an evacuation or reception centre and a staff member to coordinate the maintenance, use and operation of the facilities being utilized as evacuation or reception centres;

2. Ensuring liaison with the municipality as to protective actions to the schools (i.e., implementing school stay in place procedure and implementing the school evacuation procedure);

3. Liaising with the Community Control Group and Social Services.

(ii) Canadian Red Cross

The Canadian Red Cross are responsible for:

1. Activating the local Red Cross Emergency Response Plan;

2. Providing support to the emergency response;

3. Providing registration and inquiry services;

4. Assisting St. John Ambulance at first aid stations established at reception centres, on a need basis as determined by St. John Ambulance;

5. Liaising with Regional Red Cross to access additional resources (ie. Emergency Response Team);

6. Establishing and maintaining contact with Social Services in the Emergency Operations Centre in order to coordinate activities.

(iii) Clergy

Clergy is responsible for:

1. Providing for multi-denominational religious observances;

2. Establishing visitations to evacuees in evacuation centres on a scheduled basis;

3. Providing guidance to the Community Control Group regarding matters of a religious nature;

4. Providing advice regarding care of the deceased in areas which relate to religious observances;

5. Liaising with Social Services regarding the use of churches and related facilities for reception and evacuation centres.

(iv) Salvation Army

The Salvation Army is responsible for:

1. Activating the Salvation Army organization;

2. Liaising with external Salvation Army resources to provide additional assistance on a need basis;

3. Providing emergency resources for the care of evacuees, including bedding, food and clothing;

4. In conjunction with other clergy provide for spiritual needs of evacuees;

5. Establishing contact with the Social Services Representative and providing support as required.

(v) St. John Ambulance

St. John Ambulance responsibilities include;

1. Activating the St. John Ambulance organization;

2. Establishing contact with Social Services and supporting the operation as required;

3. Establishing first aid posts at reception centres;

4. Assisting public health nurses at evacuation centres on an as required basis;

5. Assisting in the evacuation of casualties;

6. Assisting in the evacuation of home care patients are required;

PART 6: COMMUNICATIONS PLAN

Upon implementation of the Emergency Response Plan, it will be important to ensure that communications are established between the emergency site(s) and the Emergency Operations Centre. Also, alternate communications may be required at various locations including evacuation centres, hospitals, and other key responding agencies.

6.0 Location

The Communications Centre is located in the same facility as the Emergency Operations Centre. During the notification process, if the primary Emergency Operations Centre, 6544 New Dublin Road, is designated as the place to set up operations, then the Communications Centre would be set up in that facility.

The Communications Centre is equipped with multi-channel portable hand-held radios with battery back-up that capable of communicating with fire, Emergency Medical Service on the County fire frequency and with public works on the public works frequency.

6.1 Notification

The Amateur Radio Emergency Service is part of the initial Emergency Notification Procedure who in turn will call upon their contacts for further communications support, as required. The Communications Centre is the location from which the Amateur Radio Emergency Service will operate.

6.2 Support Staff

Communications between the Communications Centre and the other responding agencies will be with the support of a runner.

PART 7: EMERGENCY INFORMATION PLAN

Upon implementation of this Emergency Response Plan, it will be important to coordinate the release of accurate information to the news media, issue authoritative instructions to the public, and respond to or redirect individual requests for, or reports on, information concerning any aspect of the emergency.

It is essential that the Emergency Information Centre is operational a soon as possible because the media will be involved as soon as they are aware that an emergency situation exists. The Centre is known by local media, but must be publicized for media from the outside.

7.0 Emergency Information Centre Location

The local Emergency Information Centre will be located in the New Dublin Branch of the Township Library, at 6544 New Dublin Road. In the event that this centre cannot be used, the secondary location will be the library at 424 Highway 29.

7.1 Additional Information Centre Adjacent to Site

Depending on the nature of the emergency, it may be necessary to establish a media information area adjacent to the emergency site, as decided by the Community Control Group. This area, if established, will be staffed as determined by the community spokesperson.

7.2 Citizen Inquiry Centre

The Citizen Inquiry Centre is located in the Emergency Information Centre, under the supervision of the Emergency Information Officer. In the interest of providing a telephone number the public is familiar with, the main telephone line for the Citizen Inquiry Centre will be 613-345-7480.

7.3 Emergency Information Officer

In order to fulfill these functions during an emergency, the position of Emergency Information Officer is established. The Emergency Information Officer may delegate these tasks as required.

The Emergency Information Officer reports to the Administrator-Clerk and Head of Council and is responsible for:

1. Establishing a communication link with other media coordinators with regard to Citizen Inquiries, and any other media coordinator(s) (i.e. provincial, federal, private industry, etc.) involved in the incident, ensuring that all information released to the media and public is timely, full and accurate;

2. Ensuring that the Emergency Information Centre is set up and staffed and a site Emergency Information Centre , if required;

3. Ensuring liaison with the Community Control Group to obtain up-to-date information for media releases, co-ordinate individual interviews and organize press conferences;

4. Ensuring that the following are advised of the telephone number of the media centre:
    i. Media;
    ii. Community Control Group;
    iii. Switchboard (Township and Emergency Services);
    iv. Community Spokesperson;
    v. Police Public Relations Officer;
    vi. Neighbouring Communities;
    vii. Citizen Inquiry Supervisor;
    viii. Any other appropriate persons, agencies or businesses.

5. Providing direction and regular updates to the Citizen Inquiry Supervisor to ensure that the most accurate and up-to-date information is disseminated to the public;

6. Ensuring that the media releases are approved by the Administrator-Clerk (in consultation with the Mayor) prior to dissemination, and distributing hard copies of the media release to the Emergency Information Centre, the Community Control Group, Citizen Inquiry Supervisor and other key persons handling inquiries from the media;

7. Monitoring news coverage, and correcting any erroneous information;

8. Maintaining copies of media releases and newspaper articles pertaining to the emergency.

PART 8: GUIDE TO MEDIA RELATIONS

This guide is to be used in conjunction with Part 7, Emergency Information Plan. The guide provides a framework for conducting the Township's media relations during an emergency.

The Mayor and the Administrator-Clerk have the ultimate authority for the release of information to the media. Their responsibilities may be delegated to the Emergency Information Officer at their discretion.

Media relations cannot be handled totally by one person. A media relations team should be set up and lead by the Emergency Information Officer.

8.0 Media Relations Team

Members of the media relations team should include;

- The Emergency Information Officer
- OPP media/public relations staff
- Media or public relations from the industry involved (if there is an industrial element to the emergency)

8.1 Duties and Responsibilities of the Media Relations Team

The media relations team will, under the supervision of the Emergency Information Officer:

1. Distribute the background information to the media and prepare all media tours and briefings.
2. Conduct and arrange interviews.
3. Ensure consistency of messages going out to the media.
4. Monitor all media broadcasts and stories related to the emergency.
5. Prepare the Mayor for interviews.
6. Prepare and issue all press releases after approval from the Mayor and Administrator-Clerk.
7. Arrange and conduct press conferences/briefings at regular intervals.
8. Prepare a post-emergency report and submit it to the Administrator-Clerk.

SEE ANNEX O
FOR EMERGENCY MANAGEMENT ONTARIO "GUIDE TO MEDIA RELATIONS"

PART 9 NOTIFICATION PROCEDURES

The Emergency Notification System may be activated by any member of the Community Control Group.

The Community Control Group Member activating the notification system will:

1. From the first safe location, begin to telephone the other members of the Community Control Group, as listed on the attached Notification Contact List. If the primary person cannot be reached at any of the listed numbers, the Control Group member activating the system will telephone the alternate. If neither can be reached, the Control Group Member should move on to the next name on the list.

2. Once the end of the list has been reached, the Control Group Member should try again to reach those who were not available on the first attempt.

3. The Control Group Member activating the notification system will write down the Community Control Group members they have successfully contacted and the time they were contacted, as well as ensuring their understanding of the message being delivered.

UPON RECEIVING NOTIFICATION, THE COMMUNITY CONTROL GROUP MEMBERS WILL:

1. The Community Control Group Member telephoned, will make a note of the details of the message (ie. description of the emergency, instructions to remain on standby or assemble at the Emergency Operations Centre, and which Operations Centre is to be activated).

PART 10: LOGISTICS

10.1 Emergency Operations Centre

The Emergency Operations Centre will be located in Main Administration Office, which is located at 6544 New Dublin Road.

The alternate Emergency Operations Centre will be located at the Satellite Office in Toledo, 424 County Road 29.

10.2 Alternate Communications Centre

The Alternate Communications Centre is located within the Emergency Operations Centre.

10.3 Emergency Information Centre

The primary Emergency Information Centre is located in the Spring Valley Branch of the Township Library, at 4103 County Road 29.

The secondary Emergency Information Centre is located in the Kitley Branch of the Township Library, 424 County Road 29. This is located in close proximity to the secondary Emergency Operations Centre.

10.4 Citizen Inquiry Centre

The Citizen Inquiry Centre is located within the Emergency Information Centre.

10.5 Equipment

The equipment required for the Emergency Operations Centre is organized in a kit form. One kit is located in the Council Chambers in primary Emergency Operations Centre, the Main Administration Office, 6544 New Dublin Road.

The second kit is located in the photocopier room at the secondary Emergency Operations Centre, 424 Highway 29, Toledo.

The Emergency Management Coordinator is responsible for inspecting the kit on a regular basis and for ensuring that kit contents are all in working order.

The kit should contain the following:

- 1 box of 100 legal sized file folders
- 1 pack of 500 sheets blank 8 ½ x 11 white printer/photocopy paper
- 10 letter sized pads of lined paper
- 1 pack of 12 highlighters (assorted colours)
- 6 black sharpie markers
- 1 pack of 10 steno pads
- 6 packs of 2 7/8 inch x 2 7/8 inch post-it note pads
- 1 stapler with package of 1000 standard staples
- 1 Ontario Road Map (Ministry of Transportation)
- 1 pack of 5 assorted erasers

Emergency Operations Centre Kit Continued...

- 1 map of southeastern Ontario restructured municipalities (printed 2001)
- 1 book entitled "2000 Emergency Response Guidebook – A Guidebook for First Responders During the Initial Phase of a Dangerous Goods/Hazardous Materials Incident"
- 1 pack of 80 sheets of letter sized graph paper
- 2 packs of 6 black pens
- 1 dry erase board kit containing 4 markers (assorted colours) 1 dry erase board brush, 1 bottle of dry erase board cleaning fluid
- 2 telephone message books (400 message capacity)
- 1 box of 12 1 ¼ inch fold back clips
- 1 First Aid Emergency Kit
- 2 letter sized expanding file folders
- 4 legal sized clip boards
- 1 envelope containing miscellaneous elastics
- 1 pocket sized calculator
- 10 Nov. 2 sharpened pencils
- one dual sized manual pencil sharpener
- 3 12 inch wooden rulers
- 1 pair of scissors
- 1 pack of 3 rolls of scotch tape
- 1 box of 5000 standard staples
- 1 package of 100 push pins (assorted colours)
- 1 box of 12 peel-off china markers
- 2 boxes of 100 paper clips
- 1 pack of 150 post-it note flags
- 1 bottle of white out
- 6 Community Control Group Identification Badges
- 6 Media Passes Identification Badges
- 6 Staff Identification Badges

Additional equipment which is required for the Emergency Operations Centre is listed below:

Item	**Location (Primary EOC)**
Fax Machine	Photocopy Room, 6544 New Dublin Road
Television	Board Room, 6544 New Dublin Road
Telephones	Supply Cupboard (file room), 6544 New Dublin Rd
White Boards	Planning Department, 6544 New Dublin Road
Flip Charts	In Council Chambers, 6544 New Dublin Road

Item	**Location (Secondary EOC)**
Fax Machine	Library, 424 County Road 29
Telephones	Under Office Counter, 424 County Road 29
Flip Charts	In the vault, 424 County Road 29

Corporation of the Township of Elizabethtown-Kitley

Policy for the Provision of Municipal Services to Properties on Private or Unassumed Roads

1. Purpose/Application

The purpose of this policy is to provide information to property owners on private or un-assumed roads, as to the standard that private roads shall be maintained in order to receive municipal services.

Noncompliance with respect to this policy may result in the delay of emergency service, withdrawal of municipal monetary support under the private road funding program or both.

2. Definitions

2.1 Municipal services – means services provided by Police, Fire, Ambulance and environmental including where applicable garbage and recycling curbside pickup and other similar type services that have been or may be established from time to time.

2.2 Private Road – means any private road, lane, ramp, unassumed Township road allowance, or other means of vehicle access to or from a building or structure and may include part of a parking lot.

2.3 Township – means the Township Elizabethtown-Kitley.

2.4 Service Provider- means the Township of Elizabethtown-Kitley or any agency acting on the Township's behalf.

3. Policy Statement

The Township established this policy in order that property owners serviced by private roads will be aware of the standards required for these private roads, in order to receive municipal services. In the event that private roads are not maintained to the standard as established herein then the provision of municipal services and/or monetary support may be withdrawn.

4. Private Road Standards

The private road standard must meet the following:

(a) Have a clear width of not less than 6m (19'8") unless it can be established by the service provider that a lesser width is satisfactory.

(b) Have an overhead clearance of not less than 5 meters (16'5") unless it can be established by the service provider that a lesser clearance is satisfactory.

(c) Have a turnaround facility for any dead end road portion of the private road, exceeding ninety 90 meters (295') from a public thoroughfare.

(d) Dead end roads exceeding 90 meters (295') from a public thoroughfare shall be provided with a twenty seven meter diameter turn around or a six meter by twenty four meter hammerhead.

(e) Have a change in gradient of not more than 1 in 12.5 over a minimum distance of fifteen (15) meters.

(f) Have an unobstructed path of travel for the firefighter from the vehicle to the principal entrance or entrances which shall not exceed forty-five (45) meters.

(g) Be designed to support the expected loads imposed by firefighting and environmental services apparatus and be surfaced with material designed to permit accessibility under all climate conditions.

(h) Bridges on private roads must be engineered to withstand the weight of the aforementioned apparatus and must be inspected by an engineer every five years to certify the weight allowance.

(i) Private roads are to be maintained free of pot holes, snow, ice, and foreign debris.

(j) Private roads that provide access to more than one property cannot be obstructed by a fence or other mechanism that may impede through traffic.

(k) Damage to emergency or service vehicles resulting from the lack of adherence to this policy will result in the owner being liable for all vehicle towing and/or repair costs. Notwithstanding, if the owner does not pay forthwith, the associated costs will be incorporated into their annual property taxes.

(l) Have the Civic Address prominently displayed in accordance with Municipal Bylaw #05-10. (By-Law to provide for the placing and maintaining of a municipal addressing system in the Township of Elizabethtown-Kitley.)

CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

Elizabethtown-Kitley Fire & Emergency Services

Establishing and Regulating By-Law

Amended via By-law 05-13

By-Law No. 01-32

****

Whereas the Municipal Act, R.S.O. 1990 c, as amended, and the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 as amended, permits the Council to enact a by-law to establish and regulate a fire department.

Therefore the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. In this By-law, unless the context otherwise requires,
   - A. ***approved*** means approved by the Township Council,
   - B. ***chief administrative officer*** means the person appointed by Council to act as Chief Administrative Officer for the Corporation, (C.A.O.)
   - C. ***corporation*** means the Corporation of the Township of Elizabethtown-Kitley,
   - D. ***council*** means the Council of the Township of Elizabethtown-Kitley,
   - E. ***deputy fire chief*** means the person(s) appointed by the Council to act on behalf of the Fire Chief of the fire department in his/her absence, vacancy, on a rotation as assigned by the Fire Chief,
   - F. ***fire department*** means the Elizabethtown-Kitley Fire & Emergency Services,
   - G. ***fire chief (chief)*** means the person appointed, by By-law of Council, to act as Fire Chief of the department and is ultimately responsible to Council as defined in the Fire Protection and Prevention Act.
   - H. ***fire protection services*** includes fire suppression, fire prevention, fire safety education, communication, training of persons involved in the provision of fire protection services, rescue and emergency services.
   - I. ***fire fighter*** means a fire chief and/or any other person employed in, or appointed to the fire department and is assigned to undertake fire protection services either voluntarily or for a nominal consideration, honorarium training or activity allowance..
   - J. ***member (s)*** means any one employed in, or appointed to, the fire department and assigned to undertake fire protection services, and includes officers, full time, part time and volunteer firefighters, auxiliary and honorary members,

2. A fire department for the Township of Elizabethtown-Kitley to be known as the Elizabethtown-Kitley Fire & Emergency Services is hereby established and the head of the fire department shall be known as the Fire Chief.

3. The fire department shall be structured in conformance with the approved Organizational Chart "*Appendix A*", and following the Divisional Function Chart" *Appendix B*".
   The goals and objectives of the department shall be as those contained in "*Appendix C*". The hiring and promotion policies in *"Appendix D"* and Fire Prevention Policy in *"Appendix E"*

4. In addition to the Chief, Council shall appoint a Deputy Chief(s) and such number of other officers and members as may be deemed necessary by Council.

5. The Deputy Chief is responsible to the Fire Chief for the activities of the divisional functions that are supervised by the Deputy Fire Chief, and has the same authority and responsibility as the Fire Chief and shall perform all the duties of the Fire Chief in the Fire Chief's absence, as delegated by the Fire Chief.

6. The Chief may recommend to the Council the appointment of any qualified person as a member of the fire department, subject to the approved hiring policies developed by the Chief. (*Appendix D*)

7. The remuneration of the volunteer members shall be as determined by Council.

8. The Chief is ultimately responsible to Council, through the C.A.O., for proper administration and operation of the fire department including the delivery of fire protection services.

9. The Chief may implement all approved policies and may develop such standard operating procedures and guidelines, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all fire department personnel and fire department equipment.

10. The Chief may review periodically all policies, orders, rules and operating procedures of the fire department and may establish an advisory committee consisting of such members of the fire department as the Fire Chief may determine from time to time to assist in these duties.

11. The Chief will submit to the C.A.O. and Council for approval, the annual budget estimates for the fire department; an annual report and any other specific reports requested by the C.A.O. or Council.

12. Each division of the fire department is the responsibility of the Chief and is under the direction of the Chief or a member designated by the Chief. Designated members shall report to the Fire Chief on divisions and activities under their supervision and shall carry out all orders of the Chief.

13. Where the Chief designates a member to act in the place of an officer in the fire department, such member, when so acting, has all of the powers and shall perform all duties of the officer replaced.

14. The Chief may take all proper measures for the prevention, control and extinguishment of fires and the protection of life and property and shall exercise all powers mandated by the Fire Protection and Prevention Act, and the Chief shall be empowered to authorize:
    a. pulling down or demolishing any building or structure to prevent the spread of fire,
    b. all necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident, when unable to contact the property owner,
    c. recovery of expenses incurred by such necessary actions for the Corporation in the manner provided through the Municipal Act, and/or, the Fire Protection and Prevention Act.

15. The fire department shall not respond to a call with respect to a fire or emergency outside the limits of the Township except with respect to a fire or emergency:
    a. that, in the opinion of the Fire Chief or designate of the fire department, threatens property in the Township or property situated outside the Township that is owned or occupied by the Township,
    b. in a municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid,
    c. on property with which an approved agreement has been entered into with any person or Corporation to provide fire protection services
    d. at the discretion of the Fire Chief, to a municipality authorized to participate in the Leeds and Grenville County Emergency Fire Service Plan established by the Fire Co-Ordinator appointed by the Fire Marshal or any other similar reciprocal plan or program.

e. on property beyond the Township boundary where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate department is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate.

16. That By-law No. 92-33 of the former Township of Elizabethtown, By-law No. 94-07 of the former Township of Kitley, and all by-laws, or sections thereof, of either former Township which are inconsistent herewith are hereby repealed in their entirety.

17. This By-law comes into effect the day it is passed by Council, in the manor appropriate to the Township.

Read a **First** and **Second** time this 8 day of May, 2001.

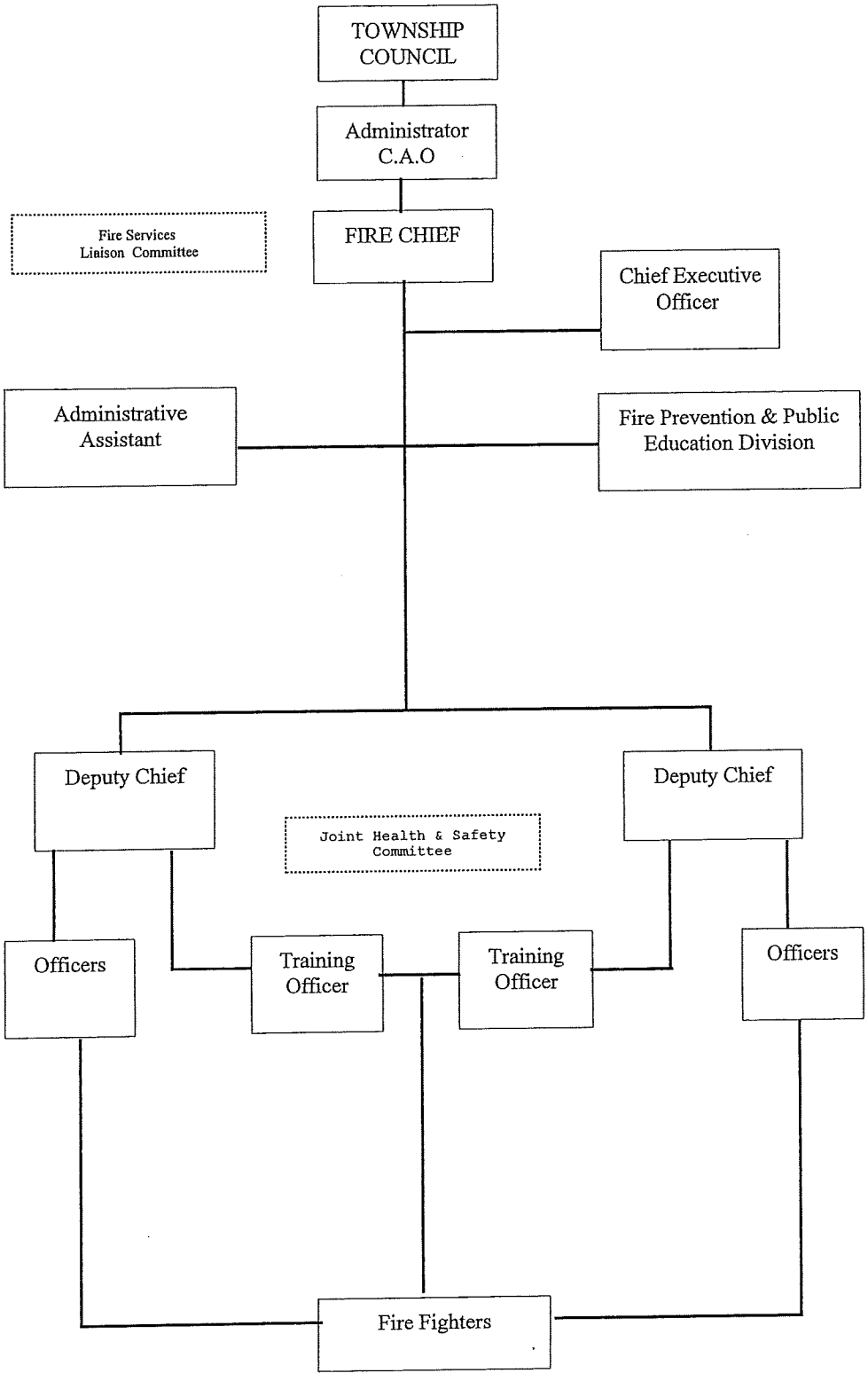
Read a **Third** time and finally **Passed** this 22 day of May, 2001.

Clerk

Reeve

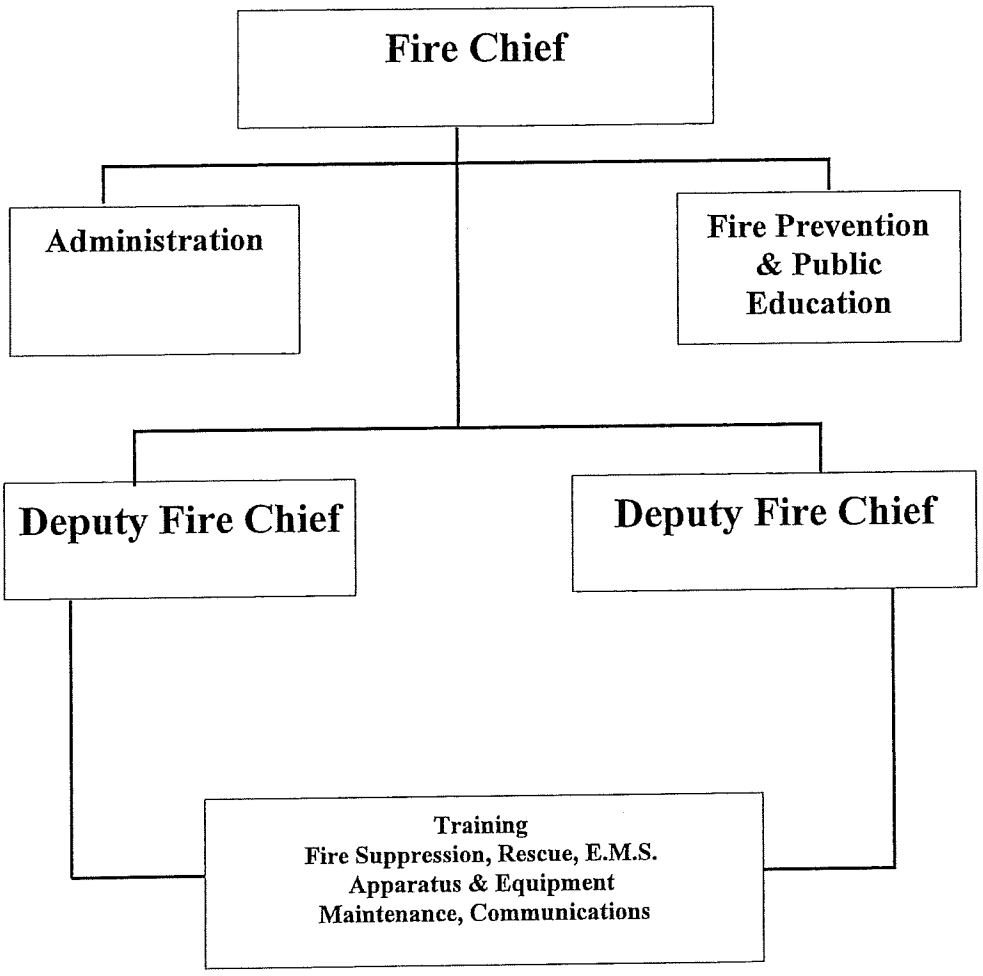
I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 01-32
passed by the council of the said Corporation
the 22 day of May, 2001

Elizabethtown-Kitley Fire & Emergency Services



Elizabethtown-Kitley Fire & Emergency Services

Divisional Functions



Division of Administration

The Fire Chief is responsible for ensuring that the following duties, pertaining to the function of the Division of Administration, are carried out:

a. Provide Administration facilities for the department,
b. Prepare the departmental budget and exercise control of the budget,
c. Prepare the payroll of the department and initiate requisitions for materials and services and certify all accounts of the department,
d. Maintain personnel records in accordance with the policy of the Corporation,
e. Arrange for the provision of medical services,
f. Arrange for the provision of new buildings, as approved,
g. Provide liaison with the local fire fighter's association,
h. Prepare the annual report of the department,
i. Carry out the general administration duties of the department,
j. Provide liaison with the Leeds and Grenville Fire Co-Ordinator,
k. Assist the Fire Co-Ordinator in the preparation of a Counties Emergency Fire Service Plan and Program.

Division of Apparatus/Equipment/Communication/Maintenance

The Fire Chief is responsible for ensuring that the following duties, pertaining to the function of the Division of Apparatus, Equipment and Communications, are carried out:

a. Prepare specifications for the purchase of apparatus and equipment,
b. Maintain and keep in repair all existing buildings, apparatus and equipment of the department: and,
c. Prepare the annual report and budget of the Division of Apparatus, Equipment and Communications to be submitted to the Division of Administration.

Division of Fire Suppression/Rescue/Emergency Medical Services

The Fire Chief is responsible for ensuring that the following duties, pertaining to the function of the Division of Fire Suppression, Rescue and E.M.S., are carried out:

a. Prevent, control and extinguish fires,
b. Conduct investigations of fire in order to determine cause, origin, and, where required, to request appropriate agencies to assist with the investigation,
c. Respond and assist at such emergencies as may be deemed necessary by the Fire Chief,
d. Perform pre-emergency planning,
e. Perform apparatus maintenance and cleaning duties,
f. Prepare the annual report and budget of the Division of Fire Suppression, Rescue and E.M.S. to be submitted to the Division of Administration.

Division of Fire Prevention and Public Education

The Fire Chief is responsible for ensuring that the following duties, pertaining to the function of the Division of Fire Prevention and Public Education, are carried out:

a. Develop an approved fire prevention, fire safety and public education policy,
b. Carry out the duties and activities of the fire prevention, fire safety and public education policy,
c. Maintain fire loss records; and,
d. Prepare the annual report and budget of the Division of Fire Prevention and Public Education to be submitted to the Division of Administration.

Division of Training

The Fire Chief is responsible for ensuring that the following duties, pertaining to the function of the Division of Training, are carried out:

a. Establish a fire department training program, and conduct training for all members in accordance with the approved training program,
b. Administer training programs,
c. Prepare and conduct examination of members as required; and,
d. Prepare an annual report and budget of the Division of Training to be submitted to the Division of Administration,
e. Shall develop an approved fire department promotional policy based on such evaluations, written, practical and oral examinations as deemed necessary.

FIRE DEPARTMENT MISSION STATEMENT

The primary mission of the Township of Elizabethtown-Kitley Fire & Emergency Services is to provide a range of programs to protect the lives and property of the inhabitants of the Township of Elizabethtown-Kitley from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature.

"Our Family, Helping Yours"

PRIMARY GOALS AND OBJECTIVES OF THE FIRE DEPARTMENT

The goals of the fire department is to provide fire protection services designed to protect the lives and property from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions:

1. First, to the Township;
2. Second, to those Townships requiring assistance through authorized emergency fire service plans and programs (Mutual Aid);
3. Third, to those Townships which are provided fire protection by the fire department via an authorized agreement.

Fire protection services provided by this fire department will include, but not be limited to the following Public Safety Education, Fire Prevention Code Enforcement or Fire Suppression:

- Rescue from motor vehicle accidents, farm accidents, industrial accidents, confined space, building collapse,
- Rescues involving specialized rope rescue equipment and procedures,
- Rescues involving water and ice, to Level 1 (Shore Base Water and Ice Rescue),
- Emergencies involving hazardous goods (Awareness Level Only),
- Emergency First Responders- *(The provision of treatment to the public and/or firefighters, including First Aid, C.P.R. and any other elementary procedure for which the firefighter is trained and equipped for. This includes the utilization of oxygen, resuscitators, and automatic defibrillators prior to the arrival of the ambulance service.)*,
- Ensure that fire fighting equipment and operating personnel are available within the Township to provide adequate response to a citizen's call within a reasonable length of time,
- Provide departmental training to an accepted standard which will ensure the continuous up-grading of all personnel in the latest techniques of fire protection services,
- Provide a maintenance program to ensure all fire protection apparatus, including allied equipment, is ready to respond to emergency calls,
- Provide an effective fire prevention and public education policy *"Appendix E"* and ensure compliance with applicable Township, Provincial and Federal Fire Prevention legislation, statues, codes and regulations in respect to fire safety.

Operations will only be carried out to the limit of available training taken and equipment available. The level of service and response time can be limited due to the following;

a. Funding,
b. Staffing, availability,
c. Climate conditions affecting response time and access,
d. Private access roads, bridges, water crossings, not kept to acceptable maintenance standards for vehicle and manpower accessibility.

1. Develop and maintain an effective public information system and educational program, with particular emphasis on school fire safety programs; and commercial, industrial and institutional staff training.
2. Ensure that in the event of a major catastrophe in the Township, assistance to cope with the situation is available from outside departments and other agencies.
3. Develop and maintain a good working relationship with all Federal, Provincial and Township departments, utilities and agencies, related to the protection of life and property.
4. Interact with other Township departments respecting the aspects of fire on any given program.
5. Ensure these objectives are not in conflict with any other Township department.
6. Smoke alarm program, in accordance with Fire Prevention Policy.
7. Investigate complaints with reference to fire and life safety.
8. Respond to requests from citizens for assistance.
9. To provide assistance to the public when the involvement of the Chief Fire Official is necessary for code compliance.

Application to become a member

1. The Fire Chief may recommend to Council the appointment of any qualified person to become a probationary member of the department.
2. A person is qualified to be appointed a probationary member who meets the following requirements:
   a. Applies in writing or completes an application form,
   b. Is not less than nineteen years of age,
   c. Passes such interviews, aptitude and physical tests as may be required by the Chief and Selection Committee. * (The selection committee is comprised of 6 active department members in good standing),
   d. Has successfully passed a medical examination, in regards to the physical requirements of a firefighter,
   e. Holds a valid Ontario Driver's Licence: Minimum "G2" classification required,
   f. A Signed Volunteer Application Screening Consent for Disclosure of Personal Information Form.

* Note: Applicants participating in a Fire Prevention & Public Education Program, a Cadet Program, or performing Auxiliary duties, may not be required to meet all of the above criteria.

Job Requirements

1. Persons appointed as members of the fire department to provide fire protection services shall be on probation for a period of twelve months during which period they shall take such special training and examinations as may be required by the Chief.
2. If a probationary member appointed to provide fire protection services fails any such examinations, the Chief may recommend to Council that his or her probation be extended or that he or she be dismissed.
3. If a medical examiner finds that a volunteer member is physically unfit to perform assigned duties and there are no other duties for the volunteer member to perform, the Chief may recommend to Council that the volunteer member's service be terminated.
4. Following the suspension of a member, the Chief shall immediately report the suspension in writing to the C.A.O. and Council; the Chief shall recommend in writing the dismissal of a member to the C.A.O. and Council, giving reasons for the recommendation.
5. If a medical examiner finds that a paid member of the fire department is physically unfit to perform assigned duties, the Chief may recommend that Council assign the member to another position in the fire department.
6. The Chief may reprimand, suspend or recommend dismissal of any member for infraction of any provisions of this By-Law, fire department policies, general orders and departmental rules which, in the opinion of the Chief, would be detrimental to discipline or the efficiency of the fire department.
7. A member shall not be dismissed without the opportunity for a review of the recommended termination, provided he or she makes a written request for such a review within seven working days after receiving notification from the Chief of the proposed dismissal. An individual appointed by the Township, who is not employed in the fire department, shall conduct the review.

Criteria for Departmental Promotion

Probationary Firefighter to Firefighter

1. After completing one year probation, the officers of the department may be asked to assess each probationary member and submit a report with his/her comments and recommendations, to the Chief or Deputy Chief (s).
2. The Fire Chief will then submit a report, in writing, to Council with his/her recommendations for promotion of a member based on the above evaluation.

Promotion to Officer

1. Any member having at least five years of service with a recognized fire department and are also in good standing, may submit an application to the Fire Chief to qualify him/her for promotion to rank of officer.
2. Every recommendation for promotion of a member shall be made in writing to Council by the Fire Chief and shall be based on the following:
   a. The results of an examination taken by the member(s). *All applicants will be given the same exam,*
   b. Emergency Service Experience and station record of the member(s),
   c. The need or vacancy of a position.
3. When, in the opinion of the Chief, all other factors for the promotion of two or more members are equal, seniority of service in the fire service will govern.

FIRE PREVENTION AND PUBLIC EDUCATION POLICY

Policy Statement

The fire department's Establishing and Regulating By-law references fire prevention activities, however it does not define specific policies of the department. A written policy statement detailing fire prevention programs and activities will assist in reducing or eliminating concerns by members of the department and the public relative to fire prevention objectives.

INSPECTIONS

It is the policy of the Elizabethtown-Kitley Fire & Emergency Services to conduct fire prevention inspections of occupancies as deemed necessary by the Chief Fire Official, utilizing the guidelines identified in Appendix "E" or as approved by Council

Inspection Priority:

- It is policy to arrange inspections in accordance with the following priority list:
  - Complaint Investigation It is policy to, as soon as practical, investigate every complaint that is perceived as a fire safety hazard or a violation of fire safety legislation exists, to determine if the complaint is justified. This will include complaints regarding Open Air Burning.
  - Follow up Inspections
  - Request by Public for Assistance to comply with fire safety legislation. It is policy to assist the public to comply with the Ontario Fire Code when the involvement of the Chief Fire Official is required by the Ontario Fire Code. (This does not necessarily mean requests to inspect for liquor licences, property sales or any other administrative or information purposes.)
  - Routine Inspections
  - In-Service Inspections
  - Retrofit Inspections A number of properties are subject to the "Retrofit Requirements" of the Fire Code. The department will conduct retrofit inspections of these properties over a five year period. These inspections will be conducted at a schedule to be prepared by the Fire Chief. (Mandated Inspections - Hotel/Motel, Homes for the Aged, Institutions.)

This Fire Prevention Policy provides for the participation of all members of the fire department in fire prevention and public education activities. It also addresses the types and frequency of inspections approved by Council and is intended as affirmative direction to the Fire Chief, fire department personnel and the public.

Fire Safety Education for Children:

- It is policy to provide and/or support a variety of fire safety education programs for children in the community including the "Learn Not to Burn Program", "Risk Watch Program" and "The Arson Prevention Program for Youths".

Fire Safety Education for Adults:

- It is policy to provide public fire safety education programs such as the "Older and Wiser" in the community to address the fire safety concerns facing the adult population.

Public Fire Safety Programs:

- It is policy to provide such other fire safety education programs as are deemed necessary by the Fire Chief to address other fire safety concerns in the community and thus heighten fire safety awareness.

Fire Station Tours:

- It is policy, at the discretion of the Fire Chief, to conduct tours of the fire station when requested by the public and to use these opportunities to promote fire safety education to the residents of the community.

Training and Development:

- It is policy to participate in various workshops and seminars that promote fire prevention and /or public fire safety education. The Fire Chief and/or Fire Prevention Personnel may attend meetings and/or conferences of various organizations whose purpose is to promote fire prevention and/or public fire safety education including, Fire Prevention Committees, and Fire Prevention Officers Association.
- It is policy to have the Fire Chief and/or Fire Prevention Personnel, provide training for other members of the fire department regarding the promotion and/or delivery of the various programs that the fire department will be involved with in the promotion of fire prevention and public fire safety education.

Distribution of Fire Safety Information:

- It is policy to distribute fire safety educational material to the public, through pamphlets and/or other education materials, public service announcements, utilizing the available media and through instructions to the public on fire safety matters at various group functions and public events.
- It is policy that fire prevention personnel examine plans and specifications of new buildings for compliance with applicable fire regulations.
- It is policy that fire department personnel, will provide fire safety lectures and/or demonstrations for various public sectors such as industries, community groups, service clubs, business groups, day care facilities and schools, upon request where resources are available.
- It is policy to enforce the installation and maintenance of smoke alarms and encourage carbon monoxide detectors, in all dwelling units and sleeping units not within a dwelling unit.
- It is policy to provide public fire safety messages and awareness campaigns through media at recurring intervals including at least, Christmas Season, Spring Clean-Up and Fire Prevention Week.
- It is policy to make fire prevention information, pamphlets and fire safety literature available to the public through the fire station, the Township Office, other locations in the community, the media and/or circulation during approved fire department activities.
- It is policy, in each circumstance and without prejudice, to enforce all provincial fire safety legislation and fire related municipal by-laws which Council has approved.

Notification of Owner:

- It is policy to notify the owner or responsible person when a fire safety hazard or violation of the Ontario Fire Code is identified.

Follow Up Inspections:

- It is policy to conduct a follow up inspection when a fire safety hazard or violation of the Ontario Fire Code is identified, to confirm that the owner has eliminated the hazard or violation.

Enforcement:

- It is policy to take the actions necessary, to enforce, impartially, all fire safety legislation when the owner is unwilling to comply with the legislation voluntarily within a time frame that is considered reasonable by the Fire Chief.

Open Air Burning:

- It is policy to permit open air burning within the Township with the approval of the Chief Fire Official, or his designate, in accordance with Ontario Fire Code 2.6.3.4., which describes the procedures and in accordance with Section 14 of the Environmental Protection Act, describing practices and limitations for such burning and also in accordance with the current fire department guidelines which describes the procedures, practices and limitations for such burning.

New Construction/Renovations:

- It is policy to conduct inspections of new construction or alterations to existing buildings in accordance with the current Township By-law, which describes types of fire and building inspections conducted and authorized by the Fire Chief and Fire Prevention Personnel as assistant building inspectors under the Ontario Building Code Act. These inspections are to ensure that new or altered buildings comply with the fire safety requirements found in the Ontario Building Code. They are to be carried out in conjunction with the municipal building official(s) and/or inspector(s) and are authorized by By-Law and are defined in the Fire Prevention Policy.

Solid Fuel Burning Systems:

- It is policy to conduct inspections of these systems, when it is a safety concern of the owner/occupant. All request regarding new installations will be forwarded to the Building Department for appropriate action.

Change of Occupancy or Ownership:

- It is policy to conduct these inspections when requested by the purchaser's solicitor where permission has been obtained from the owner's agent in writing, or upon request by other township departments.

Fees for Services:

- A fee schedule for various types of inspections, responses, letters and reports is available upon request at the Fire Department or at the Township Office, in accordance with Township of Elizabethtown-Kitley Use Fees By-Law.

Responsibilities and Legislation

Fire Prevention is an integral part of all fire protection. As part of the need for a positive change in the attitudes of the public towards fire safety, the fire service must actively pursue activities that decrease the incidence of uncontrolled fire. Fire prevention methods utilized by the Elizabethtown-Kitley Fire & Emergency Services, focus on inspections, code enforcement, public safety education, and fire investigations.

Fire Prevention:

- Increases level of public and firefighter safety in buildings and on premises,
- Increases public awareness and promotes a positive public attitude,
- Reduces incidences of fire and protects property and jobs,
- Reduces the incidence of arson and fire crime,
- Ensures compliance with fire related Codes, Statutes and By-laws,
- Enhances fire department image and efficiency,
- Assists with protection of the environment.

Fire Investigation:

It is the responsibility of the fire department to conscientiously try to establish the cause of every fire. By determining the cause of accidental fires, fire hazards may be identified and preventative measures enacted to alleviate re-occurrence. By establishing the cause of every fire, fewer incendiary or suspicious fires will go undetected.

Frequency of Inspections

TYPE OF OCCUPANCY	FREQUENCY
Open Burning	Inspector's Discretion/Availability /Request/Complaints
ASSEMBLY	
Churches	Inspector's Discretion/Availability
Schools	Annually
Libraries	Inspector's Discretion/Availability
Nursery / Day Care Facilities	Prior to Licencing, Inspector's Discretion/Availability
Licensed Premises	Inspector's Discretion/Availability
Unlicensed Premises	Inspector's Discretion/Availability
Community Halls	Inspector's Discretion/Availability
Clubs and Organizations Buildings	Inspector's Discretion/Availability
INSTITUTIONAL	
Hospitals and Nursing Homes	Annually, in conjunction with Provincial Inspector
All Homes for Special Care	Prior to Licensing, Annually
Group Homes	Prior to Licensing, Annually
COMMERCIAL & BUSINESS	
Municipal Buildings	Upon Request/Complaint
Restaurants/Bars	Upon Request/Complaint
Mercantile	Upon Request/Complaint
Service Centres/Gas	Upon Request/Complaint
Wrecking Yards	Upon Request/Complaint
Business/Personal Services	Upon Request/Complaint
Tire Sales	Upon Request/Complaint
Farm/Feed	Upon Request/Complaint
Fitness Centres	Upon Request/Complaint
Kennels	Upon Request/Complaint
INDUSTRIAL	
Factories or Complexes	Upon Request/Complaint
Industrial Malls	Upon Request/Complaint
RESIDENTIAL	
Apartments	Inspector's Discretion/Availability
Single Family Duplexes	Upon Request/Complaint
Home Inspection Program	Upon Request/Complaint
Boarding/Lodging Houses	Prior to Licensing, Annually
Hotels/Motels	Annually
Mobile Parks	Upon Request/Complaint

NOTE: When this fire department receives a complaint or request for an inspection on ANY premise or building in the municipality, the inspection shall be conducted as soon as practicable under the authority of the Fire Protection and Prevention Act regardless of the frequency established in this fire prevention policy.

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 05-13

BEING A BY-LAW TO AMEND BY-LAW 01-32, ELIZABETHTOWN-KITLEY FIRE AND EMERGENCY SERVICES ESTABLISHING AND REGULATING BY-LAW

****

WHEREAS the Fire Protection and Prevention Act, Section 5 states that a council of a municipality may establish, maintain and operate a fire department for all or any part of the municipality;

WHEREAS the Council of the Corporation of the Township of Elizabethtown-Kitley deems it advisable to amend By-law 01-32 by adding a policy on discipline and dismissal for the Elizabethtown-Kitley Fire and Emergency Services;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows;

1. THAT Section 3 of By-law 01-32 be hereby amended to read:
   The Elizabethtown-Kitley Fire and Emergency Services shall be structured in accordance with the approved Organizational Chart attached hereto as *Appendix A.* That the Divisional Function Chart, attached hereto as *Appendix B,* be implemented. The goals and objectives as laid out in *Appendix C,* the hiring and promotions policies in *Appendix D,* the Fire Prevention policy as outlined in *Appendix E* and the Discipline and Dismissal policy attached hereto as *Appendix F* be approved and implemented. *Appendixes A* through *F* form part of this By-law.

2. THAT this By-law shall come into force and take effect on the date of its passing.

Read a **First** and **Second** time this 14th day of **February**, 2005.

Read a **Third** time and finally **Passed** this 28 day of **February**, 2005.

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 05-13
passed by the council of the said Corporation
the 28 day of February, 2005

Elizabethtown –Kitley Fire & Emergency Services

POLICY: **DISCIPLINE AND DISMISSAL** **November/2004**

COVERAGE: **Volunteer Firefighters**

Policy Statement: *Ref: In Accordance to By-Law 01-32.Establishing and Regulating By-Law Elizabethtown-Kitley Fire & Emergency Services*

Discipline and Dismissal Guidelines: Discipline and dismissal are management approaches which can be taken by Chief Officers (Fire Chief / Deputy Chief(s)) when necessary and where circumstances warrant such action to ensure that Fire Department, directives, regulations, instructions and guidelines are followed and adhered to by all Fire Department Personnel. By adhering to these rules and directives the Fire Department provides assurance to the municipality that they can expect a reasonable and orderly approach to the delivery of all of the programs and services.

For the purpose of this policy guideline, ***discipline*** refers to an action taken by a Chief Officer(s) to warn a member that the actions or behavior of the department member are outside the limits deemed acceptable. Disciplinary actions can be taken either by giving an oral reprimand, giving a letter of warning to a member, or by suspending a member from the department for a stated period of time.

Dismissal refers to the removal of a member from the Department. In effect, once a dismissal is initiated the member ceases to respond or report and does not receive any further honorarium or have any related responsibilities with the Fire Department.

PROCEDURE:

1. **DISCIPLINE** (Warning Procedure)

   1.1 The Chief Officer(s) is responsible for enforcing fair and consistent discipline within the department. Disciplinary measures can include reprimands, formal warnings, suspensions and termination.

   1.2 A department member may not be disciplined more than once for the same occurrence.

2. WARNING PROCEDURE (Progressive Discipline)

In all cases where there is a possibility that a fire department member may have to be terminated for reasons connected with performance, behavior or a related circumstance a warning procedure must be followed. The steps in such a procedure are set out in sections 2.1 to 2.6.

2.1 **Informal warning** – verbal reprimand
The Chief Officer should verbally inform the department member the nature of the problem and offer help in its solution. *A written summary, as described in section 2.2.2, is not necessary except where there is the potential for further disciplinary action. Then a date should be set for a review of progress*

2.2 **Formal warning** - Disciplinary letter

2.2.1 The Chief Officer should verbally inform the department member the nature of the problem and offer help in its solution. A written summary, as described in section 2.2.2 is necessary and a date should be set for a review of progress. The Chief Officer should stress the seriousness of the situation and note future consequences if there is no improvement. A new review date should be set and help offered once more.

2.2.2 The Fire Chief must be kept informed of the proceedings.

2.2.3 Immediately after the interview, a summary of the proceedings must be written noting the date, steps to be taken by both sides and the consequences discussed. Copies must go to the firefighter and his/her personnel file.

2.3 **Formal warning**- Suspension

2.3.1 This should take place on the date set in subsection 2.2.1 above. The continuing lack of progress should be reviewed and the firefighter should be suspended. The length of the suspension and its commencement will be agreed to beforehand by the Chief Officers and the Fire Chief. This should be stated in a letter, signed by the Chief Officer. Help should again be offered and a new review date should be set, with the firefighter being informed that no more warnings will be issued and termination is the next step.

2.3.2 The Fire chief may be present at this meeting or must be kept informed of the proceedings.

2.3.2 Immediately after the interview, a summary of the proceedings must be written noting the date, steps to be taken by both sides and the consequences discussed. Copies must go both to the firefighter and his/her personnel file.

2.4 Termination

2.4.1 A member shall not be dismissed without the opportunity for a review of the recommended termination, provided he/she makes a written request for such a review, to the Fire Chief and the Municipal Chief Administrator, within seven working days after receiving notification from the Chief Officer of the proposed dismissal. An individual appointed by the Township, who is not employed in the fire department, shall conduct the review. (In accordance with section 7 of the Job Requirements found in Appendix D of this By-law)

2.4.3. A summary of the proceedings will be placed in the personnel file.

2.5 Variations in procedure

2.5.1 In situations where the responsibility of the department member for an action or event is unclear and an investigation is under way, the individual may be suspended. Subsequent disciplinary action will date from the conclusion of the investigation.

2.5.2 In cases of terminations for cause, the department member should be dismissed without any formal warning being given.

2.6 Clearing of Record

The record of a department member shall not be used against him/her at any time after twenty-four (24) months ***for Group 1 offences and forty eight (48) months for Group 2 and Group 3 offences*** following a suspension or disciplinary action, including letters of reprimand or any adverse reports.

3. Disciplinary Examples

Included in **Schedule "A"** are three different sets of infractions and types of discipline which may be taken. ***It should be noted that these are only examples to assist in clarifying different types of situations and disciplinary actions.*** Within this context the following is to be noted:

a) The infractions shown on Schedule "A" are not intended to be all inclusive or in any way to limit the Chief Officer(s) right to discipline.

b) The Disciplinary actions shown on **Schedule "A"** for infractions are only a guide and may be reduced or extended as required.

c) One incident may involve more than one infraction.

d) The degree of discipline usually increases with the number of incidents per infraction.

SCHEDULE A

First Offence: ***Oral warning***
Second Offence: ***Written warning***
Third and Fourth offences: ***Reprimand and suspension***
Fifth offences: ***Long-Term suspension or dismissal***

The following are to be used as reference only, for the guidance of department Chief Officer(s). They are not meant to be all-inclusive in nature but to illustrate possible offences that may occur.

GROUP ONE OFFENCES

1. Unauthorized leaving of the working area at any time without permission from Command.
2. Neglecting to respond to occurrences or duties as assigned, when available.
3. Creating or contributing to unsanitary or unsafe conditions in the workplace.
4. Insubordination of Officers
5. Use or possession of the Fire Department property and/or equipment without authorization.
6. Abuse or discrimination of members or the public.
7. Distracting the attention of others, or causing confusion by unnecessary shouting or demonstration

GROUP TWO OFFENSES

First Offence: ***Written warning***
Second and Third Offenses: ***Reprimand and suspension***
Fourth Offense: ***Long-Term suspension or dismissal***

The following are to be used as reference only, for the guidance of department heads and supervisors. They are not meant to be all-inclusive in nature but to illustrate possible infractions that may occur.

1. Neglect or carelessness in observance of official or departmental rules of safety or disregard of common safety practices.
2. Using abusive or threatening language towards subordinates, co-workers, or other individuals.
3. Soliciting or canvassing on behalf of the fire department without the permission of a Chief Officer(s).
4. Failure to report an accident in which a department member is involved, while participating in a fire department activity.

5. Refusing to give testimony during an investigation of an accident.
6. Unauthorized use of fire department equipment or property for private work.
7. Threatening, intimidating, coercing, or interfering with employees or supervisors at any time.
8. Making or publishing false or malicious statements concerning any member, supervisor, the Fire department or municipality of its operations.

GROUP THREE OFFENSES:

First Offence: *Long-term suspension or dismissal*

The following are to be used as reference only, for the guidance of Chief Officer(s), they are not meant to be all-inclusive in nature but to illustrate possible infractions that may occur.

1. Wanton or willful neglect in the performance of assigned duties or in the care, use or custody of any of the fire departments property; abuse, or deliberate destruction in any manner of municipal property, tools, equipment, or the property of other fire department members, residents or those rendering the fire department services.

2. Altering another department members time card or unauthorized altering of own time card.

3. Falsifying testimony when accidents are being investigated; falsifying or assisting in falsifying department members or other records; giving false information or withholding pertinent information. (ie. Drivers license suspension or cancellation and continuing to drive department vehicles. .

4. Making false claims or misrepresentations in an attempt to obtain, accident benefits or Workers' Compensation benefits.

5. Theft, damage or destruction of property belonging to the Township or to others.

6. The sale or use of alcohol / narcotics on municipal property or when performing any fire department task or assignment.

7. Fighting or attempts to injure another member or threats to do so.

8. Possession of firearms, explosives or weapons on municipal property at any time.

DISCIPLINE AND DISMISSAL, continued

9. Conviction of a felony.

10. Misuse or removal of information such as blueprints, lists, municipal records or confidential information of any nature, or revealing such information without prior verbal or written authority from a Chief Officer(s).

TOWNSHIP OF ELIZABETHTOWN-KITLEY

ANNUAL BUDGETING
Capital Budget, Operating Budget, Council Decisions and Public Input

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Policy Statement

Policy direction and the manner in which the Township moves forward to ensure the annual budget process includes public input and translates Council's polices and servicing needs into financial terms. Council strives to ensure that its actions are transparent to the public and that the process relays accountability to the public.

PURPOSE

Section 290 of the *Municipal Act, 2001*, as amended;

(1) For each year, a local municipality shall, in the year or the immediately preceding year, prepare and adopt a budget including estimates of all sums required during the year for the purpose of the municipality, including
   a. amounts sufficient to pay all debts of the municipality falling due within the year;
   b. amounts required to be raised for sinking funds or retirement funds; and
   c. amounts requires for any board, commission or other body. 2001, c.25, s. 290 (1); 2006, c.32, Sched. A, s. 120 (1)

Exception

(1.1) Despite Subsection (1), a budget for a year immediately following a year in which a regular election is held, may only be adopted in the year in which the budget applies. 2006, c. 32, Sched. A. s. 120 (2).

Detail and form

(2) The budget shall,
   a. in such detail and form as the Minister may require, set out the estimated revenues, including the amount the municipality intends to raise on all the rateable property in the municipality by its general local municipality levy and on less than all the rateable property in the municipality by a special local municipality levy under section 312, and the estimated expenditures; and
   b. provide that the estimated revenues are equal to the estimated expenditures. 2001, c. 25, s. 290 (2).

APPLICATION

1. The budget is the translation of Council policy into financial terms. The main difficulty lies in allocating the resources available to the Township to programmes and services that will best serve the needs of our residents and ratepayers.

2. The capital and operating budgets are the primary management tool to put in place all the program and activity plans for the year to ensure that they complement the long-range goals and objectives of the Township.

3. The purpose of the budget is to establish or reinforce sound management practices, and improve procedures of operational planning, budgeting and decision making.

4. Council's Annual Estimates (Capital and Operating Budgets)

   4.1. A method of controlling expenditures and a mechanism for managing the needs of the Township with the resources available.

   4.2. A policy making process of short term objectives of the Township. Through the review of existing programs Council develops a guideline for Departments for their spending limits.

5. The provisions for accountability and transparency, as contained in Township Policies are considered in the municipal decision-making process by Council, Staff, Committees and Local Boards.

PROCEDURES

1. Timetable and Schedule

1.1. The development, implementation, and follow-up of specific timetables for preparing and reviewing the budget estimates are critical to an effective budget process. In the absence of a plan, staff and Council are not aware of their responsibilities in the process or the deadlines that must be met. These responsibilities and schedules must be clearly and precisely set down in writing, agreed to by Council, and reviewed regularly and explained to the key budget participants.

1.2. The actual time of the year when the budget starts and is finalized varies greatly between municipalities. It is dependent on specific circumstances in the individual organizations. Many municipalities do not start the preparation of their current year operating budget until the actual figures for the previous year are known in March or April of the current budget year. Other municipalities start preparation in October of the previous year and finalize the budget in December. All of these timetables work effectively and are different because of different philosophies and priorities in the municipalities.

1.3. However, in all effective budget processes the responsibilities are clearly defined and a timetable of requirements are set out and monitored closely by staff, committees and local boards on a regular basis as described in Schedule 'A'.

Timeline summary:

i. Department Heads to prepare costs for a five year projection of Capital estimates and a three year projection of Operating in consultation with applicable committee – submitted to the Finance Department.

ii. Finance Department will compile Department Head Operating/Capital projections for review by Council.

iii. Finance Department will review adjustments with Senior Management for presentation to Council.

iv. Finance Department will deliver, through Public Consultation, a Power Point Presentation allowing each department to review highlights of service delivery and programs to the Public.

v. Finance Department will compile a final budget summary and submit for Council's review and adoption.

2. Guidelines

2.1. As part of the annual budget timetable, the Township's Finance Department, through the Director of Finance/Treasurer, will formulate specific guidelines and deliver to the Senior Management Team to develop department budget estimates. The guidelines can be in the form of:

2.1.1. Service levels related to previously established goals and objectives,
2.1.2. General service levels,
2.1.3. Tax rate increases,
2.1.4. Business case evaluating any requirements for new initiatives or programs and details of operational increases (approved by Committee),
2.1.5. Expenditure increases or tax increases.

3. Review, Evaluation and Presentation

3.1. Once the individual Department Heads have submitted their departmental budgets to the Finance Department, all departmental budgets will be combined to be the total municipal budget. At this stage, the department budgets will be reviewed with each Department Head and as it relates to the overall Township Budget.

3.2. Overall estimates need to be assessed relating to the annualized costs, growth (new roads and related increased costs), inflation factors, as well as:

3.2.1. General economic trends,
3.2.2. New services that may be included
3.2.3. Assessment or revenue increases to the Township

3.3. Major fluctuations or differences in department budgets must be explained and evaluated. A suitable package of information then needs to be prepared by the Finance Department for review, evaluation and decision.

3.4. Since the entire process involves accumulating and communicating a significant amount of details and figures, the method and format of presentation is critical.

3.5. In an effort to ensure transparency and accountability a public information session will be held early in the process to gather public input.

3.6. Material must be presented in a clear, concise and accurate manner, throughout the budget process. Key issues must be identified clearly so not overlooked by the financial review.

4. Approval

4.1. During the budget review as outlined in 3.1 hereto, adjustments may be made to the estimates to maintain the required series with the resources available to the Township. Changes will be reviewed with each Department Head.

4.2. Once Council has approved a draft final budget, tax rate calculations need to be completed using current assessment data. The proposed final budget allocations will be circulated to the Senior Management Team. A public budget package of the proposed budget will be prepared by the Finance Department and a public information session scheduled. Joint participation in the public information presentation may be requested of the Department Heads.

4.3. The Township shall give public notice of its intention to adopt or amend the budget at a Council meeting specified in Township's Notice By-law 07-41. Notice shall be at a minimum of two successive weeks in the local publication.

4.3.1. Content of Notice
4.3.1.1. Explanation of budget public meeting
4.3.1.2. Section of Act, including requirements
4.3.1.3. Date/Time/Place of public meeting for consideration of By-law
4.3.1.4. Written comments and/or verbal comments will be considered at the public meeting where By-law is enacted
4.3.1.5. Contact information at Administration Office

4.3.1.6. Director of Finance/Treasurer Name/Title

4.3.2 Manner of Notice: Posted in the Administration Office or Website and publication in the local paper for two successive weeks.

4.4 Presentation of a by-law to adopt the estimates of the Township will be presented for Council's approval.

5. Implementation and Monitoring of Approved Budget Allocations

5.1. After the budget plan and estimates have been approved by Council, it is necessary to implement basic procedures to ensure that money is being received and spent during the year in accordance with the budget plan.

5.2. Monitoring Reports (budgetary control system, variance reporting) will be provided to the Department Heads monthly for operational and capital. This method will ensure all key personnel received appropriate information to ensure they are accountable and responsible for their budget commitments. Regular reports to the Department Heads and direct communication with the Finance Department should be initiated to ensure that everyone understands how to review the reports and what action should be taken for variance.

5.3. The results of the monitoring during the year can also be helpful in preparing the budget for the following year. Early identification of plus or minus variances will help maintain the overall budget and potential project needs for the following budget year.

6. Capital Budget Decisions

6.1. Project Considerations

6.1.1. New Capital items bring recurring costs for operating and maintenance responsibilities, and may create debt servicing costs.

6.1.2. Renewed capital items may reduce operating and maintenance costs and increased debt servicing costs.

6.1.3. Capital items may generate revenue, which could offset these costs.

6.2 Department Heads will be required to plan and forecast capital items for the current budget year and four additional years, with a vision of 6 to 15 years of programs and servicing. The Township requires forecasted information to continue the ongoing planning and staffing for capital items, as well as ensuring debt capacity and sufficient reserves to sustain future projected requirements. The decision to acquire one large capital item can limit future choices of

services by reducing the debt capacity (the ability to repay debt) of the Township.

7. Factors to Consider

7.1. Technology

7.1.1. Supplier Warranty – vendors in area to supply, cover maintenance and service (if necessary)?

7.1.2. Existing Capacity – will existing facilities accommodate the new asset?

7.1.3. Antiquated – will purchasing of the item mean less flexibility for change?

7.1.4. Servicing Facilities – can the new equipment be easily and economically serviced?

7.1.5. Effect on Existing Inventory – will the new item be compatible with existing inventory?

7.1.6. Choice – opportunity to try out different items before purchasing?

7.1.7. Renovations – may be required to install, operate and maintain new equipment?

7.1.8. Operational Effect – effect of item on ongoing operational costs e.g. debt costs, staffing increases/decreases?

7.2. Policy Factors

7.2.1. Public Opinion – community acceptance of the need and demand for the item.

7.2.2. Employee attitude – will staff moral suffer or improve?

7.2.3. Employee safety – are health and safety issues considered, new equipment may be safer – conversely, adapting to new equipment may be less safe.

7.2.4. Effect on long-range planning – is flexibility important? Purchasing commits to a certain mix of equipment. Is the asset to meet immediate or long-range needs?

7.2.5. Control – flexibility with lease or rental arrangements whereas ownership accrues with outright purchase?

7.2.6. Accountability – is it clear in a rental or lease arrangement, since the contract spells out who pays, when, how much? Purchasing may result in less certainty (non-warranty major repairs to equipment) on-going unexpected costs.

7.2.7. Decision-making Process – benefit of applying some analytic tools to justify the cost and effort involved.

7.2.8. Staffing – how will the new asset affect the staffing complement, in both the short and long term?

7.3 Administrative

7.3.1 Training – do you have adequately trained staff for the new acquisition?

7.3.2 Adhere to Purchasing Policy – Tendering/Quotes procedures – may not be practical or has significant benefits and can yield a best buy which is visible.

7.3.3 Insurance – is existing coverage on equipment and buildings adequate?

7.4 Legal

7.4.1 Effect on existing contracts – considering municipal agreements.

7.4.2 Jurisdiction – does the municipality have the power to make the final decision? What is the enabling legislation?

7.4.3 Contract terms – Determine exactly the terms and conditions of the contract. Are the terms negotiable?

7.4.4 Warranty - What are the guarantees?

7.5 Financial

7.5.1 Financing – What are the sources of financing and how certain are they?

7.5.2 Capital costs – What are the costs of installation, renovations, purchase price, start-up costs, design costs and other front-end payments?

7.5.3 Operating costs – repair and maintenance costs.

7.5.4 Revenues –can revenues be forecast accurately and how stable are the anticipated revenues?

7.5.5 Marginal capital costs and benefits – Are you getting a better deal than doing the job in-house (cost analysis)?

7.5.6 Marginal operating costs and benefits – operating costs for a labour intensive project may escalate quickly. Greater usage may bring greater maintenance costs.

7.5.7 Financial indicators – shortest payback periods, best rate of return, least costs or highest benefits.

EXCLUSIONS

This policy would apply to all actions and decisions of Council, staff, Committees and Local Boards without exclusion or exception, unless previously authorized in an open meeting of Council.

Exception to Section 290 (1.1) of the *Municipal Act, 2001*, indicates despite subsection (1), a budget for a year immediately following a year in which a regular election is held, may only be adopted in the year to which the budget applies. 2006, c. 31, Sched. A, s. 120 (2).

Schedule "A"

BUDGET TIME-TABLE

1. CAPITAL

September

- By the end of the first week
  - Preliminary data collection
  - Residential and Non-residential growth forecast
  - Capital working budget sheets
  - Residential Building permit forecast
  - Confirm Reserves and Reserve funds, outstanding commitments, forecasted increases

- By the end of the second week
  - Delivery of Capital/Operating Budget Guideline package
  - Request to all Department Heads from Director of Finance

October

- Mid September to the first week in October
  - Department Heads to review project list with the Director of Finance to analyse funding requirements/project status

- By the End of the second week in October
  - Department Heads to meet with applicable committees to review submissions and to evaluate projects for the year
  - New programs should be presented through a previously reviewed Business Plan or study
  - Presentation time may vary between departments

- By the end of October
  - Deadline for Capital Budget submission to the Director of Finance

2. OPERATING – Revenue/Expenditure Requirements

September

- By the end of the first week
  - Preliminary Financial background material
  - Salary and Benefits for working budget sheets
  - Residential Building Permit Forecast, economic drivers

- By the end of the second week
  - Prepare Operational Budget Worksheets including salary and benefits, insurance estimates, etc
  - Delivery of Capital/Operational Budget Guidelines to all Department Heads from the Director of Finance

- Department Heads to review Operational estimates including consideration for implication of Capital projects effect on Operating costs with the Director of Finance.

October

- By the End of the second week in October
  - Department Heads to meet with applicable committees to review Operational estimates

- By the end of October
  - Deadline for Operating Budget submissions to the Director of Finance

3. ANNUAL BUDGET

October

- By the End of the second week in October
  - Prepare ad for Public Notice of Information Session

- By the End of October
  - Director of Finance reviews the Capital and Operating Budget with each Department Head

November

- By the End of the second week in November
  - Public Information session – Council Priorities

December

- By the End of the second week in December
  - Review of the consolidated budget with the Senior Management Team

January

- Ongoing
  - Prepare public information package and power point presentation

- By the end of the second week in January
  - Director of Finance/Treasurer to present consolidated budget to Council during working session.
  - Prepare ad for Notice of Public Meeting of the By-law to Adopt the Estimated Revenues and Expenditures for the Township.

- By the end of the January
  - Follow-up session with Council for the wrap up of the proposed budget.

February

- By the end of the second week in February
  - Statutory Public Meeting, review estimates.

- By the end of the February
  - Adoption of By-law regarding the Estimated Revenues and Expenditures for the Township.

In an election year, the Capital and Operating Budget approvals will be in the year in which the budget applies, as imposed under section 290 s.s. 1.1. of the *Municipal Act, 2001.*

TOWNSHIP OF ELIZABETHTOWN-KITLEY

FINANCE POLICY REGARDING COMMODITY PRICE HEDGING

1. Interpretation

This policy is to be interpreted and applied in accordance with the requirements of the *Municipal Act, 2001* ("the Act") and any regulations passed thereunder ("the regulations"). Terms used in the policy have the meanings applicable to those terms in the corresponding sections of the Act and the regulations.

2. Purpose

The purpose of this policy is to adopt a statement of the municipality's commodity price hedging policies and goals. Section 6(1) of O. Reg. 653/05 requires the adoption of such a statement before the municipality may enter into commodity price hedging agreements.

3 Statement of Commodity Price Hedging Policies and Goals

(a) The Corporation of the Township of Elizabethtown-Kitley will consider commodity price hedging agreements as a means of fixing, directly or indirectly, or enabling the municipality to fix, the price or range of prices to be paid by the municipality for the future delivery of some or all of the commodity or the future cost to the municipality of an equivalent quantity of the commodity, where it is advantageous for the municipality to do so.

(b) In determining whether a particular commodity price hedging agreement is advantageous for the municipality, the following considerations will be taken into account:

(i) Any and all projects of the municipality are projects for which commodity price hedging agreements will be appropriate;

(ii) If, at the time, it is the opinion that fixed costs and estimated costs of the municipality will be reduced by virtue of the use of such an agreement;

(iii) If, at the time, it is the opinion that the future price or cost to the municipality of the applicable commodity will be lower or more stable than it would be without the agreement;

(iv) If, at the time, the project includes a detailed estimate of the expected result of using such an agreement;

(v) If, at the time, it is the opinion that the financial and other risks to the municipality that would exist with the use of such an agreement will be lower than the financial and other risks to the municipality that would exist without such an agreement;

(vi) If, at the time, it is the opinion that the agreement contains adequate risk control measures relating to such an agreement, such as,

(1) Limited credit exposure based on credit ratings and/or on the degree of regulatory oversight and/or on the regulatory capital of the other party to the agreement,

(2) A standard agreement,

(3) Ongoing monitoring with respect to the agreement.

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

POLICIES

OF

THE FINANCE DEPARTMENT

October, 2009

POLICIES AND PROCEDURES

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POLICIES

INTRODUCTION

It is the mandate of the Finance Department to ensure the prompt, effective and efficient collection of taxes and all other municipal revenues utilizing the various procedures outlined in this document.

It is the goal of the Finance Department to adhere to the procedures outlined within this document; however procedures may vary considering the time available to do so.

There are two types of collection procedures necessary, one applied to realty tax and one to the collection of all other municipal revenues. These revenues may be described as follows:

***Realty Taxes** are a lien on the land and as such are a secured debt to the municipality. They are based on the assessed value of the property and are levied against the property owner.*

***Other Municipal Revenues** are a recovery of monies for goods and/or services provided by the municipality. A few examples are fees for rental of municipal buildings, recreation programs, dog tag fees, garbage tag sales, tax certificates, building permits and planning fees. Development charges and cash in lieu are other payments received by the Township.*

These types of revenues require specialized procedures. Therefore, it is necessary to outline these separately due to the different timetables and different styles of collection applied to each.

It must be remembered that there are two prime areas which require attention:

1. *Timing of any action*
2. *Consistency in the application of action.*

Areas to be considered in the collection procedures are as follows:

1. *The Billings*
2. *Notification of non-payment*
3. *Notification of manner of collection*
4. *The Collection.*

POLICIES

PURPOSE

This document is prepared to define the policies and procedures to be followed in the operation of the Finance department. The adoption of this formal policy serves four important purposes:

1. *To ensure equal and fair treatment of all ratepayers*
2. *To provide guidance to staff as a basis for decision-making*
3. *To provide information for elected officials*
4. *To maximize tax and revenue collection in order to provide cash flow for the municipality.*

POLICIES

LEGISLATION AFFECTING ADMINISTRATIVE GUIDELINES

The policy of the Finance Department is to ensure the prompt, effective and efficient collection of all encompassing of realty taxes, penalty and/or interest charges and other municipal revenues levied by reference to the means provided in the following legislation:

1. *The Assessment Act*
2. *The Municipal Act*
3. *The Municipal Tax Sales Act*
4. *The Municipal Interest and Discount Rates Act*
5. *The Bailiff Act*
6. *The Collection Agencies Act*
7. *The Small Claims Act*
8. *The Local Improvement Act*
9. *The Ontario Building Code*
10. *The Cost of Distress Act*
11. *The Ontario Fire Code*
12. *Development Charges Act*
13. *Planning Act*
14. *Other Related Acts as determined*
15. *The Township By-laws*

POLICIES

PROPERTY TAX AND COLLECTION POLICY

The responsibilities of the Tax Department are to:

1. *Ensure proper billing of the levy for local, regional and educational taxation purposes to coincide with budgetary and legislative requirements for the year.*

2. *Provide prompt, efficient and courteous service to the taxpayers of the Township.*

3. *Ensure that proper collection procedures are applied in reference to the following:*

    a) *The Municipal Act*

    b) *The Municipal Affairs Act*

    c) *Municipal By-laws*

    d) *The Municipal Interest and Discount Act*

    e) *The Bailiffs Act*

    f) *The Small Claims Court Act*

    g) *Any legislation governing amounts to be collected in like (same) manner as taxes*

    h) *Assessment Act*

    i) *Any new legislation pertaining to this area*

4. *Apply such collection policies in a consistent manner ensuring all taxpayers are treated in the same manner.*

5. *Maximize necessary controls to ensure proper allocation of payment and custody of funds for proper banking and recording procedures.*

Policy Procedures:

The purpose the Tax Division is to provide prompt billing of the levy and to ensure collection in order to meet the budgetary expenditures for the fiscal year. It is important that both the timing and consistency with which we initiate and treat each account is correct. Both areas will be discussed separately within the following topics:

1. *Billings*
2. *Incentives*

Real Property Tax:

Real Property Tax is levied on all taxable real property assessment within the Township within the definition of Section 307(1) of the Municipal Act.

Standard Tax Billings

There are typically two billings produced each year with two installment payments as follows:

1. *Interim Tax Billing – generally produced in February with an installment date in March.*
2. *Final Tax Billing – generally produced in July with an installment dates in August and October.*

A levying by-law passed by Council is required in advance of either and Interim or Final tax billing.

***Interim Tax Billings** are produced in February based on the returned assessment roll. The tax billing will be calculated to produce a tax bill of no more than fifty percent of the previous year's total taxes billed for each property in accordance with Section 317 of the Municipal Act. The tax billing shall include up to fifty percent of any local improvement charges, area charges, business improvement area charges and any special charges levied by the municipality or required under Provincial legislation (i.e. Bill 140). Amounts deemed to be taxes such as, outstanding water arrears or by-law invoice charges may be added to the interim billing at one hundred percent.*

***Final Tax Billings** are produced in July based on tax rates established by by-law (Section 312(2)) from the budget requirements of the Township, United Counties of Leeds & Grenville and Ministry of Education. The tax billing will be calculated to produce a tax billing equal to the current market value and the appropriate tax rate, all local improvement charges, area charges, business improvement area*

charges, any special charges levied by the municipality or provincial legislation (Bill 140). The interim tax billing will be deducted from the total tax amount calculated in order to produce the final tax billing.

Supplementary Tax Billings

There are two sections of the Assessment Act that allow for taxation of assessable property not included in the annual revised assessment roll. They deal with omissions and additions to the roll.

Omissions

Section 33 of the Assessment Act allows for the taxation of real property that has been omitted from the roll. The provision allows for taxation in the current year, plus a maximum of the two preceding years.

Additions

Section 34 of the Assessment Act allows for taxation of assessment that has increased in value or has been added after the return of the last revised roll. These taxes apply to the current year only.

Supplementary tax bills are issued and mailed in the same manner as the Interim & Final tax bills with the exception that a separate levying by-law is not required. Additional information such as the reason for the increase in the assessment and the effective date must be indicated on the bill. Supplementary tax billings will provide for one installment date, due to the various payment options that are available.

Penalties and interest are charged on supplementary taxes outstanding.

Mailing

The Municipal Act, Section 343(1) requires tax billings to be post marked and mailed not later than twenty one calendar days from the date of the first installment due date. The Municipality will endeavor to post mark and mail the tax billing no less than thirty calendar days prior to the first installment due date where ever possible. Tax bills will be mailed to the address on file. The onus to provide a current mailing address rests with the property owner.

Bill Format

The tax billing issued will meet all requirements of the provincially legislated standard tax bill. Arrears are included solely in the first installment due date amount. Installment due dates will be indicated on the payment stubs. Billing messages may be used to relay information to ratepayers.

Collection – Payment Incentives

Payment/Interest

The rate at which penalty and interest is charged is set by Municipal By-law. Currently the rate is established under the provisions of the Municipal Act Sections 345(2) and (3). The Municipality may review this rate each year. The purpose of penalty is to persuade ratepayers to pay on time. Penalty and interest is charged pursuant to the requirements set out in the legislation. Penalty and interest are calculated and applied the first day of the next month the payment is in default and the first of each month thereafter.

Penalty/Interest Free Tax Accounts

Occasionally there is a need to set a tax account as penalty/interest free. These accounts are normally properties that become tax exempt during in a current year. Regular reports are to be run that indicates which properties have been marked as penalty/interest free. If there are properties listed that should not be included a change to that status is to be done immediately and any necessary corrections made.

Bailiff Action

Under Section 351 of the Municipal Act, the Municipality may issue a warrant to seize the property for property taxes if the taxes remain unpaid for a period of fourteen days after the installment due date.

Rent Attornment

Under Section 350 of the Municipal Act, the Municipality may seize the rents of an income producing property, whether commercial or residential upon giving proper notice. It is a severe action and should only be initiated after adequate notice.

Tax Registration/Tax Sale

Properties that are in arrears for three years are eligible for tax registration under Part XI of the Municipal Act. The property owner or interested party has one year from the date of registration in which to redeem the property for all taxes, interest and penalty outstanding plus associated legal and/or administrative costs. A contracted tax registration firm may be used to process the required statutory notices/declarations. A sample scale of costs for municipally processed tax registration is included in this manual as schedule "A".

Registration is a last resort and should be avoided if possible by encouraging the ratepayer to either make full payment or make arrangements for a mutually agreed upon payment plan.

It is imperative that the schedule for registration be adhered to. Letters and correspondence should encourage payment. It is only as a last resort or if numerous cheques are returned, that the property would become subject to tax registration.

Additional Collection Tools

The following additional tools are available to assist in the collection of realty taxes:

Reminder notices
Form or personalized letters
Telephone follow-up
Interviews
Title Searches – Interested Party Notification
External Collection Agencies

Steps and Timing of Collection

1. *Generally Interim Tax Notices are sent in February and Final Taxes Notices are sent in July. Tax arrears owing at the time of the billing are included on each tax notice. Variances of notices for Commercial, Industrial and Multi-Residential properties may occur, but will be issued as similar as possible.*

2. *Penalty and interest are charged according to municipal by-laws, currently the first day of each month the taxes are outstanding.*

3. *Standard reminder or arrears notices are sent out in April, August, October and December. Time constraints during tax billing periods may result in no reminder notice being issued, however arrears will be included on the tax billing. Reminder notices for $10.00 or less are not normally produced.*

4. *Any notice sent by ordinary mail is considered delivered to and received by the addressee unless the notice is returned by the Post Office or an error in the mailing address is proven. Failure to notify the Tax Office of an address change in writing is not an error on behalf of the Township.*

5. *Priority of tax accounts for collection is:*

    1. *Tax Accounts with three or more previous years outstanding*

    2. *Tax Accounts with two previous years outstanding*

    3. *Tax Accounts with one previous year outstanding*

    4. *Tax Accounts with current year only outstanding.*

6. *Satisfactory payment arrangements would be a series of post-dated cheques or regular on-line banking payments or regular payments made at the office. A guideline for determining an appropriate monthly payment amount is attached as Schedule "B". Penalty/Interest will accrue during such period and are payable during or upon completion of payment arrangements.*

7. *If no reply or unsatisfactory payment or payment arrangements are received from the owner or interested parties, a bailiff may be used. Taxes must be in arrears for more than 18 months for Bailiff Assignment.*

8. *Notification by registered mail to the property owner is recommended when a tax account is to be assigned to a Bailiff informing that additional costs will be incurred. This notice should state that the municipality cannot waive Bailiff Fees once assigned. The Bailiff for non-owner occupied properties may use rent Atonement, only after the Tax Collector issues written authorization.*

9. *If all efforts have failed to collect the tax arrears, once the property is legislatively liable, a Tax Arrears Certificate is registered and the procedures followed in accordance with the Municipal Act.*

10. *Amounts payable by the municipality to a supplier of any goods and/or services may be applied to any outstanding realty taxes owed to the Municipality by that supplier. Notice of the latter will be given to the supplier in advance of the deduction or application of payment to realty taxes owed.*

11. *It is the policy of the municipality that upon applications for items such as but not limited to: building permits, lot grading, zoning, committee of adjustment, and planning applications that all property taxes owing against the property are up to date or have satisfactory payment arrangements on file. Failing such, applications will not be process until taxes are current or satisfactory arrangements have been made.*

12. *All costs incurred for collection to obtain information and/or collect tax arrears are payable by the property owner and are added to the tax account. These costs may include, but are not limited to: all title search fees, all corporate search fees, registered mail, administrative charges.*

13. *The Tax Collector and/or Treasurer appointed by the Township have the authority to exercise discretion in the application of these policies where unusual circumstances are apparent in order that consistent fairness is provided to the taxpayer and municipal collection procedures are maintained in principal, pursuant with approved policies and/or where governed by legislation.*

14. *The following charges will also be added to the tax roll to be collected in the same manner as taxes, where applicable: outstanding building permit fees, fire invoices and by-law fees.*

SCHEDULE "A"
SAMPLE SCALE OF COSTS

The scale of costs shall be the following:

1. *Title Search*
2. *Preparation of a Tax Arrears Certificate*
3. *Registration of a Tax Arrears Certificate*
4. *Preparation of First Notice of Registration of Tax Arrears Certificate*
5. *Mailing of First Notice of Registration*
6. *Preparation of a Statutory Declaration*
7. *Registration of a Statutory Declaration*
8. *Preparation of Final Notice of Registration*
9. *Mailing of a Final Notice of Registration*
10. *Preparation of a Statutory Declaration*
11. *Registration of a Statutory Declaration*
12. *Preparation of Extension Agreement*
13. *Registration of a Tax Arrears Cancellation Certificate*
14. *Administrative Costs for any or all items 1-14*

Sale by Tender

15. *Advertising Expenses*
16. *Preparing a Tax Deed*
17. *Registration of a Tax Deed*
18. *Preparation of a Statutory Declaration*
19. *Registration of a Statutory Declaration*
20. *Payment into District Court of Sale Proceeds*
21. *Administrative Costs for any or all items 15-21*

Sale by Auction

22. *Advertising Expenses*
23. *Auctioneer's Fees*
24. *Preparing a Tax Deed*
25. *Registration of a Tax Deed*
26. *Preparation of a Statutory Declaration*
27. *Registration of a Statutory Declaration*
28. *Payment into District Court of Sale Proceeds*
29. *Administrative Costs for any or all of items 22-29*

Some portions of the Municipal Act, Part VIII responsibilities may be contracted to outside agencies, as such actual costs associated with this service will charged back as scale of costs to the cancellation price.

SCHEDULE "B"
Sample Payment Arrangements

The Municipality will accept payment arrangements as long as the tax account will be paid in full at the end of the following year. The payment plan will not exceed twenty four (24) months. The taxpayer must issue the Municipality a letter of intent along with a series of post-dated cheques.

Example:	*Balance at September 15/08*	*2006 Taxes*	*$2,500.00*
		2007 Taxes	*$2,500.00*
		2008 Taxes	*$2,500.00*
		Penalty and Interest	*$1,125.00*
		Balance	*$8,625.00*
		***Estimated 2009 Taxes*	*$2,500.00*
		Total	*$11,125.00*

Divided by 15 Months *$742.00 per Month*
Oct/08 – Dec. 31/09

The term of arrangements may not exceed 24 months, as the Municipality is not a lending institute, ratepayers who are unable to remit the Township's calculated monthly payment must seek financial assistance elsewhere and will be advised of such.

The estimated tax levy will depend on the time of year the payment arrangement has been estimated.

POLICIES
Accounts Payable

Accounts payable are to be processed within a reasonable time frame. The invoices are to be approved by the department head and then the Treasurer prior to being processed.

The cheques are to be mailed as soon as the invoice is processed as long as the budget amount is not exceeded. Any cheques that the amount exceeds the budget are to be held until the monthly expenditures are approved by Council.

POLICIES
CASH RECEIPTS

Cash receipts include all types of payments, cash, cheque, money order, debit and on-line payments.

When a payment is received for any municipal function a receipt is to be issued to the ratepayer/customer immediately with a copy kept for Finance's records. If the receipt is hand written it must be entered into the computer system as soon as possible. This is to avoid any payments not getting credited to the accounts.

At the end of each day all cash drawers/boxes must be balanced with bank deposits being done at least once a week. Any discrepancies in balancing must be brought to the attention of the Treasurer as soon as it is discovered.

POLICIES
Record Retention

All records of the Finance department are governed under the Township Retention By-law and shall be kept/or disposed off with the authority of the treasurer.

POLICIES
Procurement Policy

The procurement policy includes such things as general policies, emergency procedures, professional and consulting services, procedures for requesting written quotations, procedures for requesting tenders and procedures for requesting proposals.

Currently this policy has been adopted by By-law 06-18.

CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

BY-LAW 04-45

BEING A BY-LAW TO ESTABLISH PROCUREMENT POLICIES FOR THE CORPORATION

****

WHEREAS Section 271 of the Municipal Act, 2001, states that a municipality and a local board shall adopt policies with respect to its procurement of goods and services and stipulates the policies which must be addressed;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. General Purchasing Procedures

1.1 The purchasing procedures laid out in this by-law shall be adhered to by all municipal departments, the Boards, and Committees over which Council has direct control and by their staff.

1.2 Department Heads may delegate his or her purchasing authority as assigned to a subordinate, however all responsibility remains with the Department Head.

1.3 Joint departmental purchasing shall be done whenever possible. Bulk purchasing is encouraged when practical.

1.4 Department Heads shall provide proof of the receipt of all goods and services purchased to the Director of Finance before payment is made to the vendor.

1.5 Department heads shall ensure that local suppliers are given the opportunity to provide quotes on goods and services. Should any quotations be equal in price and meet the desired specifications of Council, preference shall be given to the supplier within the Township's limits.

1.6 In the absence of the Director of Finance, the Deputy Treasurer shall assume the responsibilities of the Director of Finance under this by-law.

1.7 That Schedules A to C (attached hereto) may be amended provided such amendments have been approved by the Council and the amended Schedule(s) have been circulated to affected staff.

2. Budgetary Control and Spending Limits - Operating & Capital Expenditures

2.1 Each Department, Committee and Board shall submit its estimates of all sums required during the year to the Director of Finance not later than the 20th day of February in each year, in such form as the Director of Finance may prescribe.

2.2 The complete annual draft budget shall be submitted to Council as soon as possible after the first day of March in each year.

2.3 Prior to passing of the annual budget, each department shall be allowed an interim appropriation of 40% of the previous year's appropriation, and such interim appropriation shall be deemed to be for routine, necessary or statutory purposes unless otherwise directed by Council

2.4 All expenditures shall be within the current approved budget and within approved estimates; otherwise prior approval of Council shall be required. The department head or Director of Finance shall not approve any expenditure that is not within the approved budget or estimates.

...2/

2.5 All expenditures shall be supported by original invoices, voucher, or requisition forms with satisfactory detail to support the purchase.

2.6 All invoices shall be initialled and assigned the proper account number/name by the respective department head and shall be submitted to the Director of Finance for review and approval. Upon review, the Director of Finance shall summarize the purchases on a voucher form and forward it to Council for approval.

2.7 Expenditures may, at the discretion of the Director of Finance, be paid prior to Council's approval in order to meet a due date, avoid a penalty or interest charge, receive a discount for early payment or is required by the vendor.

2.8 All payments for goods and services shall be made by cheque issued by the Director of Finance, notwithstanding Section 3 of this by-law.

2.9 Any emergency expenditure not in the approved budget shall be authorized by the following:

i) the affected department head, and
ii) the Director of Finance, and
iii) the Mayor

2.10 Department heads may approve expenditures with a value of $1,000.00 or less.

2.11 All expenditures with a value over $1,000.00 and below $5,000.00 shall require written quotations, whenever possible, which shall be recorded by the department head on the prescribed form. (Schedule "A" to this by-law).

2.12 All expenditures exceeding $5,000 shall require the prior approval of Council. For items costing over $5,000 and up to $10,000, the department head shall obtain, wherever possible, three written quotations for council consideration and approval.

2.13 All expenditures in excess of $10,000 shall be contracted for by Council.

2.14 Purchases may be made from a single source without quotations or tenders where,

i) the compatibility of a purchase with existing equipment and/or facilities is of paramount consideration and that purchase must be made from a single source.

ii) an item is purchased for testing or trial use

iii) a product is leased or rented by the Township with a credit purchase option, and such purchase would be beneficial to the Township.

iv) the consideration for a purchase is to be paid by a third party and that third party agrees to or designates the contractor.

2.15 Where goods and services are routinely purchased or leased on a multi-year basis, the exercise of authority to award a contract is subject to:

i) the identification and availability of sufficient funds in appropriate accounts for the current year within Council approved estimates, and

...3/

ii) the requirement for the goods or services will continue to exist in subsequent years and , in the opinion of the Treasurer, the required funding can reasonably be expected to be made available.

3. Petty Cash

3.1 The petty cash fund shall be administered by the Director of Finance or his/her delegate.

3.2 The purpose of the petty cash is to pay for minor purchases, when the supplier has not extended credit to the Corporation or payment by cheque is not practical.

3.3 An original receipt or voucher indicating the nature of the expenditure, the supplier, the amount paid including taxes, and the account to be charged shall be provided to the Director of Finance for reimbursement from the petty cash.

3.4 The Director of Finance shall determine the amount to be carried in all petty cash funds and determine the method of accounting in accordance to municipal standards set by the Township's Auditors.

4. Tendering and Quotation Procedures (Values of over $10,000)

4.1 All tenders and quotations called and specifications pertaining thereto, shall be prepared under the supervision of the Treasurer.

4.2 Except in cases of emergency a minimum of ten days shall elapse from the date of the first insertion of an advertisement or other action initiated to the closing date of all tenders called.

4.3 All written tenders and quotations shall be received in sealed envelopes, clearly marked, and directed to the Director of Finance for safekeeping until the opening of the tenders.

4.4 All tenders and quotations shall be opened publicly at a predetermined time in the presence of the Director of Finance, the department head and, if possible at least one member of Council.

4.5 All tenders and quotations shall include the qualifications that the "lowest or any tender may not necessarily be accepted".

4.6 Awards shall be made to the lowest responsible bidder. In determining the lowest responsible bidder consideration may be given, in addition to the price, the bidders:

i) Ability and experience to perform in accordance with the terms of the invitation,
ii) Record of past performance
iii) Financial and technical resources

6. **Other**

6.1 All contracts shall be authorized by by-laws, signed by the Mayor and Director of Finance and sealed with the corporate seal.

6.2 Contracts may be amended or renewed by resolution of Council if such a provision exists within the original contract and adheres to all applicable laws and regulations.

...4/

6.3 No property or material belonging to the Corporation shall be delivered to or used by any member of Council or employee of the Corporation for his personal or private use.

6 .4 Except as herein provided, no property of the Corporation shall be supplied or used for other than Corporation purposes. Council may give permission to supply materials/equipment for a special purpose if so requested by the Department Head.

6.5 This by-law may be cited as "Procurement By-law".

6.6 This by-law shall come into force and take effect on its passing.

Read a First and Second time this 12th day of October, 2004.

Read a Third time and finally Passed this 25th day of October, 2004.

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 04-45
passed by the council of the said Corporation
the 25 day of October, 2004

SCHEDULE "A"
to
BY-LAW 04-45
Quotations for Purchases

Date	Description of Goods and/or Services	Supplier Name/Address/Phone	Contact Name	Amount

Completed by:_____

Department: _____

Department Head: _____

Date: _____

SCHEDULE "B"

to

BY-LAW 04-45

METHODS OF PROCUREMENT – SUMMARY TEMPLATE
The following are authorized procedures for the procurement of goods, services and construction not available from pre-existing agreements.

	TYPE OF QUOTATION	SOURCE OF BIDS	TYPE OF CONTRACT	APPROVAL AUTHORITY
Under $1,000				Department Head
$1,000 to 5,000	Written quotation	Purchases made from the competitive marketplace where possible and practicable		Department Head
$5,000 to 10,000	Written quotation	Minimum of three where possible		Council
Over $10,000	Tender or quotation	Advertise on website and local newspaper minimum	Executed Contract where deemed necessary	Council

SCHEDULE "B"
to
BY-LAW 04-45

BID IRREGULARITIES

BID IRREGULARITY
A bid irregularity is a deviation between the requirements (terms, conditions, specifications, special instructions) of a bid request and the information provided in a bid response.

For the purposes of this policy, bid irregularities are further classified as "major irregularities" or "minor irregularities".

A **"major irregularity"** is a deviation from the bid request that affects the price, quality, quantity or delivery, and is material to the award. If the deviation is permitted, the bidder could gain an unfair advantage or competitors. The Director of Finance must reject any bid, which contains a major irregularity.

A **"minor irregularity"** is a deviation from the bid request, which affects form, rather than substance. The effect on the price, quality, quantity or delivery is not material to the award. If the deviation is permitted or corrected, the bidder would not gain an unfair advantage over competitors. The Director of Finance may permit the bidder to correct a minor irregularity.

MATHEMATICAL ERRORS – RECTIFIED BY STAFF
The Director of Finance will correct errors in mathematical extensions and/or taxes, and the unit prices will govern. The responsibility for correcting mathematical errors may be delegated to the requisitioning department.

ACTION TAKEN:
The Director of Finance and the Department Head will be responsible for all action taken in dealing with bid irregularities, and acts in accordance with the nature of the irregularity:

- major irregularity (automatic rejection)
- minor irregularity (bidder may rectify)
- mathematical error (additions or extensions) as above

In the event that the vendor withdraws his/her bid due to the identification of a major irregularity, the municipality may disqualify such vendor from participating in a municipal quotations/tender/request for proposal for a period of up to one year.

SCHEDULE "B", continued
to
BY-LAW 04-45

BID IRREGULARITIES

ITEM	DESCRIPTION	MAJOR	MINOR	ACTION
1.	Late bids, by any amount of time	X		Automatic rejection
2.	Bids completed in pencil	X		Automatic rejection
3.	Bid surety not submitted with the bid when the bid request or any addenda indicated that such surety is required	X		Automatic rejection
4.	Execution of agreement to bond: a. Bond company corporate seal or equivalent proof of authority to bind company or signature missing b. Surety company not licensed to do business in Ontario	X		Automatic rejection
5.	Execution of bid bond: a. corporate seal or equivalent proof of authority to bind company or signature of the bidder or both missing b. corporate seal or equivalent proof of authority to bind company or signature of bonding company missing	X		Automatic rejection
6.	Other bid security: Cheque which has not been certified	X		Automatic rejection
7.	Bidders not attending mandatory site meeting	X		Automatic rejection
8.	Unsealed tender envelopes	X		Automatic rejection
9.	Proper response envelope or label not used		X	Acceptable if officially received on time
10.	Pricing or signature pages missing	X		Automatic rejection
11.	Insufficient financial security (i.e.: no deposit or bid bond or insufficient deposit)	X, or	X	Where security is required and amount is not specified in request, automatic rejection unless insufficiency is trivial or insignificant Where security is required and amount of security is specified in request, automatic rejection
12.	Bid received on documents other than those provided in request	X		Not acceptable unless specified otherwise in the request

ITEM	DESCRIPTION	MAJOR	MINOR	ACTION
13.	Execution of Bid Documents - proof of authority to bind is missing	X		Automatic rejection
14.	Part bids (all items not bid)	X or	X	Acceptable unless completed bid has been specified in the request
15.	Bids containing minor clerical errors		X	2 working days to correct initial errors. Municipality reserves the right to waive initialling and accept bid.
16.	Uninitialled changes to the request documents which are minor (i.e.; the bidder's address is amended by overwriting but not initialled)		X	2 working days to correct initial errors. Municipality reserves the right to waive initialling and accept bid.
17.	Alternate items bid in whole or in part		X	Available for further consideration unless specified otherwise in request
18.	Unit prices in the schedule of prices have been changed but not initialled		X	2 working days to correct initial errors. Municipality reserves the right to waive initialling and accept bid.
19.	Other mathematical errors which are not consistent with the unit prices		X	2 working days to correct initial corrections. Unit prices will govern.
20.	Pages requiring completion of information by vendor are missing.	X		Automatic rejection.
21.	Bid documents which suggest that the bidder has made a major mistake in calculations or bid	X, or	X	Consultation with a solicitor on a case-by-case basis.

SCHEDULE "C"
to
BY-LAW 04-45

LEASES

Leases are to be negotiated by the Director of Finance and the Department Head. The recommendation will be forwarded to Council for approval. As a general principle, lease shall be considered when the following conditions are applicable:

- When the expenditure of the goods or services is less than the purchase of the goods and services
- The residual payment on the lease is negligible or justification can be made to accept a residual payment that is higher.

Leases will be treated in the same manner as purchase, based upon the retail value of the lease payment (e.g. a $25,000 vehicle will be purchased through the tender process, even though the annual payment is less than the amount required to go tender.)

At the expiration of a lease, a replacement goods or product be re-quoted or re-tendered. Automatic "roll-over" of a lease payment into a new product must be authorized by the Director of Finance and/or Council as appropriate.

The report to Council recommending the entering into a lease agreement will require the Director of Finance to include the following information:

- Value of product or service if being purchased
- Length of the lease
- Monthly and annual lease payments
- Residual amount
- Interest

Once a lease has been negotiated and approved, a copy of the lease and documents must be forwarded to the Director of Finance.

The Corporation of the Township of Elizabethtown-Kitley

By-Law 16-29

Being A By-Law To Amend By-law No. 04-45, Procurement By-law

Whereas Section 270 (1) (3) of the Municipal Act, 2001, as amended, states that a municipality shall adopt and maintain policies with respect to its procurement of goods and services;

And Whereas it is deemed desirable to amend By-law No. 04-45 to address purchases by public auction and cooperative purchasing;

Now Therefore, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. That By-law Number 04-45 be amended by adding the following Section:

   5. Alternate Purchasing

      5.1 Public Auction and Public Tender

      In instances where a department wishes to purchase a budget approved expenditure through a public auction or public tender, the Department Head shall first obtain the approval of the Director of Finance.

      5.2 Cooperative Purchasing

      The Township may participate in cooperative purchasing with other levels of governments, their agencies or other public authorities when the best interest of all participants would be served.

2. This by-law will come into force and take effect on its passing.

Read a first and second time this **24th** day of **May , 2016.**

Read a third time and finally **Passed** this **24th** day of **May , 2016.**

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 16-29
passed by the council of the said Corporation
the 24 day of May , 2016

The Corporation of the Township of Elizabethtown-Kitley

By-Law 16-36

Being a By-Law to Repeal By-law 09-44 and to Adopt a Tax Registration/Sale Policy

Whereas Section 9 of the *Municipal Act, S.O. 2001*, as amended, states a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

Whereas the Council of the Corporation of the Township of Elizabethtown-Kitley deems it advisable to update the policy regarding Tax Registration/Sale Procedures for the municipality;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows;

1. **That** the Policy entitled "Tax Registration/Sale Procedures", as outlined in Schedule "A" attached hereto and made part of this By-law be approved.

2. **That** the Administrator-Clerk shall be responsible for the administration of this By-law and will be accountable to the Council for its enforcement.

3. **That** this By-law shall not be interpreted to contradict or violate any statute or regulation of the Province of Ontario.

4. **That** By-law number 09-44 be repealed in its entirety.

5. **That** this By-law shall come into force and take effect on the date of its passing.

Read a first and second time this **15th** day of **August, 2016.**

Read a third time and finally **Passed** this **15th** day of **August , 2016.**

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethtown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 16-36
passed by the council of the said Corporation
the 15 day of August, 2016

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TAX REGISTRATION/SALE POLICY

Policy Statement

It is important that the Township collect all outstanding property taxes on a timely basis after exhausting all other efforts to collect property taxes on certain properties within the Township.

PURPOSE

As defined in the Municipal Tax Sales Act, improved properties (land with a building/structure) and unimproved properties (vacant lands) are eligible for tax registration in the third and second year respectively, following that in which the property taxes become owing.

APPLICATION

1. The Treasurer shall, in October of each year, obtain a list of all properties which are likely to be eligible for registration in the following year. Staff shall be advised to send a letter to those ratepayers informing them of the potential for tax registration in the following year if no arrangements for payment are made by December 31st of the current year. The responsibility rests on the ratepayer to ensure that the Township finance department has the correct mailing address for each property the ratepayer owns.

2. At the end of the current year as set out under Section 1, the Treasurer shall advise staff to contact the ratepayer via registered letter to inform them that if payment or arrangements for payment are not made within twenty-one (21) days the file will be immediately forwarded to the Township's solicitor or to any tax collection agency the Township contracts with to complete the tax registration procedure. These letters would be forwarded to owners as early as possible in January of each year. It is to be set out in this notice that if arrangements are not made and the account proceeds to the Township's solicitor or to any tax collection agency, additional costs will be applicable.

3. Prior to forwarding the file to the Township solicitor or approved tax collection agency, the Treasurer shall discuss the respective properties with the appropriate senior staff or department head as to the reasons why the Township should not proceed with registration (i.e. environmental or other legal issues). Registration of properties with environmental, legal or other issues may result in the Township assuming responsibilities outside normal property ownership as well as an increased financial burden if ownership were transferred to the Township as a result of registration.

4. Once exhausting all efforts noted above, the Treasurer shall instruct the solicitor or approved tax collection agency to proceed with the registration and sale of the property under the provisions of the Municipal Tax Sales Act.

5. The Treasurer shall keep a separate file for each registered property and in it include all documentation, correspondence and a register of all important dates as may be necessary for future reference.

6. The Treasurer shall be bound by the Municipal Tax Sales Act and must abide by the provisions contained therein.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TANGIBLE CAPITAL ASSET POLICY

September, 2010

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POLICY OVERVIEW

Authority:
The treatment of tangible capital assets for accounting purposes is intended to be in accordance with Generally Accepted Accounting Principles (G.A.A.P.), the Public Sector Accounting Board (P.S.A.B.), the CICA'S Public Sector Accounting Handbook – specifically PS 3150 Tangible Capital Assets, and the requirements of the Province of Ontario. Under section 294.1 of the *Municipal Act*, municipalities must prepare annual financial statements for the municipality in accordance with generally accepted accounting principles for local governments as recommended, from time to time, by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

Purpose:
The objective of this policy is to prescribe the accounting treatment for tangible capital assets so that users of the financial report can discern information about the investment in property, plant and equipment and the changes in such investment. The principal issues in accounting for tangible capital assets are the recognition of the assets, the determination of their carrying amounts and amortization charges and the recognition of any related impairment losses.

In addition this policy covers procedures to:

a) Gather and maintain information needed to prepare financial statements;
b) Provide accountability over tangible capital assets;
c) Protect and control the use of all tangible capital assets.

Scope:
This Tangible Capital Asset policy applies to all Municipal departments, boards and commissions, agencies and other organizations falling within the reporting entity of the Municipality. This includes the Elizabethtown-Kitley Library Board and the Bellamy Park Management Board.

PROCEDURES OVERVIEW:

These Tangible Capital Asset Procedures indicate how to account for Tangible Capital Assets (TCA) for the Township of Elizabethtown-Kitley. The procedures outline the accounting treatment for tangible capital assets for the transition period and establish opening gross and net book values of assets owned on January 1, 2009 and outline accounting treatment for tangible capital assets obtained in future years.

General Transition Provisions for Tangible Capital Assets

All tangible capital assets held by a department at January 1, 2009 must be identified and valued using an appropriate cost base. Considerations should include reasonableness and materiality in the approach. Specifically, in this regard:

I. Where practical and cost-effective, existing tangible capital assets will be valued using historical costs, adjusted for the proportion of the useful life of the asset that has already been consumed through the establishment of a provision for accumulated amortization.

II. When the Municipality does not have historical cost accounting records for its tangible capital assets, it will need to use other methods to estimate the cost and accumulated amortization of the assets. The Municipality will apply a consistent method of estimating the cost of the tangible capital assets for which it does not have a historical cost record, except in circumstances where it can be demonstrated that a different method would provide a more accurate estimate of the cost of a particular type of tangible capital asset.

III. Since there are many Municipal assets whereby historical costs do not exist and/or it is not practical and cost effective to establish a reasonable estimate of an asset's historical cost, the Municipality will utilize appraisal or some other appropriate measure of current value and calculate the estimated historical cost using the Deflator Study commissioned by the Municipal Finance Officers Association.

1. Definitions

Tangible Capital Assets

Tangible capital assets are non-financial assets with physical substance that are acquired, constructed or developed and:

- Held for use in the production or supply of goods and services;
- Have useful lives extending beyond an accounting period;
- Are intended to be used on a continuing basis; and
- Are not intended for sale in the ordinary course of operations, i.e. inventory.

Tangible capital assets are a significant economic resource and a key component in the delivery of programs and services. The benefits from capitalizing tangible capital assets include:

- Maintain appropriate accountability for government-owned tangible capital assets;
- Ensure accounting consistency across the organization;
- Ensure efficient and effective use of assets;
- Provide information that will support measuring the cost of programs and services; and
- Facilitate Capital Asset Management in order to achieve Financial Sustainability.

The following capital assets are excluded from the Tangible Capital Asset Policy:

- Intangible assets, natural resources and Crown lands that have not been purchased by the government. Intangible assets include copyrights, trademarks, patents, easements and goodwill.

- Assets held for sale if all of the following criteria are met:
    - Prior to the date of the financial statements, the government body, management board or an individual with the appropriate level of authority commits the government to selling the asset;
    - The asset is in a condition to be sold;
    - The asset is publicly seen to be for sale;
    - There is an active market for the asset;
    - There is a plan in place for selling the asset; and
    - It is reasonably anticipated that the sale to a purchaser external to the government reporting entity will be completed within one year of the reporting date.
- Studies and other initiatives that are more general in nature and do not relate directly to the development, construction or acquisition of a specific Tangible Capital Asset. For example, the creation of an Official Plan is expensed in the year in which it occurs since it is not related to the development, construction or acquisition of a specific Tangible Capital Asset.

- Although works of art and historical treasures will not be recognized as capital assets in government financial statements, notes to the financial statements must disclose the nature of works of art and historical treasures.

Amortization/Depreciation is a method to allocate the cost of an asset over its estimated useful life in a systematic way.

Betterment is a cost incurred to enhance the service potential of a tangible capital asset.

Contributed/Donated Assets are assets received by the Township from a third party that were not directly acquired or constructed by the Township.

Cost is the gross amount of consideration given to acquire, construct, develop or better a tangible capital asset. This includes installing the asset in the necessary condition for use.

Discounted Cost is a valuation approach that utilizes the asset's current cost deflated back to the date of acquisition or construction.

Fair Value is the amount of the consideration that would be agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

Historical Cost is the actual cost on the date the asset was originally constructed or acquired.

Maintenance is the cost of preserving the asset in its current operational condition.

Net Book Value is the value of a tangible capital asset less the accumulated amortization and the amount of any write downs.

Nominal Value is one dollar.

Replacement Cost is the cost to replace an equivalent asset expressed in current dollars.

Residual Value is the estimated net realizable value of an asset at the end of its useful life.

Service Potential refers to the quality and quantity of service capacity of a tangible capital asset.

Straight Line Amortization allocates the cost of the tangible capital asset, less residual value, equally over the estimated useful life of the asset.

Threshold is the minimum value of a single asset or asset pool that will be recorded as an asset, rather than being expensed as an operating cost in the year acquired.

Useful Life is the estimated period of time over which the tangible capital asset will be productively used by the Township.

Write Down is a reduction in the net book value of a tangible capital asset to reflect a permanent decline in the asset's value.

2. Costing a Tangible Capital Asset

The cost of a tangible capital asset (PSAB 3150.10) is the gross amount of consideration given up to acquire, construct, develop or better a tangible capital asset and includes direct construction or development costs (such as materials and labour) and overhead costs directly attributed to the acquisition, construction or development of the asset.

These costs may include but are not limited to:
- Amounts paid to vendors;
- Transportation/freight charges to the point of initial use;
- Handling and storage charges;
- Direct design/production costs such as labour, equipment rentals, materials and supplies;
- Engineering, architectural and other outside services for designs, plans, specifications and surveys;
- Acquisition and preparation costs of buildings and other facilities;
- Fixed equipment and related installation costs required for activities in a building or facility;
- Direct costs of inspection, supervision and administration of construction contracts and work;
- Legal and recording fees and damage claims;
- Fair values of land, facilities and equipment donated;
- Appraisal costs;
- Advertising costs;
- Application fees;
- Supervisory fees;
- Site preparation costs;
- Transportation insurance costs;
- customs and duty charges;
- Interest charges during acquisition, construction or development.

3. Categorization:

P.S.A.B. 3150 requires that financial statements disclose information for major asset categories. A category of assets is a grouping of assets of a similar nature or function in the Municipality's operations. The following list of categories shall be used:

Table 1.0

CATEGORY	SUB-CATEGORY	COMPONENTS
Land – real property in the form of a plot, lot or area owned by the Municipality.	Land Under Buildings, Land Under Roads, Landfill Sites, Parkland, Vacant Land, Cemeteries **EXCLUDES:** Land held for resale as these are counted as separate, financial assets.	n/a
Land Improvements	Athletic Fields, Playground Equipment, Pools, Bike Paths/Walking Trails, Waterfront, Parking Lots, Site Improvements	n/a
Buildings & Facilities - Municipal owned structures that provide shelter from the elements.	Community Centres, Change Rooms, Fire Halls, Gazebos and Shelters, Heritage Buildings, Libraries, Municipal	Machinery & Equipment with useful lives different from building

	Buildings, Pump Stations, Storage Sheds and Municipal Yards, Washrooms, and any other Municipal owned structure, building or facility including third party leased properties.	structure.
Linear Assets - generally constructed or arranged in a continuous and connected network.	Roads, Bridges & Culverts, and Streetlights.	
Technology / Communication	Servers, Photocopiers, Software, Mobile Radio Equipment.	
Vehicles - any means of transportation, usually having wheels, used for transporting people or things, or designed to be towed behind such an apparatus.	Light (GTW<4500kg), Medium (GTW 4500-9000kg), Heavy (GTW>9000kg), Light Off-road (<$30,000), Medium Off-road ($30,000-$100,000), Heavy Off-road (>$100,000)	
Machinery & Equipment - any apparatus, tool, device, implement or instrument that likely uses energy (for example human, electrical, hydraulic fuel, or thermal) to facilitate a process, function or completion of a task.	Library Books/ Fire Fighting Equipment, Operational, and Misc. Equipment.	

4. Recording of Assets

The recording of assets for the Municipality will be based on various approaches for various assets. The intent is for the initial inventory of all assets to be maintained in a database for tracking purposes. The Tangible Capital Assets that are valued and placed on the financial statements will be determined once the whole inventory is complete and a threshold limit applied. On a go forward basis, acquired and disposed assets will be recorded in order to maintain an accurate asset register.

4.1 Single Asset Approach for Buildings and Vehicles

This approach for recording assets views the whole asset as one unit, despite the fact that it may be composed of numerous, significant components. Under the single asset approach each asset is considered a single asset, with the exclusion of its removable contents. As its components are replaced, they are expensed as repair and maintenance. Estimates of expected life and amortization are averaged for the asset.

Vehicles and buildings will be recorded as single assets. Each vehicle and piece of equipment will be recorded as a single asset. Contents are not considered part of the building or vehicle.

4.2 Asset Aggregation (Pooling):

Assets of similar nature, that meet the definition of TCA, which do not individually meet the municipally determined capitalization threshold, but are collectively significant, other than those described above, will be pooled by location. Examples would include library books,

protective outfits used by firefighters or fire equipment. An asset pool is thus a grouping of identical, similar or related tangible capital assets that are treated as though they are a single asset.

Also, assets that would be considered to be within the definition of "capital" and not "operating" would be recorded as an asset pool. For the sake of consistency, the subject assets should be grouped and capitalized in the initial capital inventory.

4.3 Asset Segmentation (Division):

Table 2.0

CATEGORY	LEVEL OF ASSET DIVISION
Land	Segmented by each parcel held;
Land Improvements	Land improvements that are removable and can degrade or deplete over the course of time through use or due to the elements, should be capitalized separately;
Buildings & Facilities	Buildings are accounted for as a single asset (excluding the land value and the contents).
Linear Assets	Roads are treated as a single asset with the various layers of the road being compiled to determine a single value; segmented into geographical segments. Capital projects, when complete, are recorded as assets at actual cost.
Technology / Communication	Assets are pooled by nature of the technology and location. Capitalized if purchased in volume and the volume exceeds the threshold limit;
Vehicles	Each individual asset is treated as a single asset if purchase exceeds the threshold limit.
Machinery & Equipment	Assets are pooled by location and segmented at unit level for threshold purposes; Furniture, fixtures, and equipment are capitalized if purchased in volume and the volume exceeds the threshold limit, or if the individual cost of individual items exceed the threshold.

5. Valuation

Tangible capital assets should be recorded at cost, plus all ancillary charges necessary to place the asset in its intended location and condition for use. Consistent valuation methods must be used when valuing the initial acquisition cost of all TCA, in accordance with PSAB 3150.

5.1 Purchased Assets

Cost is the gross amount of consideration paid to acquire the asset. It includes all non-refundable taxes and duties, freight and delivery charges, installation and site preparation costs, etc.

5.2 Acquired, Constructed or Developed Assets

Cost includes all costs directly attributable (e.g., construction, architectural and other professional fees) to the acquisition, construction or development of the asset. Carrying costs such as internal design, inspection, administrative and other similar costs may be capitalized. Capitalization of general administrative overhead is not allowed. Capitalization of carrying costs ceases when no construction or development is taking place or when the tangible capital asset is ready for use.

5.3 Donated or Contributed Assets

The cost of donated or contributed assets that meet the criteria for recognition is equal to the fair value at the date of construction or contribution, which may be determined using market or appraisal values. Cost may also be determined by an estimate of replacement.

5.4 Multiple Assets Purchased

When two or more assets are acquired for a single purchase price, it is necessary to allocate the purchase price to the various assets acquired. Allocation should be based on the fair value of each asset at the time of acquisition or some other reasonable basis if fair value is not readily determinable.

5.5 Borrowing Costs

Borrowing costs incurred by the acquisition, construction and production of an asset that takes a substantial period of time to get ready for its intended use should be capitalized as part of the cost of that asset.

Capitalization of interest costs should commence when expenditures are being incurred, borrowing costs are being incurred and activities that are necessary to prepare the asset for its intended use are in progress.

5.6 Methods of Initial Valuation

5.6.1 Historical Cost

- Historical cost is the standard and should be used for all assets acquired or constructed, wherever possible;
- This is the original cost at the time of purchase or construction, and would include all costs to make the asset operational, plus any betterments since acquisition;
- This information would be provided from copies of original invoices.

5.6.2 Replacement Cost

- Where historical cost information is not available, the asset will be valued using the replacement or reproduction cost (determined by quotes from vendors, similar items, etc.), which will be used to calculate the historical cost through the MFOA Deflator Study.

5.6.3 Nominal Value

- As a last resort, where the historical cost, replacement cost and appraisal can not be determined, a nominal value will be assigned to the asset;
- A nominal value in this context means $1.

5.6.4 Market Value

- Where there is an open market for an asset. Market price may be available for many types of assets such as buildings or equipment and will be used to calculate the historical cost through the MFOA deflator study.

Table 3.0

CATEGORY	VALUATION METHOD
Land	- Cost of land includes purchase price plus legal fees, land registration fees, transfer taxes, etc.; - Costs would include any costs to make the land suitable for intended use, such as pollution mitigation, demolition and site improvements that become part of the land; - Where acquisition cost is not available, the assessed value from MPAC will be used to determine the opening balance and deflated back to the original acquisition date; - Includes all expenditures made to acquire land and to ready it for use where the improvements are considered permanent in nature and includes purchase price, closing costs, grading, filling, draining, clearing, removal of old buildings (net of salvage), assumption of liens or mortgages, and any additional land improvements that have an indefinite life.
Land Improvements	- Includes all costs associated with land improvement including design drawings, construction and labour costs; - Where acquisition cost is not available, the appraised value of the structure will be used and deflated back to the original acquisition date.
Buildings & Facilities	- Where the historical cost of a building is not available, the appraised value of the structure will be used and deflated back to the original acquisition date.
Linear Assets	- Roads: All roads with no historical data will be valued at a pre-determined rate per kilometer multiplied by the length of the road; - There will be different rates for the various surface types of roads; - The condition rating from the Gewell Engineering Road Study will be used to estimate the age of a road segment. The replacement cost of the road will then be deflated back to the estimated age; - Road allowances are to be valued at a nominal rate of $1 for each; - Due to the age of the land under roads and sidewalks, existing Municipal land under the roads and sidewalks is considered to have a nominal value of $1 per segment.
Technology / Communication	- Historical Cost or Market Value used with deflation factor; - Items pooled by building.
Vehicles	- Historical Cost or Market Value used with deflation factor; - Each asset counted individually.
Machinery & Equipment	- Historical Cost or Market Value used with deflation factor; - Each asset counted individually

6. Determination of Capitalization

Tangible capital assets should be capitalized (recorded in the fixed asset sub-ledger) based on:

6.1 Threshold Levels

Capitalization thresholds are established to determine whether expenditures are to be capitalized as assets and depreciated or treated as current year operating expenditures.

The Municipality's capitalization thresholds are set based on information gathered from various industry sources and experts combined with the consideration of the materiality of the asset category.

Thresholds apply to capital goods purchased and capital projects constructed with the total cost of the good or project meeting the capitalization threshold criteria. Long term assets that do not individually meet threshold limits but do meet threshold limits when aggregated are to be capitalized.

Table 4.0

ASSET CATEGORY	CAPITALIZATION THRESHOLD FOR FINANCIAL PURPOSES
Land	No Threshold
Land Improvements	$10,000
Buildings & Facilities	$10,000
Linear Assets	$15,000
Technology / Communication	$5,000
Vehicles	$5,000
Machinery & Equipment	$10,000

6.2 Betterment vs Maintenance

6.2.1 Maintenance

Maintenance expenditures are costs to keep the condition of an asset at its expected operating standard. These expenditures are usually incurred on a regular basis. For example, regular maintenance activities prescribed by the manufacturer of a new heating, ventilation and air conditioning system (HVAC) would normally be

required to ensure that the asset is able to provide service at a level and quality as originally intended by the manufacturer (i.e. lubrication of motor and compressors, replacement of filters). Performance of regular maintenance may also be required as part of the product warranty provided by the manufacturer. Costs that do not increase the original assessed useful life, service capacity or quality of output would be expensed as incurred.

6.2.2 Betterment

Betterments are considered to be capital asset additions to the assets to which they relate and should be recorded as a sub category to the main asset. The following suggested guideline should be used to determine whether work to an asset is maintenance or betterment.

- The minimum materiality threshold limit for the capitalization of betterments is equal to, or greater than 30% of the historical cost of the related asset and one of the following criteria is met:

  a) The estimated life of the asset is extended by more than 25%; or
  b) The cost results in an increase in the capacity of more than 10%; or
  c) The efficiency of the asset is increased by more than 10%.

6.2.2.1 Replacement

Replacements involve removal of component parts and substitution of a new part or component of essentially the same type and performance capabilities. If the component being replaced had been previously segregated in the accounting records as a distinct asset for amortization over its specific expected useful life, then the new component is capitalized and the old component is retired with its residual net book value removed from the accounts. Refer to "Disposal" section for financial implications.

If the component being replaced was not significant enough to be previously segregated from the whole asset as a distinct asset, then the replacement is normally considered a repair and the costs are expensed as incurred.

If the replacement of the component results in an enhancement of the service potential of the asset as a whole, the replacement is considered betterment and the costs are capitalized. Enhancement refers to replacements which extend the useful life of the asset as a whole, increase the capacity of the asset, improve the quality of the asset to a higher building class or improve the overall operating efficiency of the asset. (see betterment criteria above)

6.2.2.2 Additions

Additions are made to an existing asset to extend, enlarge or expand the existing asset. Examples include adding an extra wing or room to a building or the addition of a lane to an existing roadway. As additions increase service capacity or physical output of the asset, they are betterments. The costs of additions should be capitalized. The key consideration is increase of quality of service or output.

6.2.2.3 Upgrades

Upgrades involve the removal of a major part or component of an asset and the substitution of a different component having significantly improved performance capabilities beyond the asset's original design standard. Refer to "Disposal" section for financial implications.

An upgrade increases the overall efficiency (i.e. increasing utilization, lowering operating costs, or increasing output of service), quality (i.e. transforms the asset into a higher class property), or extends expected useful life of an asset. The costs of upgrades are capitalized.

The following examples would have characteristics of an upgrade:

- Installing air conditioning in a building that was previously not air-conditioned, increasing the service quality of the property;
- Replacing existing lighting with energy saving lighting, reducing future operating costs;
- Substituting a tile roof for wooden shingle, increasing the expected useful life of the building beyond the currently estimated life;
- Replacing a furnace with a high efficiency furnace decreasing future operating costs.

Subsequent expenditures on tangible capital assets are considered betterments if they:

- Increase previously assessed physical output or service capacity;
- Lower associated operating costs;
- Extend the useful life of the asset; or
- Improve the quality of the output.

Any other expenditure would be considered a repair or maintenance and expensed in the period.

7. Useful Life

The estimated useful life of an asset is the shortest of its physical, technological, commercial or legal life. Depending on the nature of the asset, useful life may be expressed in terms of time (years or machine hours) or output (production or service units). Estimating useful lives of assets is a matter of judgment based on experience and should be applied on a consistent basis.

Factors to be considered in estimating the useful life include:

a) Expected future usage;
b) Effects of technological obsolescence;
c) Expected wear and tear from use or the passage of time;
d) The maintenance program;
e) Studies of similar items retired; and
f) The condition of existing comparable items.

Financial reporting standards require the useful life of an asset to be reviewed on a regular basis and revised when appropriate. The service potential of an asset is normally consumed through usage. Factors such as obsolescence, excessive wear and tear or other events could diminish the service potential that was originally anticipated from the asset. The rationale supporting the decision to revise useful life estimates of an asset must be documented.

Significant events that may indicate a need to revise the estimated useful life of an asset may include:

a) Completion of a major betterment;
b) Change in extent that the asset is used;
c) Change in manner that the asset is used;
d) Removal of asset from service for extended period of time;
e) Physical damage or destruction;
f) Significant technological developments;
g) Change in the demand for the services provided through use of the asset;
h) Change in law, environment or public preferences that affect usage and time periods over which an asset is used.

A number of factors may trigger the need for a review of the expected useful life of an asset or its components such as major investments including upgrades to critical components:

a) Significant changes in the market value;
b) Pattern of differences in rate of wear and tear compared to previously expected;
c) Pattern of differences in levels of maintenance compared to that previously expected;
d) Results from engineering testing indicating higher than expected rates of structural deterioration;
e) Major changes in technology increasing the rates of obsolescence for critical components;
f) Major changes in government programs impacting the expected use of assets;
g) Major changes in government regulations, policies or standards impacting expected use of assets; and
h) Major damage to an asset.

Municipal departments, in consultation with the Finance Department, are responsible for establishing and utilizing an appropriate estimated useful life for assets acquired.

The following is a list of the useful lives for main assets within each asset category. These are a guide for common assets only. Should an asset not be categorized as follows, it should be treated as a unique asset and an individual useful life should be determined. During the inventory and valuation stage, the list will be revised in consultation with various departments.

Table 5.0

ASSET TYPE	ESTIMATED USEFUL LIFE
Land	
Land Under Buildings	No Depreciation
Land Under Roads	No Depreciation
Land Under Sidewalks	No Depreciation
Landfill	No Depreciation
Parkland	No Depreciation
Vacant Land	No Depreciation
Land Improvements	
Athletic Fields	20 Years
Playground Equipment	20 Years
Washrooms, Concessions, Picnic Shelters	20 Years
Outdoor Pools, Spray Pools	20 Years
Bike Paths/ Walking Trails	20 Years
Waterfront	20 Years
Parking Lots	20 Years
Site Improvements	20 Years
Building Structure	50 Years
Building Improvements	
Exterior Envelope	20 Years
HVAC Systems	20 Years
Roofs	20 Years
Electrical/Plumbing/Fire	20 Years
Site Works – Asphalt, Water and Sewer Lines, etc.	20 Years
Linear Assets	
Gravel Roads	20 Years
Asphalt Roads	20 Years
Surface Treated Roads	15 Years
Culverts	40 Years
Bridges	75 Years
Sidewalks	40 Years
Streetlights	40 Years
Traffic Signals	40 Years
Crosswalks	40 Years
Signs	40 Years
Technology / Communication	
Hardware	7 Years
Software	7 Years
Telephone System	3 Years
Mobile Radios	3 Years

Vehicles	
Light / Medium	6 Years
Heavy	12 Years
Trailers / Floats	10 Years
Mowers	15 Years
Fire Vehicles	15 Years
Plow Trucks	10 Years

Machinery	
Graders	15 Years
Tractors	15 Years
Loader	15 Years
Steamer	10 Years
Packer	20 Years
Chipper	10 Years
Compactor	15 Years

8. Amortization (Historical Cost Less Salvage Value):

Amortization is an accounting concept in which the recorded cost of an asset is distributed in a systematic and rational manner over its estimated useful life. The concept matches the cost of that asset to the periods in which service is derived from the asset on and should reflect as closely as possible the extent to which an asset's service potential is consumed over its useful life. Where the residual value of the asset is significant, it should be factored into the calculation of amortization (historical cost less residual/salvage value) otherwise assume zero residual value for the components. It is assumed that the tangible capital asset will be held for an extended period of time and the residual value will be immaterial.

Amortization will commence in the year the asset is acquired for the full year using the straight-line amortization method. Alternate methods of amoritization must be approved by the Auditors.

Table 6.0

ASSET CATEGORY	AMORTIZATION OF COST LESS SALVAGE VALUE
Land	Not amortized
Land Improvements	Straight line over useful life of each asset unit
Buildings & Facilities	Straight line over useful life of each asset unit
Linear Assets	Straight line over average useful life of each segment for cost.
Technology / Communication	Straight line over useful life of each asset unit

Vehicles	Straight line over useful life of each asset unit
Machinery & Equipment	Straight line over useful life of each asset unit
Works in Progress	Not amortized

9. Disposals/Write-downs:

9.1 Disposals

Disposal of real property will be the responsibility as assigned under the Disposal of Assets Policy within the Procurement Policy.

Disposal procedures for capital assets are in accordance with the Municipality's Procurement Policy. All disposals of TCA's are recorded in the Municipality's financial statements in accordance with PSAB 3150.

9.2 Write-Downs

Should a tangible capital asset no longer contribute to the Municipality's ability to provide services, be destroyed, stolen, lost, sold or obsolete or should the value of its future economic benefits be less than the net book value, the value of the asset should be written down to reflect the decline in the asset's value. Any abandoned or indefinitely postponed projects must be written down to their net realizable value and charged to the period in which the abandonment or indefinite postponement occurs. When the reduction in the value of the asset can be objectively estimated and it is expected to be permanent, the asset must be written down. Write-downs are not to be reversed and it is the responsibility of the Department Head to notify the Finance Department when an asset is to be written down.

Conditions that indicate a write down is necessary may include a change in the manner or extent to which the asset is used:

- Removal of the asset from service;
- Physical damage;
- Significant technological developments;
- A decline in, or cessation of the need for the service provided by the asset;
- A decision to halt construction of the asset before it is complete or in useable or saleable condition; or
- A change in the law or environment affecting the extent to which the asset can be used.

10. Capital Leases:

A capital lease is defined as a lease that transfers substantially all of the benefits and risks incident to ownership are, in substance, transferred to the government without necessarily transferring legal ownership. A capital lease would normally occur when, at the inception of the lease, one or more of the following conditions are present.

1. There is reasonable assurance the lessee will obtain ownership of the leased property by the end of the lease term. This condition is usually signified when ownership does pass at the end of the lease or when the lease provides for a bargain purchase option.

2. The lease term is of such duration that the lessee will receive substantially all of the economic benefits expected to be derived from the use of the leased property over its life span. The threshold for this benefits test is 75%.

3. The minimum lease payments, excluding any portion relating to executors' costs, are equal to 90% or more of the fair market value of the leased property at the inception of the lease.

A capital lease should be accounted for as acquiring a capital asset and incurring a liability. A lease should be accounted for as an operating lease when the net present value of the future minimum lease payments or fair value, whichever is less, is less than $10,000.

11. Asset Ledgers & Control

A reasonable amount of effort should be made when collecting, valuing and amortizing past assets to ensure sufficient evidence is available to support ownership, completeness, existence and valuation. Where historical records are not available, all approaches and assumptions used for items such as valuation must be documented. In some instances there may be written estimates and appraisals.

An asset inventory database will be kept in the Municipality of Elizabethtown-Kitley Financial accounting systems. All Municipal databases containing Tangible Capital Asset information will be subject to backup control and securities to ensure integrity of the electronic data.

12. Accountability

Municipal departments are responsible for the following:

i.) preparing and managing capital budgets;
ii.) providing life expectancy data of tangible capital assets to Finance for every new asset;
iii.) maintaining capital asset information such as location, condition, maintenance records, etc.;
iv.) ensuring proper control of the tangible capital asset is maintained;
v.) appointing a steward for each capital asset, who is responsible for providing information about the availability, condition and usage of the asset; and
vi.) responsible for asset management of tangible capital assets in accordance with this policy, i.e. additions, disposals and betterments.

Municipal Finance Department is responsible for the following:

i.) facilitating the approval of the capital budgets, giving due regard to municipal cash flow and debt management;

ii.) providing guidance to Municipal Departments when needed in regards to their responsibilities listed above;
iii.) maintaining a detailed list or database of all of the Municipality's owned assets;
iv.) accounting for the accumulated amortization on tangible capital assets in accordance to this policy;
v.) conducting year-end close for the asset management module, including posting of amortization;
vi.) reporting tangible capital assets in the financial statements of the Municipality.

13. Financial Accounting

The Public Sector Accounting Board expectations regarding transition to PSAB 3150 is provided in PSAB 3150.43 to PSAB 3150.48. PSG-7 Tangible Capital Assets of Local Governments provides further guidance on the notes to the Financial Statements.

Preliminary transition steps are as follows:

i. Remove Tangible Capital Assets and Investment in Tangible Capital Assets from the Statement of Financial Position;
ii. Keep long term debt as a financial liability;
iii. Add to the Statement of Financial Position, the recently valued, currently held, tangible capital assets along with related accumulated amortization. The offsetting account is prior year surplus;
iv. Record new additions on the Statement of Financial Position with the offsetting entry to cash, accounts payable or long term debt. Do not expense the cost of capital assets;
v. Record disposals at the time of replacement. Disposals reduce the cost of the asset, accumulated amortization with the residual recorded as either an expense or revenue;
Amortize the assets each year;
vi. Write-downs are an adjustment to the cost of the TCA (PSAB 3150.31) and expense;
vii. Offsetting adjustment for amortization in the budget for the purposes of a balanced budget is a transfer from equity;
viii. Budgeting for capital assets will be for the costs expected on the Statement of Financial Position.

Tangible Capital Assets on the financial statements will result in net capital assets on the balance sheet and expenditures for depreciation and write-downs on the income statement.

14. Financial Presentation & Disclosure

In total and for each major category of capital assets, the Township will disclose the following in accordance with CICA Public Sector Guideline 7 (PSG-7):

a) Cost at the beginning and end of the period;
b) Additions in the period;
c) Disposals in the period;
d) The amount of any write-downs in the period;
e) The amount of depreciation for the period;
f) Accumulated amortization at the beginning and end of the period;

g) Net carrying amount at the beginning and end of the period;

Also in accordance with PSG-7 disclosure will include:

a) The method used to determine the cost of each major category of TCA;
b) The amortization method used, including amortization period or rate for each major capital category of TCA;
c) The net book value of TCA's not being amortized because they are under construction or development or have been removed from service;
d) The nature and amount of contributed TCA's received in the period;
e) The nature and use of tangible capital assets disclosed at nominal value;
f) The nature of the works of art and historical treasures held by the government; and
g) The amount of interest included in the cost in the period.

POLICY: **PURCHASING CARD** **#I-4**

COVERAGE: **All Employees**

1.0 General Information

1.1 The Township's Purchasing Card program provides a simple and effective way of acquiring small dollar value goods and services for the Corporation.

1.2 Under the program, authorized card holders can purchase eligible small dollar items with their card, retain the sales/VISA slip, reconcile a monthly VISA statement to copies of retained sales/VISA slips and submit a signed copy of the reconciled statement, along with the slips, to the Finance Department.

1.3 Supervisors/Department Heads will receive a monthly statement for each of their cardholders to review.

1.4 Vendors will be paid immediately through VISA and the Township will make one payment to VISA on a monthly basis for all transactions for all card holders as opposed to issuing numerous cheques on a monthly basis to individual vendors.

2.0 Program Administrator

2.1 The Director of Finance shall be the Program Administrator for the Purchasing Card Program and will be responsible for the following:

i. Overall co-ordination and monitoring of the Purchasing Card Program
ii. Approving purchasing card limits
iii. Transmitting all documents to the Township's authorized Bank
iv. Distributing forms and cards to employees
v. Distributing month end reports to card holders and their Department Heads
vi. Assisting employees with disputes, as required
vii. Establishing which Standard Industry Classifications (SIC) will be blocked from the Township's purchasing cards
viii. To review monthly reports with respect to delinquent cardholders and to take actions to resolve delinquency or suspend the cardholder privileges and report to the Administrator-Clerk any unresolved issues.

3.0 Request for Purchasing Cards

3.1 The purchasing card will be available to Department Heads only to purchase eligible low-dollar value goods and services.

3.2 All purchasing card applications are to be submitted to the Program Administrator for review and submission to the Township Bank. No department will be permitted to submit forms directly to the Township Bank.

3.3 A Cardholder Agreement (Appendix A), which indicates that the cardholder understands the intent of the program and agrees to adhere to the procedures established for the program, must be signed by the cardholder prior to receipt of the purchasing card.

3.4 All original Cardholder Agreement letters will be maintained by the Program Administrator.

4.0 Activating the Purchasing Cards

4.1 Once the card has been received and the employee has signed the cardholder agreement, the Program Administrator must activate the card by calling the VISA centre and providing the required security codes.

4.2 The cardholder must sign the Purchasing Card and store it in a secure place.

5.0 Eligible/Ineligible Purchases

5.1 Purchasing Cards may be used by an authorized cardholder to purchase any eligible good or service, where total purchase price, including all applicable taxes, is under $1,000, subject to their monthly maximum.

5.2 The following purchases are not eligible purchases and cannot be made through use of the Purchasing Card:

i. When a contract or tender is in effect for the product or service,
ii. For personal use, including personal vehicle expenses,
iii. When the total purchase price exceeds the single purchase limit on the card or for splitting of purchases, in order to exceed the transaction limit,

iv. When a competitive bid is required, under Township purchasing policy,
v. For cash advances,
vi. For utilities.

6.0 Standard Industry Classifications

6.1 As a means of controlling the type of purchases that can be made with a purchasing card, the Township's Bank can establish charge authorization procedures to refuse certain transactions through the use of Standard Industry Classifications (SIC) codes.

7.0 Vendor Choice Not Restricted

7.1 Purchase Cardholders can buy eligible goods and services from any vendor that accepts VISA.

7.2 The Director of Finance will keep users informed of any Township discounts that may be offered by vendors.

8.0 How to Purchase Items With The Card

8.1 Authorized employees who possess a purchasing Card will be able to make low dollar value eligible purchase from VISA authorized vendors in person, by phone or via mail.

8.2 When purchasing in person, the cardholder will certify that the goods have been received by signing the VISA sales slip.

8.3 For telephone or mail order, the cardholder must request the vendor submit a copy of the sales slip with the shipment when the goods are received and the cardholder must ensure that the shipment matches the order when the goods are received.

8.4 The cardholder must ensure that both the VISA chit and the sales invoice are retained for each purchase. VISA chits, by themselves, will not be considered as satisfactory documentation for purchases.

8.5 In the event that any merchandise purchased by a purchasing card is subsequently returned to the vendor, the cardholder must ensure the vendor issues a VISA credit chit to the cardholder for the returned item.

9.0 End of Month Reports

9.1 Upon receipt of the month end VISA statements, the Program Administrator will distribute a cardholder's statement to each cardholder and will provide a copy of each employee's statement to their department head.

10.0 End of Month Procedure

10.1 The cardholder, or their designate, must review their statement for accuracy by reconciling each transaction on the statement to the VISA/sales slips.

10.2 It is quite likely that there will be slips on hand that are not included on the monthly statement because they were ordered late in the month and have not yet been submitted to VISA by the vendor. The cardholder must keep these until the next month.

10.3 Once reconciled, the cardholder signs the statement and attaches all relevant sales slips to the statement and submits it to the Finance Department.

10.4 The cardholder must indicate the required allocation on the monthly statement by showing account number and amount.

10.5 The authorized, reconciled statement must be sent to the Finance Department within three days of receipt of the monthly statement so that the Finance Department can review and process.

10.6 The Director of Finance will post the total amount payable on the card holders statement to the accounts the cardholder has indicated.

10.7 For GST purposes, it will be assumed that all purchase card entries are subject to GST.

10.8 It is imperative that a reconciled monthly statement be forwarded to the Finance Department on time so that all card holders' statements can be processed within the required period after the statement date.

10.9 Within five business days of the start of each month, the Director of Finance will prepare a detailed report to the Administrator-Clerk listing the names of any cardholders who have not submitted a report for the previous month or who had submitted incomplete

documentation supporting any purchases made during the previous month.

10.10 The Administrator-Clerk will review the report and determine if employees on the list should be allowed to continue to use the Township's purchasing card program. The Administrator-Clerk may follow-up with individual employees both orally and through written communication to resolve outstanding issues.

10.11 If the Administrator-Clerk is unable to resolve outstanding issues with the cardholder, he/she may revoke the card from the cardholder.

10.12 If a card is revoked, the Administrator-Clerk will notify the employee and his/her Director in writing that an employee's card has been revoked and the reason for which it has been revoked.

10.13 In the event a cardholder is on vacation or is sick during the critical month-end processing period, it is the cardholder's responsibility to ensure a designate can perform the reconciling and submit the required documentation in their absence.

11.0 Disputed Charges

11.1 Disputed items include those listed on the monthly statement where the goods or services charged have not been received and amounts on the statement that differ from the sales slips that have been retained.

11.2 It is the cardholder's responsibility to make the first contact with the vendor to resolve the dispute.

11.3 If the dispute cannot be resolved, then the cardholder should call the customer service number for the Township's Bank to report the dispute and notify the Director of Finance.

11.4 The cardholder has 30 days from the statement date to notify the Township's Bank of any disputed items.

11.5 Unresolved disputed items must be noted on the monthly statement at the bottom of the page as the Finance Department will not pay the Bank for disputed items until they are resolved

12.0 Card Renewal

12.1 Purchasing cards will be automatically renewed every three years unless the Township's Bank is notified otherwise.

13.0 Cancellation/Modification of Purchasing Card Information

13.1 The cardholder must inform the Director of Finance of cancellation, changes in business address or area of responsibility and/or telephone number.

13.2 In the event a card needs to be cancelled, the Director of Finance will call the Township's bank manager immediately to cancel the account.

13.3 A purchasing Card may be cancelled at any time by the Director of Finance.

13.4 In the event of a transfer between departments, the applicable sections of an employee application form are to be completed by the cardholder and authorized by the new director and then submitted to the Director of Finance for signing and transmitting to the Township's Bank.

14.0 Lost or Stolen Cards

14.1 In the event that a card is lost or stolen, the cardholder must immediately notify the Township's Bank through the 24-hour customer service line.

14.2 The employee will confirm the telephone call by sending, to the Bank, by mail or facsimile a letter stating that the card has been lost or stolen.

14.3 The employee will also immediately notify the Director of Finance that the card has been lost or stolen.

15.0 Liability For Purchases Made

15.1 The Corporation assumes liability for all authorized charges on the Purchasing Card, not the individual cardholder.

15.2 Any ineligible purchases (unauthorized charges) made by the employee on the card must be reimbursed by the employee. The bank cannot accept any monies from employees directly. Any ineligible purchases made by the cardholder could be considered misappropriation of corporate funds and the employee could be subject to disciplinary actions.

APPENDIX A

Purchasing Card Program – Cardholder Agreement

Employee:

Your Visa Purchasing Card represents the Township of Elizabethtown-Kitley's trust in you. You are empowered as a responsible agent of the Township to purchase eligible items only with the card. Your signature below is verification that you have read the corporate procedures related to the Purchasing Card Program and any additional local policies and agree to comply with them as well as the following responsibilities. It also acknowledges that you have received Visa Purchasing Card # _____.

1. I understand that the card is to be used for eligible purchases as defined in the purchasing card procedures and I agree not to charge personal purchases. I understand that if I use the card to purchase ineligible items, I must repay the corporation and my card may be revoked.

2. I understand that the Township has the right to obtain information directly from the Township's Bank or the merchant regarding the nature of any purchase I may make with my card without necessarily informing me and such action by the Township does not represent an invasion of my privacy.

3. If the card is lost or stolen, I will immediately notify the Township's Bank by telephone. I will confirm the telephone call by mail or facsimile with a copy of the notification to the Director of Finance.

4. I agree to surrender the card immediately upon termination of employment, whether for retirement, voluntary or involuntary reasons.

5. As my card is issued in my name, I will not allow any other person to use the card. I am considered responsible for any and all charges against the card.

6. All charges will be billed directly to and paid directly by the Township. The Bank cannot accept any monies from me directly; therefore any personal charge billed to the Township could be considered misappropriation of corporate funds.

7. I will receive a monthly statement which will report all activity during the statement period. Since I am responsible for all charges, but not for payment on the card, I will make the initial contact to resolve any discrepancies by contacting the supplier and/or the bank and will notify the Director of Finance.

8. The charges made against my card will automatically be assigned to one default account, unless I provide an additional distribution on my monthly statement. The default code cannot be changed without prior approval by my supervisor. If changed, this new accounting code will not affect any charges made prior to the change, but will affect future charges.

9. If purchases on my card are required to be allocated to more than one account as they are made (as opposed to the end of the month), I will be required to complete a direct Purchase order for each transaction as a means of charging appropriate account numbers for purchases made on my card.

10. I understand that I must reconcile purchases listed on my monthly statement to VISA slips I have on hand and forward a signed copy of my statement along with the corresponding VISA slips to the Director of Finance within three days of receiving my statement.

11. I understand that if I am on vacation or sick during the critical month-end processing time it is my responsibility to ensure a designate reconciles and forwards my statement to the Director of Finance within the designated time frame.

12. I understand that my Purchasing Card has been issued to me based on a need for me to purchase eligible items for the Township and that my card may be revoked based on a change of assignment or location. I understand that the card is not an entitlement nor reflective of title or position.

Employee Signature: _____

Employee Name: _____

Date: _____

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

BY-LAW NUMBER 16- 50

Being a By-law to Adopt an Investment Policy for the Township of Elizabethtown-Kitley

****

WHEREAS Section 9 of the *Municipal Act, S.O. 2001*, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Council of the Corporation of the Township of Elizabethtown-Kitley deems it advisable to adopt an investment policy;

NOW THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. **THAT** the Investment Policy, as outlined in Schedule "A" attached hereto as part of this By-law be approved.

2. **THAT** the Treasurer shall be responsible for the administration of this By-law and will be accountable to the Council for its enforcement.

3. **THAT** this By-law shall not be interpreted to contradict or violate any statute or regulation of the Province of Ontario.

4. **THAT** this By-law shall come into force and take effect on the date of its passing.

READ a first and second time this **24th** day of **October 2016.**

READ a third time and finally **PASSED** this **24th** day of **October , 2016.**

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 16-50
passed by the council of the said Corporation
the 24th day of October, 2016

TOWNSHIP OF ELIZABETHTOWN-KITLEY
INVESTMENT POLICY

POLICY STATEMENT

This policy will establish and maintain practices and procedures with regard to investment of public funds.

PURPOSE

APPLICATION

This policy will govern the investment of surplus cash, reserves and reserve funds of the Township of Elizabethtown-Kitley.

DEFINITIONS

"Asset-Backed Commercial Paper (Bank Sponsored Only)" means a short-term promissory note issued by corporations, with maturities ranging from 2 to 365 days.

"Basis Point" means a unit of measurement used in the valuation of fixed-income securities equal to 1/100th of 1 percent of yield, e.g. "1/4" of 1 percent is equal to 25 basis points.

"Credit Quality" means a measurement of the financial strength of a bond issuer. This helps an investor to understand an issuer's ability to make timely interest payments and repay the loan principal upon maturity. Higher credit quality results in lower interest rates as the risk of default is lower. Credit quality ratings are provided by nationally recognized agencies such as Moody's and Dominion Bond Rating Service (DBRS).

"Credit Risk" means risk to an investor that a security issuer will default in the payment of interest and/or principal.

"Designate" means a person authorized by the Director to act on his/her behalf, for purposes of this policy.

"Director" means the Director of Finance and for the purposes of this policy, the Treasurer.

"Discount" means the amount by which the par value of a security exceeds the price paid for the security.

"Diversification" means a process of investing assets among a variety of security types by sector, maturity, and quality.

"Fair value" means the amount at which an investment could be exchanged in a current transaction between willing parties, other than in a forced liquidation sale.

"Investment Policy" means a concise and clear statement of the objectives and parameters formulated by an investor or investment manager for a portfolio of investment securities.

"Liquidity" means the ease with which one can convert securities/assets to cash

"Local Government Investment Pool (LGIP)" means an investment by local government in which their money is pooled as a method for managing local funds, e.g., the "One Fund".

"Market Risk" means the risk that the value of a security will rise or fall as a result of changes in market conditions.

"Market Value" means the current market price of a security.

"Maturity" means the date on which payment of a financial obligation is due.

"Municipality" means The Corporation of the Township of Elizabethtown-Kitley.

"Par" means the face value or principal value of a bond, typically $1,000 per bond.

"Premium" means the amount by which the price paid for a security exceeds the security's par value.

"Principal" means the face or par value of a debt instrument or the amount of capital invested in a given security.

"Prudent Person Rule" means an investment standard outlining the fiduciary responsibilities relating to the investment practices of public fund investors.

a) The standard of prudence to be used by investment managers shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio.

b) The "prudent person" must act in all matters regarding investments with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims.

c) The "prudent person" must diversify the investments of the Funds so as to minimize the risk of large losses, unless under the circumstances it is clearly not prudent to do so.

"Rate of Return" means the yield obtainable on a security based on its purchase price or its current market price. Yield reflects coupon, term, liquidity and credit quality.

"Schedule I Bank" is a chartered bank operating under the *Bank Act*. The voting shares must be widely held with no investor holding more than 10% and foreign ownership limited to 25%.

"Schedule II Bank" is a chartered bank operating under the *Bank Act* that may be wholly owned by non-residents.

"Securities" include bonds debentures, treasury bills, commercial paper, repurchase agreements, promissory notes and asset-backed securities.

"Serial Bond" means a bond issue, usually of a municipality, with various maturity dates scheduled at regular intervals until the entire issue is retired.

"Yield" means the current rate of return on an investment security generally expressed as a percentage of the security's current price.

PROCEDURES

General Objectives

The primary objectives of investment activities shall be adherence to statutory requirements, safety of principal, liquidity, and maximize rate of return.

a) Adherence to Statutory Requirements
Legislative authority for the investment guidelines of municipal funds is provided in Section 418 of the *Municipal Act 2001*.

b) Ensure Safety of Principal
Selection of highly rated investments conforming to the restrictions of the Legislative authority, forces the adoption of a defensive policy to minimize the risk of loss and the preservation of the value of the principal. The Municipality will:

- Structure the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity
- Invest operating funds primarily in shorter-term securities or approved investment pools
- Diversify the investment portfolio so that risk of potential losses on individual securities will be minimized

c) Maintain Adequate Liquidity

Liquidity is reliant upon an accurate forecast of the timing of the needs for funds and to cover the possibility of unplanned needs for funds. This along with legislative restrictions, help determine the amounts and types of investments required to have a high degree of liquidity. Liquidity will be achieved where possible by structuring the portfolio so that securities mature concurrent with anticipated cash demands.

d) Maximize Rate of Return

While conforming to all of the above objectives, this objective is to realize a competitive rate of return on invested funds. Investments are generally limited to relatively low risk securities in anticipation of earning a fair return relative to the assumed risk.

Standard of Care

a) Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, following the prudent person principle of investment management and considering the probable safety of their capital as well as the probable income to be derived.

b) Ethics and Conflicts of Interest

Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Material interests in financial institutions with which they conduct business shall be disclosed. Further, any personal financial/investment positions that could be related to the performance of the investment portfolio shall be disclosed.

c) Delegation of Authority

All investments for the Municipality are to be authorized by the Director of Finance (the Director). The authority to manage and implement the investment program is granted to the Administrator-Clerk, or in their absence, the Deputy Treasurer, hereinafter referred to as designate, who shall act in accordance with established procedures and internal controls consistent with this investment policy. No person

may engage in an investment transaction except as provided under the terms of this policy.

d) Investment Placement:
Investments are selected after consultation and upon advice from the investment dealers and banks which have been approved by the Municipality.

Each investment dealer and bank is requested to provide current rates of interest on the various types of qualified investments. Upon receipt of the investment rates, the type of investment and term of investment will be approved by the Director.

Investment dealers and banks approved by the municipality may change from time to time upon the discretion of the municipality, provided they meet with legislative requirements.

e) Investment Reporting:
On a quarterly basis, a year-to date investment register is to be prepared, for review by the Director.

f) Combining Investments:
This policy allows the Municipality to combine and invest money held in the General, Capital Development and Parkland funds.

This policy also allows the Municipality to enter into agreements with other municipalities for the joint investment of money.

Safekeeping and Custody

All investments shall be held for safekeeping in the name of the Township by approved institutions (Appendix A). The depository shall issue a safekeeping receipt to the Municipality for each investment transaction that lists all pertinent information. The depository shall also provide monthly reports for each account, indicating all investment activity, book value of the holdings, market value as of month-end, and income earned by the investments.

Investment Parameters

a) Diversification

The investments shall be diversified by:

- Limiting investments to avoid over-concentration in securities from a specific issuer or business sector (excluding Government of Canada securities);
- Limiting investment in securities that have higher credit risks;
- Investing in securities with varying maturities, and;

- Investing in mainly liquid, marketable securities that have an active secondary market to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

Note that portfolio percentage restrictions apply at the time an investment is made. The "Approved Types of Investments" chart included in Appendix B outlines the maximum percentages allowable. At specific times, the portfolio limitations may be exceeded as a result of the timing of maturities.

b) Maximum Maturities

To the extent possible, the Municipality shall attempt to match investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Municipality will not directly invest in securities maturing more than five (5) years from date of purchase unless the maturities of such investments are made to coincide as nearly as practicable with the expected use of the funds.

Reporting

a) Method

The Director shall provide an investment report to Council annually or as requested by Council. The annual investment report should include the following:

- A listing of individual securities held at the end of the reporting period by maturity date;
- Investment term in days and interest rate;
- Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over one-year duration that are not intended to be held until maturity;
- Average weighted yield to maturity of portfolio on investments as compared to policy benchmark
- A record of the date of each security transaction, including a statement of the purchase and sale price of each security;
- Percentage of the total portfolio which each type of investment represents;
- A statement about the performance of the investment portfolio during the period;
- An estimated ratio of the total long-term and short-term securities compared to the total investments and a description of the change, if any, in that estimated proportion since the previous year's report;
- A statement by the Director as to whether or not, in his or her opinion, all investments were made in accordance with the investment policy;

- Such other information that Council may require or that, in the opinion of the Director, should be included.

b) Performance Measures

The investment portfolio will be managed in accordance with the parameters specified within this policy. Market yields should be higher than the rate given by the Township's bank for the various bank accounts. This rate will be used as the annual benchmark in measuring investment objectives.

c) Market Value

The market value of the portfolio shall be calculated at least annually.

General

a) Signing Authority

Investments made by the Municipality are settled by cheque requisition or electronically by wire and is authorized by the Designate and approved by the Director of Finance.

REFERENCES AND RELATED POLICIES

Bank Act, 1991 (Canada)
Trust and Loan Companies Act, 1991 (Canada)
Municipal Act, 2001
Credit Unions and Caisses Populaires Act, 1994
Conservation Authorities Act, 1990
Trustee Act, 1990

APPENDIX A – APPROVED INVESTMENT ISSUERS

Schedule I – Banks

Bank of Montreal
The Bank of Nova Scotia
Canadian Imperial Bank of Commerce
Royal Bank of Canada
Toronto Dominion Bank
National Bank of Canada
Canadian Western Bank

Bank, Loan and Trust Corporations

Advisor's Advantage Trust (BMO)
AGF Trust Co.
Citizens Bank
Equitable Trust
Home Trust Company
HSBC Bank
Manulife Bank
Maple Trust
Montreal Trust Canada
National Bank
TD Mortgage Corp.

Other

One Investment Program (One Funds)

Permitted Investments
Per legislative authority, the only eligible investments are those securities issued or guaranteed by:

a) Canada or a province or territory of Canada
b) An agency of Canada or a province or territory of Canada
c) A bank as per Schedules I and II of the *Bank Act.*
d) A loan or trust corporation registered under the *Trust and Loan Companies Act.*
e) A credit union or league to which the *Credit Union and Caisses Populaires Act* applies
f) The Province of Ontario Savings Office
g) A municipality in Canada
h) A school board in Canada
i) A local board as defined in the *Municipal Act, 2001*
j) A conservation authority established under the *Conservation Authorities Act*
k) The Municipal Finance Authority of British Columbia
l) A corporation if it is secured by the assignment to a trustee, as defined in the *Trustee Act*

Approved Type of Investments

Type of Investment	Short Term	Long Term	Max Amount
Bank Deposits	X		100%
Bankers Acceptance	X		50%
Asset-Backed Commercial Paper (ABCP)			
(ONLY Bank Sponsored)	X		50%
Canada Treasury Bills	X		100%
Provincial Treasury Bills	X		100%
Term Deposits	X		50%
Guaranteed Investment Certificates	X	X	50%
Federal/Provincial Bonds		X	100%
Municipal Debentures		X	50%
Corporate Bonds/Debentures		X	25%
One Funds Money Market Portfolio	X		15%
One Funds Bond Portfolio		X	15%
One Funds Equity Portfolio		X	15%
One Funds Universe Corporate Bond Portfolio		X	15%
One Funds Balanced Portfolio		X	15%

Township of Elizabethtown-Kitley Procedures

SUBJECT: ACCESSIBILITY - CUSTOMER SERVICE STANDARDS PROCEDURE

1.0 PURPOSE:

This document provides the practices, procedures and forms required to implement the Elizabethtown-Kitley Accessibility - Customer Service Standard Policy and to meet the Customer Service Standards as prescribed in Ontario Regulation 429/07 under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

2.0 SCOPE:

The Council of the Township of Elizabethtown-Kitley adopted the Accessibility – Customer Service Standards Policy at its regular Council Meeting on December 14th, 2009.

This policy applies to all Township employees, and persons acting on behalf of the Township.

3.0 DEFINITIONS:

"Alternative Service" means a service generally intended to be temporary that approaches the desired result until such time as the barrier is removed or an equivalent service is put in place;

"Assistive Device" means an auxiliary aid such as communication aids, cognition aids, personal mobility aids and medical aids (i.e. canes, crutches, wheelchairs or hearing aids);

"Contractor" means a company or person with a formal or informal contract to do a specific job on behalf of the Township of Elizabethtown-Kitley;

"Customer" means any person who receives or seeks to receive goods or services from a person or organization in the private, public and non-governmental sector. Customer includes persons who involuntarily receive goods or services imposed by an external authority;

"Disability" means the same as the definition of disability found in the Ontario Human Rights Code;

"Equivalent" means having similar effects or identical effects;

"Service Animal" means any animal individually trained to do work or perform tasks for the benefit of a person with a disability as defined in Ontario Regulation 429/07;

"Support Person" means any person whether a paid professional, volunteer, family member or friend who accompanies a person with a disability in order to help with communications, personal care or medical needs or with access to goods or services.

1.0 COMMUNICATION

The Municipality shall:

1.1 Communicate with people with disabilities in ways that take into account their disability;

1.2 Train staff who communicate with customers on how to interact and communicate with people with various types of disabilities;

1.3 Provide accessible notifications to all of our customers in the following formats upon request: email, large print, hard copy;

1.4 Answer any questions customers may have about the content of the communication in person, by telephone, e-mail or in writing.

2.0 TELEPHONE SERVICES

The Municipality shall:

2.1 Provide accessible telephone service to our customers;

2.2 Train staff to communicate with customers over the telephone in clear and plain language and to speak clearly and slowly;

2.3 Offer to communicate with customers by email, in writing, in person, or by relay service if telephone communication is not suitable to their communication needs or is not available.

3.0 ASSISTIVE DEVICES

The Municipality shall:

3.1 Ensure that our staff are trained and familiar with various assistive devices that may be used by customers with disabilities while accessing our goods or services; and

3.2 That appropriate staff know how to use the following assistive devices available on Township premises for customers:

- automatic doors

4.0 USE OF SERVICE ANIMALS & SUPPORT PERSONS

4.1 Service Animals - When a person with a disability is accompanied by a guide dog or other service animal, the Municipality will permit the person to enter the premises with the animal and keep it with him or her, unless the animal is otherwise excluded by law from the premises.

Should the service animal or guide dog be excluded by law from the premises, the Township will look to other available measures to enable the person with a disability to obtain, use or benefit from the Township's goods and services.

4.2 Support Person - When a person with a disability is accompanied by a support person, they are permitted to enter the premises together and are not prevented from having access to each other while on the premises. The Township may require a person with a disability to be accompanied by a support person while on its premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.

Where fees for goods and services are advertised or promoted by the Township, it will provide advance notice of the amount payable, if any, in respect of the support person.

5.0 NOTICE OF TEMPORARY DISRUPTION

5.1 Elizabethtown-Kitley Township will provide customers with notice in the event of a planned or unexpected disruption in the facilities or services usually used by people with disabilities.

5.2 This notice will include information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if available.

5.3 The notice will be placed at all public entrances and service counters on our premises, and where appropriate, on our website. www.elizabethtown-kitley.on.ca.

5.4 If the disruption is anticipated, the Township will provide a reasonable amount of advance notice of the disruption. If the disruption is unexpected, notice will be provided as soon as possible

6.0 TRAINING

6.1 Training will be provided to staff based on the position's job requirements and probability of contact to the public.

6.2 Training will be provided to volunteers based on the level of contact with the public.

6.3 Staff will be trained on an ongoing basis when changes are made to the policies, practices and procedures.

6.4 The Administrator-Clerk will keep records of the training provided, including dates training is provided and the number of persons trained.

6.5 For every new hire, training will be provided within 6 months after a staff person commences their duties.

6.6 Levels of training will be customized into four categories:

Level 1 – Where customer service is a component of the staff/person's job description/contract or participate in the development of policies, practices or procedures.

Training will include the following:

- The purposes of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the customer service standard;
- Information on municipal policies, practices and procedures dealing with the AODA;
- How to provide goods and services in a manner that respects the dignity and independence of persons with disabilities;
- How to interact and communicate with persons in a manner that takes into account their disabilities;
- The process for people to provide feedback to the Township about its provision of goods and services to persons with disabilities, and how the Township responds to the feedback and takes action on any complaint;
- How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog, service animal or a support person to access goods and services;
- How to use equipment or devices available on Township premises or provided by the Township that may help with the provision of goods and services;
- What to do if a person with a disability is having difficulty accessing the Township's goods and services.

Level 2 – Where customer service is not the primary function however there is potential for coming in contact with the public or may participate in the development of policies, practices or procedures.

Training will include the following:

- The purposes of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the customer service standard;

- Information on Township policies, practices and procedures dealing with the AODA;

- How to interact and communicate with persons in a manner that takes into account their disabilities;

- The process for people to provide feedback to the Township about its provision of goods and services to persons with disabilities, and how the Township responds to the feedback and takes action on any complaint;

- What to do if a person with a disability is having difficulty accessing the Township's goods and services.

Level 3 - For those who do not normally interact with the public or participate in the development of policies, practices or procedures the following information will be provided.

- Pamphlet – Understanding Accessible Customer Service
- Pamphlet – Accessible Customer Service Policy
- Customer Feedback Form
- Customer Service Guidebook
- Access to E-learning technology

Level 4- For those individuals who volunteer or perform short-term assignments for the Township of Elizabethtown-Kitley, E.g. Volunteers at Cultural Events, the following information will be provided.

- Customer Service Guidebook and Pamphlets.

FEEDBACK PROCESS:

To assist the Township of Elizabethtown-Kitley in ensuring that the delivery of goods and services to those with disabilities is provided in an effective and timely manner, the customer is invited to provide their feedback as follows:

In writing, in person, email or telephone, addressed to:

The Township of Elizabethtown-Kitley
6544 New Dublin Road
R.R. #2
Addison, Ontario
K0E 1A0
613-345-7480
Email: mail@elizabethtown-kitley.on.ca

The Clerk will respond either in writing, in person, email or telephone acknowledging receipt of feedback and will set out the action to be taken in response to any complaints. A response will be provided within twenty one days.

Information about the feedback process will be posted at each Municipal facility and on the website www.elizabethtown-kitley.on.ca

MODIFICATIONS TO THIS OR OTHER PROCEDURES

The Township of Elizabethtown-Kitley is committed to developing customer service practices and procedures that respect and promote the dignity and independence of people with disabilities. Therefore, changes may be made from time to time to the procedures resulting from the feedback received and improvements to customer service for people with disabilities.

Any Township practice or procedure that does not respect and promote the dignity and independence of people with disabilities will be modified or removed.

SCHEDULES:

Training Record
Training Plan
Customer Feedback Form
Record of Customer Feedback
Customer Service Guidebook
Pamphlet – Understanding Accessible Customer Service
Pamphlet – Accessible Customer Service Policy
Notice - Planned Service Disruption
Notice - Unexpected Service Disruption

REFERENCES:

The Township of Elizabethtown-Kitley Accessibility – Customer Service Standards Policy (December, 2009)
Ontario Human Rights Code
Accessibility for Ontarians with Disabilities Act, 2005
O. Reg 429/07 Accessibility Standard for Customer Service
Lanark County Accessibility Plan

Elizabethtown-Kitley Customer Feedback Form

Thank you for visiting Elizabethtown-Kitley. We value all of our customers and strive to meet everyone's needs.

Please tell us the date and time of your visit: _____ at _____.

Staff Person or Position: _____

Location: _____ Department: _____

Did we respond to your customer service needs today? ☐ YES

☐ SOMEWHAT ☐ NO (please explain below)

_____

_____

Was our customer service provided to you in an accessible manner?
☐ YES ☐ SOMEWHAT ☐ NO (please explain below)

_____

_____

Did you have any problems accessing our goods and services?) ☐ NO
☐ YES (please explain below) ☐ SOMEWHAT (please explain below)

_____

_____

Please add any other comments/suggestions you may have:

_____

_____

☐ Please check the box if you would like to receive a response to your feedback.

Contact information: _____

Elizabethtown-Kitley Record of Customer Feedback

Date feedback received:

_____

Name of customer (optional):

_____

Contact information (if appropriate)*:

_____

Details:	Corrective Measures:	Staff Involved:	Follow-up:	Due by:

_____ _____

Authorization Dated

cc: _____

Elizabethtown-Kitley Record of Accessible Customer Service Training

Department:

Date Trained M/D/Year	Total Number of Staff Trained	Level 1 (3 hrs)	Level 2 (1 hr)	Level 3 E Learning	Level 4 (Reading)

Supervisor:_____

Dated:_____

Elizabethtown-Kitley Accessible Customer Service Training Plan

Staff by Category	Department	Level 1	Level 2	Level 3	Level 4
Full Time Staff					
Part Time					
Contractors					
Volunteers					
Summer Students					

Elizabethtown-Kitley Scheduled Service Disruption

Notice

There will be a scheduled service disruption on the _____.
There will be a scheduled service disruption at the _____.

The disruptions will be from _____ until _____.

These disruptions include:

_____

_____

_____

On behalf of the Township of Elizabethtown-Kitley we would like to thank you for your patience in this matter.

Should you have any further questions please contact:

Yvonne L. Robert, Administrator-Clerk
Township of Elizabethtown-Kitley
613-345-7480, ext. 12.
mail@elizabethtown-kitley.on.ca

Elizabethtown-Kitley Unexpected Service Disruption

Notice

Date: _____

There has been an unexpected service disruption(s) at the _____.

The estimated time of the service disruption(s) are from _____ until _____.

These disruption(s) include:

_____

_____

_____

On behalf of the Township of Elizabethtown-Kitley we would like to thank you for your patience in this matter.

Should you have any further questions please contact:

Yvonne L. Robert, Administrator-Clerk
Township of Elizabethtown-Kitley
613-345-7480, ext. 12.
mail@elizabethtown-kitley.on.ca

Integrated Accessibility Standards Regulation Policy
Township of Elizabethtown-Kitley Procedures

SUBJECT: Integrated Accessibility Standards Regulation (IASR)

1. Purpose:

Under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) all public and private sector organizations must meet the requirements of accessibility standards established by regulation. This policy establishes the Integrated Accessibility Standards Regulation in the areas of transportation, employment and information for the Township of Elizabethtown-Kitley in accordance with Ontario Regulation 191/11 and with the Ministry of Community and Social Services intent to "streamline, align and phase-in accessibility requirements and allow for progress on accessibility and reduce the regulatory burden for obligated organizations". This regulation came into force July 1, 2011.

2. Scope and Responsibilities:

This policy has been drafted in accordance with the Regulation and addresses how the Township of Elizabethtown-Kitley achieves accessibility through meeting the Regulation's requirements. It provides the overall strategic direction that we will follow to provide accessibility supports to Ontarians with disabilities.

The requirements of the Regulation include:

- Establishment, implementation, maintenance and documentation of a multi-year accessibility plan which outlines the organization's strategy to prevent and remove barriers and meet its requirements under the Regulation;
- Incorporation of accessibility criteria and features when procuring or acquiring goods, services, or facilities;
- Training; and
- Other specific requirements under the Information and Communication, Employment and Transportation Standards.

3. Policy Statement and Organizational Commitment:

The Township of Elizabethtown-Kitley is committed and guided by the four core principles of independence, dignity, integration and equality of opportunity and supports the needs of persons as set out in *Accessibility for Ontarians with Disabilities Act, 2005*. The Township of Elizabethtown-Kitley shall use every

effort to ensure that the Township meets the needs of people with disabilities in a timely manner through the implementation of this policy.

4. Definitions:

Below is a list of fifteen (15) definitions, in alphabetical order used in this policy:

Accessible Formats may include, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities.

Accommodation means the special arrangement made or assistance provided so that persons with disabilities can participate in the experiences available to persons without disabilities. Accommodation will vary depending on the person's unique needs.

Communication Supports may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

Communications means the interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

Conversion Ready means an electronic or digital format that facilitates conversion into an accessible format.

Designated Public Sector Organization means every municipality and every person or organization listed in Column 1 of Table 1 of Ontario Regulation 146/10 (Public Bodies and Commission Public Bodies — Definitions) made under the *Public Service of Ontario Act, 2006*.

IAP means Individualized Accommodation Plan.

Information includes data, facts and knowledge that exists in any format, including text, audio, digital or images, and that conveys meaning.

Internet Website means a collection of related web pages, images, videos or other digital assets that are addressed relative to a common Uniform Resource Identifier (URI) and is accessible to the public.

Mobility Aid means a device used to facilitate the transport, in a seated posture, of a person with a disability.

Mobility Assistive Device means a cane, walker, wheelchair, scooter or similar aid.

New Internet Website means either a website with a new domain name or a website with an existing domain name undergoing a significant refresh.

Redeployment means the reassignment of employees to other departments or jobs within the organization as an alternative to layoff, when a particular job or department has been eliminated.

Unconvertible means if it is not technically feasible to convert the information or communications. It also means if the technology to convert the information or communications is not readily available.

Web Content Accessibility Guidelines means the World Wide Web consortium recommendation, dated December 2008, entitled "Web Content Accessibility Guidelines" (WCAG) 2.0.

5. General Provisions

Multi-Year Accessibility Plan

The Township of Elizabethtown-Kitley's Multi-Year Accessibility Plan outlines a phased-in strategy to prevent and remove barriers and addresses the current and future requirements of the AODA.

The Township will report annually on the progress and implementation of the multi-year accessibility plan, and the Township will post the information on the Township's website and will provide it in alternative formats upon request. The plan will be reviewed and updated once every 5 years.

Procuring or Acquiring Goods, Services or Facilities

The Township of Elizabethtown-Kitley will use accessibility criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so, in which case, if required, the Township will provide an explanation.

Training
The Township of Elizabethtown-Kitley will ensure that training is provided to all employees, regular fee for service staff and volunteers on the requirements of the Accessibility Standards referred to in the Regulation on the Human Rights Code as it pertains to persons with disabilities. Training will be provided as soon as is practicable. If any changes to this policy occur, training will be provided.

The Township will maintain a record of dates when training is provided and the number of individuals.

6. Information and Communications Standard

Our organization will create, provide and receive information and communications in ways that are accessible to people with disabilities.

If our organization determines that it is not technically feasible to convert the information or communications or the technology to convert the information or communication is not readily available, we will be obligated to provide the person that requires the information with:

a) An explanation as to why information or communication is unconvertible; and
b) A summary of unconvertible information or communication.

7. Emergency Information

If our organization prepares emergency procedures, plans or public safety information and makes the information available to the public, we shall provide the information in an accessible format or with appropriate communication supports, as soon as practicable, upon request.

8. Feedback

Our organization has a process in place for receiving and responding to feedback and will ensure that those processes are provided in an accessible manner and with communication supports upon request. We will notify the public about the availability of accessible formats and communication supports.

9. Accessible Formats and Communication Supports

The Township of Elizabethtown-Kitley shall be obligated to provide or arrange for accessible formats and communication supports for persons with disabilities:

a) Upon request in a timely manner that takes into account the person's accessibility needs;

b) At a cost no more than regular costs charged to others;

c) Consult with the person making the request and determine suitability of an accessible format or communication supports;

d) Notify the public about the availability of accessible formats and communication supports.

10. Website Accessibility

The Township of Elizabethtown-Kitley shall ensure its internet website and web content conform with WCAG 2.0 initially at Level A and increasing to Level AA. By January 1, 2014, any new web content will conform with WCAG 2.0 Level A. By January 1, 2021 all internet website and web content will conform with WCAG 2.0 Level AA.

11. Education, Training and Materials

Applies to educational or training institutions.

Public Libraries

- Public libraries shall provide access to or arrange for the provision of access to accessible materials where they exist;
- Public libraries shall make information about the availability of accessible materials publicly available and shall provide information in accessible format or with appropriate communication supports, upon request;
- Public library boards may provide accessible formats for archival materials, special collections and rare books.

12. Employment Standard

The Employment Standard builds upon the existing requirements under the Ontario Human Rights Code in relation to how to accommodate individuals with disabilities throughout the job application process and the employment relationship. It applies to full time employees.

The requirements of the Employment Standard shall be met by the Township of Elizabethtown-Kitley by January 1, 2014 unless otherwise specified.

13. Recruitment and Retention

The Township shall notify employees and the public about the availability of accommodations for applicants with disabilities:

- During the recruitment process when job applicants are individually selected to participate in an assessment or selection process;
- If a selected applicant requests an accommodation, we shall consult with the applicant and provide or arrange for suitable accommodation that takes into account the persons needs due to disability;
- Notify successful applicants of the policies for accommodating employees with disabilities.

14. Employee Notification

The municipality shall inform its employees of its policies used to support employees with disabilities, including but not limited to, policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability:

- As required for new employees as soon as practicable after they begin their employment;
- Whenever there is a change in policies on the provision of job accommodations that take into account an employee's accessibility needs due to a disability.

15. Accessible Formats

In addition and where an employee with a disability requests it, we will consult with the employee to provide or arrange for the provision of accessible formats and communication supports for:

- information that is needed in order to perform the employee's job;

- information that is generally available to employees in the workplace; and
- consult with the employee making the request in determining the suitability of an accessible format or communication support.

16. Individual Accommodation Plan (IAP)

The municipality shall have in place a written process for developing a documented individual accommodation plan for employees with a disability. Process to include:

- The employee's participation in the development of the IAP;
- Assessment on an individual basis;
- Identification of accommodations to be provided;
- Timelines for the provision of accommodations;
- The municipality may request an evaluation by a medical or other expert, at its expense, to assist with determining accommodation and how to achieve accommodation;
- An employee may request the participation of a representative from their bargaining agent, where represented, or otherwise a representative from the workplace where an employee is not represented by a bargaining agent;
- Steps to be taken to protect the privacy of the employee's personal information;
- Frequency with which the IAP will be reviewed and updated and the manner in which it will be done;
- If denied, the reason(s) for denial are to be provided to the employee;
- A format that takes into account the employee's disability;
- If requested, any information regarding accessible formats and communication supports provided; and
- Identification of any other accommodation that is to be provided.

17. Return to Work

The Township will have in place a return to work process for employees who have been absent from work due to a disability and require disability-related accommodation in order to return to work. Such processes must be documented and must outline steps the Township of Elizabethtown-Kitley will take to facilitate the return to work and include an IAP plan.

18. Performance Management, Career Development and Advancement, Redeployment

The Township will take into account the accessibility needs and/or individual accommodation plans of employees when:

- Using performance management processes;
- Providing career development and advancement information; and
- Using redeployment procedures.

19. Workplace Emergency Response Information

The Township of Elizabethtown-Kitley shall provide individualized workplace emergency response information to employees who have a disability:

- If the disability is such that the individualized information is necessary and the employer is aware of needs for accommodation due to the employee's disability;

- If the employee who receives an individual workplace emergency response information requires assistance, and with the employees consent, the municipality shall provide the workplace emergency information to the person designated by the Township to provide assistance to the employee;
- As soon as practicable after becoming aware of the need for accommodation due to the employee's disability;
- Review the individualized workplace emergency response information when the employee moves to a different location in the organization, when overall accommodations needs or plans are reviewed and when the employer reviews its general emergency response policies.

20. Transportation Standard

The Transportation Standard will make it easier for people to travel in Ontario, including persons with disabilities, older Ontarians and families traveling with children in strollers.

Integrated Accessibility Standards, continued

As a municipality, the Township of Elizabethtown-Kitley will:

- Consult with AAC, persons with disabilities and the public to determine proportion of accessible taxis required in the community, including steps to meet the need;
- When establishing a licensing by-law, ensure taxicabs do not charge a high fee or additional fee to persons with disabilities;
- When establishing a licensing by-law, ensure taxicabs do not charge a fee for storage of assistive devices;
- When establishing a licensing by-law, ensure taxicabs have appropriate information displayed both the rear bumper and available in an accessible format to passengers.

The Township of Elizabethtown-Kitley Accessibility Plan will include progress made by the municipality to meet the accessible taxi needs of the community and provide accessible bus stops/shelters.

POLICY: **ADMINISTRATION OFFICE VEHICLE USE POLICY** **#I-5**

COVERAGE: **All Employees**

POLICY STATEMENT:
This policy applies to the vehicle primarily intended to be used by the Planning & Development Department and stationed at the Main Administration Office. The purpose of the municipal vehicle is to reduce the need for employees to use personal vehicles for municipal purposes wherever possible.

PROCEDURE:

1. For the purpose of this policy, the vehicle assigned for primary use by the Planning & Development Department will be referred to as "the vehicle".

2. The vehicle is primarily intended for use by the Planning & Development Department. Members of this department are to be afforded priority use of the vehicle. Other departments are encouraged to use this vehicle when not required by the Planning & Development Department.

3. Employees must receive authorization by the Director of Planning & Development prior to using the vehicle. In the absence of the Director of Planning & Development, the Administrator-Clerk may authorize use of the vehicle.

4. All employees are encouraged to use the vehicle wherever practical. It is recognized that personal vehicles may be the preferred mode of transportations for trips outside the Township or when there are weather concerns with using the Township's vehicle. The vehicle is intended to decrease the use of personal vehicles and mileage claims by municipal administration office staff.

5. Employees operating the vehicle must have a valid driver's license. Drivers of the vehicle are encouraged to drive safely, and to observe all traffic regulations and speed limits. Seat belts must be worn at all times. The Township will not be responsible for fines/charges related to driver error.

6. The vehicle is to be returned to the Main Administration Office at the end of the workday.

7. Maintenance and repairs to the vehicle are the responsibility of the municipality, and will be charged to the departments according to use based on kilometres driven. An overall check of the vehicle will be required at each oil change which should occur approximately every 5,000 kilometres. Damage or maintenance issues must be reported to the Director of Planning & Development immediately.

8. All employees using the vehicle must record on the mileage log located in the vehicle the mileage at the time of their departure from the Main Administration Office, the mileage upon their return to the Main Administration Office, and the purpose for their trip. Fuel for the vehicle will be the responsibility of the Planning &Development Department, and mileage accumulated by other departments will be charged back to the appropriate department on a monthly basis.

9. The vehicle may only be used for municipal business. Passengers in the vehicle shall be limited to employees of the municipality, Council members, Board and Committee members, consultants and contractors of the municipality.

10. Citations incurred by the employee while using the vehicle, including but not limited to parking tickets, speeding tickets and fines, are the responsibility of the employee.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

POLICY: Township Assistance to Neighbourhood Community Associations

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With the establishment of a number of community associations within the hamlets of the Township, reflecting their pride in their communities, the Township has been approached to provide assistance to a number of events marking the uniqueness of each hamlet.

In order to afford each community association with an equal opportunity to receive Township assistance, it was deemed prudent to set out the parameters within which the Township could offer assistance. All requests will be forwarded to Council for its approval prior to any staff time being allocated.

1. The Township will endeavour to provide up to eight (8) hours of total staff time, without charge, by Township employees to assist a community association in installing items such as banners and Christmas lights or physical labour for the creation of paths, planting of trees, etc.

2. This time will be completed during regular working hours for whichever department the assistance is provided through.

3. Donations of material and monetary contributions will be considered on a case by case basis by Council upon receipt of a proposal by the community association.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

BY-LAW ENFORCEMENT PROCEDURES

PURPOSE: In order to address complaints in a fair and consistent manner, a procedural policy is required for the general enforcement of municipal by-laws.

Municipal by-law enforcement covers four major areas and a number of minor areas:

1. Dog Issues including but not limited to running at large, barking, and nuisance waste
2. Zoning By-law Infractions
3. Safe Properties Issues
4. Littering/Illegal Dumping Issues
5. Minor by-laws such as pools, outdoor furnaces and water source heat pumps

For consistency and fairness to all residents and landowners within the Township, the following general procedures will be followed by Township staff and its agents. Where circumstances warrant more immediate or direct action due to public safety or security, the general procedure may be modified at the discretion of the By-law Enforcement Officer in consultation with the Administrator-Clerk or Township Planner.

GENERAL

1. All complaints must be received in writing prior to action being undertaken by municipal staff. This provides the Township with the necessary documentation if the issue proceeds to the court system.
2. Exceptions to the above would be residents calling the Animal Control Officer to address a dog running at large issue, reporting of garbage being dumped on roadways, pool compliance and other safety issues.
3. Information provided in writing by the complainant will be protected under the *Municipal Freedom of Information and Protection of Privacy Act* until such time as court proceedings require disclosure.
4. Reporting back to a complainant by municipal staff will only occur if the issue proceeds to a legal process and the complainant's assistance is required.

SPECIFIC:

1. Dog Issues under By-law
   Dog issues include those contained within By-law02-23, as amended such as incessant barking, running at large and nuisance waste. This policy will not cover dog attacks which are addressed on a case by case basis with the victim, animal owner and other agencies that may become involved such as the Ontario Provincial Police and Health Units. This policy will also not address annual

kennel inspections or dog licensing, except where charges are to be laid in connection with either kennel inspections or licensing of dogs.

Once a written complaint is received, municipal staff will forward a letter to the animal owner outlining that a complaint has been received and setting out the expected appropriate behaviour such as leashing/containing a dog, stopping of incessant barking, cleaning up waste deposited on other's property, requirement for dogs to be tagged with Township dog tags, etc. If the dog owner's name is not known, the letter will be mailed to the owner of the property where it is believed that the dog is housed. The letter will also contain a copy of By-law 02-23.

If the unacceptable behaviour continues and another written complaint is received, municipal staff will contact the Township's By-law Enforcement Officer to proceed with charges and/or fines.

Where the Township has received an initial complaint regarding behaviour that is contrary to By-law 02-23, as amended, the complaint will be kept on file for ***one month***. If a second occurrence of the same behaviour is reported within this period of time, municipal staff will immediately contact the Township's By-law Enforcement Officer to proceed with charges and/or fines.

2. Zoning By-law Infractions
   Once a written complaint is received, municipal planning staff will forward a letter to the property owner who is allegedly contravening the Zoning By-law, setting out what the nature of the complaint is and requesting clarification from the property owner.

   If the Property owner responds to the initial inquiry, municipal staff will determine what next steps are required such as not further action required, minor variance, or zoning/official plan amendment.

   If the property owner responds or will not comply with the advice from municipal planning staff, the Township's By-law Enforcement Officer will be instructed to proceed with charges.

   If the Township does not receive a response to the initial letter in inquiry within three weeks of its issuance, municipal planning staff will contact the Township's By-law Enforcement Officer to schedule the initial site visit of the property. The By-law Enforcement Officer will document his/her findings from the initial site visit and provide a written report to municipal planning staff. In consultation with the By-law Enforcement Officer, municipal planning staff will determine whether further action is necessary (is the property compliant or non-compliant with the Zoning By-law), such as the laying of charges, or in the case where no infraction can be proven, no further action will be authorized/taken.

3. Property By-law 03-15
   Once a written complaint is received, the Township's By-Law Enforcement Officer will be notified by municipal planning staff and an on-site inspection will be conducted as soon as possible. The By-Law Enforcement Officer will provide a written assessment of the property based on the Township's Safe Properties By-law 03-15 to municipal planning staff for review and consideration.

   Where there is a contravention of the By-law, municipal staff will issue a warning letter to the property owner that will outline the work to be undertaken and set out the timeline for compliance, generally three weeks depending on the nature of the contravention. The By-law Enforcement Officer will be copied with this letter. At the end of the set timeline for compliance, the By-law Enforcement Officer will conduct a second site visit to determine what work has been completed and if the property is now in compliance with By-law 03-15.

   If substantial effort has been made to address the issue, discretion will be used to determine the next steps to be taken by municipal staff. If little to no effort has been made by the property owner to comply with the warning letter, a formal order will be issued and the By-law Enforcement Officer will complete any necessary site inspections and any follow-up charges and/or fines as required under the By-law.

4. Littering/Illegal Dumping on Municipal Property By-law 02-18
   Littering/illegal dumping on municipal property will be addressed in one of two methods as described below:
   a) If municipal Public Works staff are aware of littering/illegal dumping along a municipal roadway, public works staff will make note of the roadway and the date of discovery. Public Works staff will then pick up the litter/illegal dumping and bring it to the nearest Public Works garage. Effort will be made to search through the litter/illegal dumping to determine who has contravened By-law 02-18. Any evidence will be attached to the office form and submitted to the New Dublin Office for By-law Enforcement to follow-up.

   b) Where the Township office is notified of littering/illegal dumping on municipal property, the By-law Enforcement Officer will attend the site to determine if a person's name can be attached to the littering/illegal dumping. Once this is determined, staff will contact the Public Works Department for pick up and disposal of remaining litter/illegal dumping.

Once the owner of the littering/illegal dumping is determined (where possible), letters of warning will be issued. Those who are found to have done so will be fined by the Township's By-law Enforcement Officer in accordance with By-law 02-19.

5. Minor By-laws

   Other by-laws include the following:

   Pool By-law, By-law 01-14, 05-32
   Outdoor Solid Fuel (Furnace) By-law 07-08
   Water Source Heat Pump By-law 08-10

   Notwithstanding the general procedures detailed above, the enforcement of these by-laws shall be at the discretion of the Chief Building Official who may require the services of the By-law Enforcement Officer if requested.

The Corporation of The Township of Elizabethtown-Kitley

By-Law Number 01-17

A BY-LAW TO ESTABLISH A CODE OF ETHICS AND DEAL WITH CONFLICT OF INTEREST IN THE ADMINISTRATION OF JUSTICE UNDER THE PROVINCIAL OFFENCES ACT

****

WHEREAS the administration of the Provincial Offences Court by the United Counties of Leeds and Grenville pursuant to the Transfer Agreement must be conducted in accordance with fundamental principles of justice, which include judicial and prosecutorial independence, fairness, impartiality, competence and integrity; and

WHEREAS these guidelines shall apply to all elected representatives for the United Counties of Leeds and Grenville, the Separated City of Brockville and the Separated Town of Gananogue and the Town of Prescott and the Township of Elizabethtown-Kitley, and all officials and staff of the United Counties of Leeds and Grenville, Brockville, Gananoque and Brockville;

THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley agrees to implement and adhere to the Conflict of Interest Guidelines (the "Guidelines") as set out below on behalf of our elected representatives and staff for all matters relating to the administration of Provincial Offences Court in the County Service Area of the United Counties of Leeds and Grenville;

SECTION 1.0 - DEFINITIONS

"Administrator" means a person who, in the execution of his or her office or employment, is engaged in the administration of court functions, including performance or supervision of the functions of the clerk of the court, clerk monitor, trial co-ordinator, and office administrative functions;

"Prosecutor" means a person acting on behalf of the municipality pursuant to the Transfer Agreement in prosecuting proceedings before the courts under the Provincial Offences Act or the Contraventions Act (Canada).

SECTION 2.0 - APPLICATION

2.1 These Guidelines shall apply to all elected representatives, officials and staff of the United Counties Leeds and Grenville, the City of Brockville, the Town of Gananoque the Town of Prescott and the Township of Elizabethtown-Kitley, and to persons contracting with the United Counties of Leeds and Grenville for the performance of services under the Transfer Agreement.

SECTION 3.0 - OATH OF OFFICE

3.1 Every POA Administrator shall swear or affirm the oath as set out in Schedule "A" of these Guidelines.

3.2 Every Prosecutor shall swear or affirm to the oath as set out in Schedule B of these Guidelines and paragraph 2.4 of Schedule 1 of the Memorandum of Understanding.

...2/

SECTION 4.0 - GENERAL GUIDELINES

Guiding Principles - Memorandum of Understanding

The independence of the judiciary shall be preserved. (Section 2. 1. 1)

The confidence of the public in the justice system must be maintained through every effort by all parties. To this end, open access to the system and a fair and timely process must be assured. (Section 2.1.2)

The fundamental tenets of procedural fairness and natural justice shall be affirmed and upheld. (Section 2.1.3)

The entire justice process, from the laying of charges through to final disposition of appeals, shall continue to operate independently and free from political intervention. (Section 2.1.7)

Guidelines

4.1 No person shall attempt to influence or ;interfere, financially, politically or otherwise with employees or other persons performing duties under the Transfer Agreement.

4.2 All persons involved with the administration and prosecution functions of the Provincial Offences Court shall endeavour to carry out such duties in a manner which upholds the integrity of the administration of justice, and no such person shall participate in the making of a decision, or the performance of an act or omission that provides that person with an opportunity to gain a direct or indirect personal advantage, whether financial, political or otherwise.

4.3 No person shall disclose information that is gained in the execution of his or her office under the Transfer Agreement and is not available to the general public, or use such information to further or seek to further his or her financial, political or personal interest.

4.4 No person shall accept a fee, gift or personal benefit , except authorized by law, that is connected directly or indirectly with the performance of his or her duties of office under the Transfer Agreement.

SECTION 5-0 - OBLIGATION TO REPORT

5. 1 An employee or other person performing duties under the Transfer Agreement shall report any attempt at improper influence or interference, financial, political or otherwise, to the United Counties of Leeds and Grenville and to the local Crown Attorney. No action shall be taken against the employee or other person for making any such report in good faith.

5.2 An employee or other person performing duties under the Transfer Agreement who is contacted by an elected official with respect to the administration of justice and matters before the court shall immediately disclose such contact to the United Counties of Leeds and Grenville in order for the United Counties of Leeds and Grenville to maintain the integrity of the justice system.

5.3 Where an employee or other person performing duties under the Transfer Agreement has been charged with an offence created under a federal statute or regulation or a provincial statute or regulation, and where continuing to perform his or her duties may erode public confidence in the administration of justice, the charge shall be disclosed to the United Counties of Leeds and Grenville by the employee or other person. Upon notification, the United Counties of Leeds and Grenville shall determine if any actual or perceived conflict of interest exists, and if so, shall take appropriate action to address the conflict.

...3/

5.4 A Prosecutor shall disclose any actual or reasonably perceived conflict of interest as soon as possible to the United Counties of Leeds and Grenville.

5.5 Where a prosecutor is charged with an offence under the Criminal Code of Canada or any other federal statute or regulation that is dealt with under the Criminal Code of Canada, such charge shall be disclosed forthwith to the United Counties of Leeds and Grenville by the Prosecutor. Where a prosecutor is charged with an offence under other federal statutes or regulations thereunder or a provincial statute or regulation thereunder and where continuing to perform his or her duties may erode public confidence in the administration of Justice, the charge shall be disclosed to the United Counties of Leeds and Grenville and by the Prosecutor. The United Counties of Leeds and Grenville shall determine if any actual or perceived conflict of interest exists and, if so, the United Counties of Leeds and Grenville shall take appropriate action to address the conflict.

SECTION 6.0 - PROSECUTION GUIDELINES

Guiding Principle

The separation of the prosecutorial function and the policing function shall be assured. (Section 2.1.4 Memorandum of Understanding).

6.1 Every Prosecutor, in addition to the above, shall adhere to the guidelines contained in this section.

6.2 A Prosecutor shall not also be employed as an enforcement officer.

6.3 A Prosecutor shall be supervised by and report to the Crown Attorney or a lawyer designated by the United Counties of Leeds and Grenville for this purpose.

6.4 A Prosecutor shall not hold or have held a municipal political office within the preceding 12 months.

6.5 A Prosecutor shall not be placed or place him or herself in a position where the integrity of the administration of justice could be compromised.

6.6 A Prosecutor shall not, personally or through any partner in the practice of law, act or be directly or indirectly involved as counsel or solicitor for any person in respect of any offence charged against the person under the laws in force in Ontario, unless it relates to his or her own case.

SECTION 7.0 - IMPLEMENTATION

7.1 All elected representatives of the Corporation of the Township of Elizabethtown-Kitley shall be provided with a copy of these Guidelines following each municipal election.

7.2 These Guidelines shall form part of the training provided to Administrators and Prosecutors by or on behalf of the United Counties of Leeds and Grenville, and shall also be provided to all persons contracting with the United Counties of Leeds and Grenville to perform services in connection with the administration of justice.

7.3 These Guidelines shall also form part of the Human Resources orientation for all current and new municipal officials and staff.

...4/

SECTION 8.0 - BREACH

8.1 As a result of any breach by an elected representative or official or staff member, the United Counties of Leeds and Grenville may be in breach of the Memorandum of Understanding with Her Majesty the Queen in right of Ontario as represented by the Attorney General.

8.2 Although these are guidelines, the actions which constitute a breach may result in charges under the Criminal Code of Canada, Provincial statute or disciplinary action.

SCHEDULE "A"

All staff members involved in the administration of functions shall swear or affirm the oath as follows:

I do swear (or solemnly affirm) that I will faithfully discharge my duties as an employee of the United Counties of Leeds and Grenville and will observe and comply, with the laws of Canada and Ontario, and except as I may be legally authorized or required. I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my employment, so help me God (omit last four words in an affirmation).

SCHEDULE"B"

All Prosecutors engaging in prosecution under the Transfer Agreement shall swear or affirm the oath as follows:

I swear (or affirm) that I will truly and faithfully, according to the best of my skill and ability, execute the duties, powers and trust of a prosecutor, as an officer of the Court without favor or affection to any party, so help me God (omit last for words in an affirmation). I also swear (or affirm) that I will faithfully discharge my duties as a prosecutor, and will comply with the laws of Canada and Ontario, and except as I may be legally authorized or required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my being a persecutor, so help me God (omit last four words in an affirmation).

Read a **First** and **Second** time this 13th day of February, 2001.

Read a **Third** time and finally **Passed** this 27th day of February, 2001.

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 01-17
passed by the council of the said Corporation
the 27 day of February, 2001

Wayne Mack
REEVE

CLERK

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

BY-LAW NUMBER 13-17

BEING A BY-LAW TO REGULATE THE HOLDING OF PUBLIC EVENTS AND FESTIVALS WITHIN THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

****

WHEREAS pursuant to Section 126 of the Municipal Act, S.O. 2001, Council may pass By-laws to regulate cultural and recreational events, including public fairs;

AND WHEREAS pursuant to Section 28 of the Municipal Act, S.O. 2001, Council may pass by-laws regulating the sales on a highway or vacant lands adjacent thereto and regulating traffic and preventing blocking of highways;

AND WHEREAS pursuant to Section 127 of the Municipal Act, S.O. 2001, Council may pass By-laws prohibiting littering on public or private property;

AND WHEREAS pursuant to Section 151 of the Municipal Act, S.O. 2001, Council may pass By-laws for the regulating and licensing of Exhibitions held for hire or gain;

AND WHEREAS the Council of the Corporation of the Township of Elizabethtown-Kitley deems it expedient to license and regulate the holding of public events and festivals within the limits of the Township;

NOW THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. **DEFINITIONS**: in this By-law
   a. "Corporation" means the Corporation of the Township of Elizabethtown-Kitley.

   b. "Applicant" includes an individual, any form of association of individuals, and a corporation who "shall" be wholly responsible for the event.

   c. "Applicant/Sponsor" means conduct, arrange, be in charge of, or be significantly involved in, the presentation of an event.

   d. "Building" as defined by the Ontario Building Code Act.

   e. "Event" shall include but not be limited to a festival, concert, entertainment or production held out-of-doors and to which the general public is invited or admitted.

      Notwithstanding the generality of the foregoing the following shall not be included:

      i) Any festival concert, entertainment or production held on the property of and being sponsored directly by any Religious Organization as defined by the Religions Organization Land Act (Religious Organization - any association of persons that is charitable according to the Law of Ontario), or any recognized Service Clubs or any Registered Canadian Charities.

      AND

      ii) Any festival concert, entertainment or production which may be reasonable expected to attract fewer than 200 participants present at the event at any given time.

f. "Site Plan" means a drawing or sketch of the subject area indicating the details of the event that shall include but not limited to booths, emergency entrances/exits and any other structures that is to be accompanied by a map displaying the size and location of the event.

g. "Life Safety Plan" means a written plan to mitigate any emergencies or risks, which may occur on scene and outlines the procedures or safeguards to react to those situations, along with a plan to advise and train anyone who is assisting with the event in those procedures.

2. No person shall sponsor an event within the geographical limits of the Corporation without a license (Schedule "A") issued by the Corporation pursuant to this By-law.

3. An Applicant for such license must provide the Clerk, a minimum of sixty (60) days in advance, a completed application satisfying their requirement, which includes all documentation and letters prior to said event as set out hereto:

a. Contact the Medical Officer of Health, Fire Department, Police and Building Department having jurisdiction in the area of the proposed event within fourteen (14) days of submitting the Application, satisfying their requirements for license and comply therewith. Provide copies of written approvals;

b. Must provide the Corporation with a written proposal of the security to be provided by the Applicant to ensure the safe and orderly conduct of the event;

c. Provide the Corporation with proof of general liability insurance for the duration of the event in such amount as the Clerk of the Corporation deems requires, and which shall provide coverage of not less than Two Million Dollars ($2,000,000) per occurrence;

d. The Applicant shall apply for and obtain building permits for any structure as defined by the Ontario Building Code Act, S.O. 1992 as amended, including tent structures and separation distances (under 3.14 of the Ontario Building Code), and shall provide all required documentation for processing of said permits. Building permit applications will be reviewed according to the submissions by supplies of the said structures certification. The Corporation will be held harmless of such temporary structures and the provider will submit a certification of $2 million Liability Insurance, naming the Corporation.

e. The Applicant shall supply copies of approvals from any/all agencies which would have interest in the event, including, but not limited to the following:

i. Ministry of the Environment (1-800-267-0974) for sewage disposal approvals on daily Design flow rates exceeding 10,000 litres per day and written confirmation from the provider of the disposal services. Where the Design flow rates do not exceed 10,000 litres, the Applicant will apply to the Township and provide the name of the supplier providing sewage services and any related documents regarding designs.

ii. Ministry of Health for food service, water supply, sanitary facilities and wastewater disposal.

iii. Electrical Safety Authority (ESA) for all electrical safety and construction issues.

iv. Liquor Licence Board of Ontario for any alcohol related or licenced events as set out in Schedule "E" attached hereto.

v. The event shall respect the conditions of any related By-law, unless authorized by Council.

vi. Must complete and submit to the Corporation the application form attached hereto as Schedule "A", "B", "C", "D", "E" and together with such application fee as set out in Schedule "F" attached hereto.

4. An Applicant/Sponsor licenced pursuant to this By-law shall:

a. Conduct the Licenced Event in accordance with the terms of the licence and application as set out in Schedule "E"

b. Following conclusion of the Event, the Event Site must be restored to pre-Event condition including all lands owned by the Corporation and all private property lands

5. Any Applicant/Sponsor of an Event that is held on Municipal owned property shall deposit $1,000.00 to cover restoration or replacement of any borrowed/loaned materials from the Township. This fee may be waived at Council's discretion.

6. Every person who contravenes a provision of this By-law is guilty of an offense and upon conviction is liable to a fine of not less than one thousand dollars ($1,000) or not more than five thousand dollars ($5,000) exclusive of costs. Each day the offense is continuing it is considered a New Offense under the provisions of the Provincial Offences Act, R.S.O. 1990 or any successor thereof.

7. **WHEREAS** pursuant to section 150 (8) of the Municipal Act, S.O. 2001, without limiting subsection (1), the power to licence, regulate and govern a licence includes the power to refuse to grant a licence or to revoke or suspend a licence.

Read a **First** and **Second** time this **25th** day of **March**, **2013.**

Read a **Third** time and finally **Passed** this 8th day of April, **2013.**

MAYOR

CLERK

SCHEDULE "A"

TO

BY-LAW NUMBER 13 – 17

Regulate the Holding of Public Events

1. DATE: _____

   NAME OF APPLICANT: _____

   ADDRESS: _____

   _____

   _____

   _____

   PHONE NUMBER: _____

   EMAIL ADDRESS: _____

   PROPERTY OWNER'S NAME (if different than applicants):

   _____

   _____

   _____

   LOCATION OF EVENT (including street address):

   _____

   _____

   _____

   TYPE OF EVENT APPLIED FOR (list events):

   _____

   _____

   DATE OF EVENT: _____

   TIME/HOURS: _____

2. Proof of Insurance, according to Section 3 (c) and (d) of By-law Number 2013-17, Schedule "C" attached hereto.

   General Liability and Property Damage, acceptable to the Corporation, but not less than two million dollars ($2,000,000.00).

   Name of Insurance Company, agent and policy number – see Schedule "C" attached hereto.

3. **FOOD AND BEVERAGES TO BE SOLD (please describe):**

_____

_____

4. **IS SECURITY CONFIRMED AS PROPOSED IN SECTION 3(c)?**

_____

5. **CHECKLIST OF THE RESOURCES YOUR GROUP IS GOING TO HAVE:**

_____

6. **LETTER OF COMPLIANCE (to be filed with the application) AND ITEMS TO BE INCLUDED AS FOLLOWS:**

Elizabethtown-Kitley Fire Chief, Schedule "B":_____

Insurance, Schedule "C":_____

Medial Officer of Health, Schedule "D":_____

Ontario Provincial Police:_____

Written approval of (private property owner, municipality):

_____

Provide a Site Plan which will include the following:

a. Location and size of event – provide a map_____
b. Drawing of site of event, showing location of emergency entrances/exits, booths, etc:_____

Notification in writing of Road Authority:_____

7. **FEE** (Cheque to be included with application):_____

A Registered Charitable Organization may submit a written request to have the Fee reduced/waived by Council.

8. **SPONSORS OF THE EVENT:**_____

_____

9. **DISCLAIMER:**

No worker (at this event) shall be considered an employee of the Township.

DECLARATION:

As the applicant as named herein, I/we hereby make this application and confirm that I/we have read By-law Number 13-17 and agree to abide by and post same at the event location.

DATED THIS_____DAY OF_____

_____
APPLICANT/SPONSOR

(1 copy to applicant, 1 copy municipality)

THIS LICENCE IS HEREBY GRANTED AND IS IN EFFECT FOR THE PERIOD

_____

_____
Clerk/Licencing Officer

SCHEDULE "B"

TO

BY-LAW NUMBER 13-17

Regulate the Holding of Public Events

FIRE CHIEF FESTIVAL AND EVENTS REQUIREMENTS

The following needs to be provided to the Elizabethtown-Kitley Fire Chief within fourteen (14) days after submission of completed Application to the Clerk in order for a letter of approval to be supplied to the Applicant:

FIRE:

1. Site Plan for each location showing;
    a. Activities
    b. Parking
    c. Access Routes
    d. Emergency Access
    e. Emergency Equipment Location
2. If in a building, the applicant will need:
    a. Layout and occupancy load
    b. Activities
    c. Evacuation Plan
    d. Emergency Access
    e. Parking
3. Life Safety Plan for event
4. Names and contact information of individuals in charge
5. Expected attendance

FIREWORKS:

1. Specific Site Plan:
    a. Distances
    b. Launch point
    c. Spectator area
    d. Surrounding topography
    e. Safety equipment location
2. Safety plan and procedures
3. Copy of Fireworks Supervisor Card
4. Firing list
5. Names, ages, and contact information of those assisting

SCHEDULE "C"

TO

BY-LAW NUMBER 13-17

Regulate the Holding of Public Events

CERTIFICATE OF INSURANCE
Applicant/Sponsor

It is certified that insurance as described below has been arranged for the insured name herein on whose behalf this certificate is executed, and we hereby certify that such insurances are in full force and effect. If the said insurance is cancelled or changed during its term in such a manner as to affect this Certificate, written notice of such change or cancellation will be given by letter.

INSURED NAME: _____

ADDRESS: _____

_____

_____

TYPE AND INSURER

GENERAL LIABILITY: The Contractor shall maintain a Policy of General Liability Insurance having limits of not less than $2,000,000.00 inclusive per occurrence for bodily injury, death and damage to property.

POLICY NO.:_____ EFFECTIVE DATE:_____

EXPIRATION:_____ LIMITS OF LIABILITY:_____

SIGNATURE:

_____

Of Insurance Company Officer (Broker or agents signature not acceptable)
Contact Phone Number:_____

NOTE: The following shall be added to THE GENERAL LIABILITY INSURANCE CERTIFICATE:

The Township of Elizabethtown-Kitley is hereby named as an additional insured but only in respect of and for the duration of the services to be performed under this agreement, and shall contain a cross liability clause endorsement.

SCHEDULE "F"

TO

BY-LAW NUMBER 13-17

Regulate the Holding of Public Events

FEE FOR LICENCE TO OPERATE A PUBLIC EVENT, PARADE, FESTIVAL

SHALL BE $ 206.75

A Registered Charitable Organization may submit a written request to have the fee waived.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

LAND ACQUISITION AND FENCING POLICY

Policy Statement

The intent of this policy is to set out the manner in which the Township moves forward to ensure the fair and consistent acquisition of land. Council strives to ensure that its actions are transparent to the public and that the process relays accountability to the public.

APPLICATION

1. ***Township Initiated Land Purchase For Road Widening***
   When the Township deems land acquisition for road widening is necessary and in the public interest, in addition to the compensation set out in Table 1 of this policy, the Township of Elizabethtown-Kitley agrees to accept responsibility to reconstruct a fence similar to the vendor's existing fence or construct a woven-wire 8 line fence on the new limit of the road property allowance as widened. Alternatively, the Township agrees to pay the vendor $15.00 per rod ($2.98/metre) in lieu of any part of the vendor's replacement fence entitlement which the vendor does not require.

   The Township further agrees to accept all survey and legal costs related to the land exchange including the confirmation that lands are free and clear of any encumbrances. The Township agrees to accept these lands as part of the road allowance by by-law and register the by-law on title.

   The Township is not obligated to support any future related maintenance or repair costs of any such fencing once re-established.

2. ***Vendor Initiated Land Exchange For Fence***
   When a land owner adjacent to a Township road requests a new fence and the Township requires property for future road widening but road construction is not imminent, the Township may, where the Township deems it desirable to assume the lands in exchange for a registered deed, construct a new woven-wire 8 line fence on the proposed new limit of the road property allowance when its schedule permits. Alternatively, the Township may pay the vendor $15.00 per rod ($2.98/metre) in lieu of any part of the vendor's new fence entitlement which the vendor does not require.

   The Township further agrees to accept all survey and legal costs related to the land exchange including the confirmation that lands are free and clear of any encumbrances. The Township agrees to accept these lands as part of the road allowance by by-law and register the by-law on title.

The Township is not obligated to support any future related maintenance or repair costs of any such fencing once re-established.

LAND ACQUISTION AND FENCING POLICY, continued

3. ***Road Widening Required As A condition of Severance***

When a property owner is required to provide a separate registered deed to the Township for future road widening as a condition of severance, the applicant will not be paid for the land nor will replacement fencing be provided. The property owner may remove and salvage fencing if it exists, or the Township will remove the fence at a future date.

The property owner agrees to assume all survey and legal costs related to the land conveyance to the Township, including, but not limited to confirming via title search that the lands are free and clear of all encumbrances, and registration on title of the related Township by-law accepting these lands as part of the road allowance.

Land Compensation Policy – Table 1
Township Initiated Land Purchase For Road Widening

Land Use	Land Compensation (Effective January 1, 2010)	
Rural Agricultural		
Wooded	$300.00/acre	$741.00/hectare
Pasture	$500.00/acre	$1,235.00.hectare
Tillable	$600.00/acre	$1,482.00/hectare
Tile Drained	$1,100.00/acre	$2,717.00/hectare
Rural Residential Developed		
0-150 foot frontage	$0.35/sq. ft.	$3.77/sq. metre
>150 foot frontage to 2 acres	$0.15/sq. ft.	$1.61/sq. metre
2 acres to 5 acres	$0.10/sq. ft.	$1.08/sq. metre
> 5 acres	Agriculture Rates	
Rural Residential Undeveloped		
0-2 acres		
2-5 acres	$0.15/sq. ft.	$1.61/sq. metre
	$0.10/sq. ft.	$1.08/sq. metre
Rural Urban		
Unserviced	$0.50/sq. ft.	$5.38/metre
Cash in Lieu of Fencing	$15.00/rod	$2.98/metre

FENCE VIEWING PROCESS

1. Request of Owner for a Fence Viewing (Form 1)

2. Notice to Owners by Clerk (date and time of fence viewing) (Form 2)

3. Notice to Owner by Occupant

    - occupant is responsible for notifying owner

4. Notice to Fence Viewers To Attend (Form 3)

    Out of Municipality
    - one fence viewer from the municipality of requester
    - two fence viewers from the municipality of the adjoining municipality

5. Postponement
    - Clerk's opinion regarding weather is determinant
    - Notify persons entitled to receive notice
    - establish new date no later than 15 days after original meeting date
    - Winter Months
        - Council may pass by-law restricting the scheduling of fence viewers during winter months
    - November 1st to March 31st of the following year

6. Duties of Fence Viewer
    - three fence viewers must attend
    - study location of proposed fence
    - examine state of repair of existing fence
    - shall hear evidence is requested by either owner

    Matters to Consider
    - suitability of fence
    - nature of the terrain
    - benefit to both owners
    - nature of the fences in the local area
    - other factors as they deem necessary

    Award (Form 4)
    - location of fence
    - description of fence
    - date for work to start and be completed
    - who shall pay for the construction and/or maintenance of the fence

- must be certified by Clerk
- Clerk must forward the award to the owners and occupants
- If two municipalities are involved, the other municipality must also receive a copy of the award

7. Appeal Process:
   - an owner may appeal to the referee within 15 days of receiving a copy of the fence-viewers' award
   - Appeal Notice (Form 5) must be sent by registered mail or hand delivered to the owner/occupant of adjoining land
   - Copy of the notice and an affidavit of service with the appropriate fee must be filed with the Clerk
   - Notification to Referee, Clerk is responsible for notifying the appropriate referee
   - Referee will establish time and place for hearing and advise the Clerk
   - Clerk will notify both land-owners or occupiers in writing by registered mail or by hand
   - Decision of Referee is final

8. Notice of Decision
   Clerk sends a copy of Referee's final decision and order by registered mail to owners or occupants and the Ministry of Municipal Affairs

9. When Order Not Obeyed:

   Work not completed:
   - Owner may serve notice to adjoining owner requiring him/her to obey award by registered mail or hand delivered
   - After two weeks, the owner may complete the work him/herself and commence proceedings under the Act to recover costs.

   Owner not reimbursed:
   - Owner doing work will notify the other owner of the amount due and payable
   - Owner doing work to notify Clerk to have fence viewers re-attend
   - Clerk must notify the owners or occupants of the date and time the fence-viewers will re-attend (Form 7)
   - Notice must be sent by registered mail or hand delivered
   - Clerk must notify the fence-viewers (Form 8)

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 03-15

A BY-LAW PRESCRIBING MINIMUM REQUIREMENTS FOR MAINTENANCE AND OCCUPANCY OF PROPERTIES

****

Whereas the Municipal Act, 2001, as amended, Section 8 states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And Whereas section 9 of the Municipal Act, 2001, as amended, allows for the broad interpretation so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

And Whereas section 130 of the Municipal Act, 2001, authorizes a municipality to regulate matters not specifically provided for by this Act or any other Act for the purpose related to the health, safety and well being of the inhabitants of the municipality;

And Whereas section 120 of the Municipal Act, 2001, authorizes a local municipality to prohibit and regulate the storage of explosives and dangerous substances in the municipality;

And Whereas section 131(1) of the Municipal Act, 2001, authorizes a local municipality to prohibit and regulate the use of any land for the storage of motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other dispositions;

And Whereas section 127 of the Municipal Act, 2001, authorizes a local municipality to require the owner or occupant to clear refuse or debris from the land not including buildings;

And Whereas section 118 of the Municipal Act, 2001, authorize a local municipality to regulate the construction and use of scaffolding and any other thing used in constructing, repairing or altering buildings or other structures;

And Whereas The Police Services Act, R.S.O. 1990, Section 15(1) authorize a Municipal Council to appoint persons to enforce the By-Laws of a municipality;

And Whereas The Police Services Act, R.S.O. 1990, Section 15(2) states that Municipal By-Law Enforcement Officers are Peace Officers for the purpose of enforcing municipal By-Laws.

Now Therefore the Council of the Township of Elizabethtown-Kitley, hereby enacts as follows:

1) No owner or occupant of any property in the municipality shall cause, allow or permit any building or land to be or remain in a condition contrary to the requirements of this By-Law.

2) Owners or occupants of property in the municipality shall ensure that there are no conditions on the property which pose a risk to the health and safety of the inhabitants of the municipality.

3) For the purposes of this By-Law, "refuse" is defined as garbage, waste, debris, long grass, brush, clippings or other material that may promote or be susceptible to fire or rodents, timber, lumber, building materials or any other type of product or material that may promote or be susceptible to fire or present a risk to safety.

4) Every property in the municipality shall be kept in tidy and safe condition, and free from refuse.

5) All steps, walks, driveways, parking spaces and similar areas of any lands shall be maintained to afford passage free from hazards at all times to any person using the same.

6) The owner and occupant of every property shall be responsible for the refuse which has blown, drifted or otherwise been transported from his/her property including the cost of the collection and removal of the refuse as directed by a By-law Enforcement Officer.

7) Every property in the municipality shall be kept free from combustible, flammable volatile, caustic or explosive substances unless said substances are stored under conditions that are safe and free from the risk of fire or a risk to safety.

8) In the event of fire or explosion, damaged or partially burnt material shall be forthwith removed from the property, except that such material may be stored within the barricaded fire damaged building or unit for a period of not exceeding two months or until investigations are completed by the fire authorities.

9) Every property in the municipality shall be kept free from scrap and junk material including without limiting the generality thereof, wrecked, dismantled, unused, unlicensed or inoperative vehicles, trailers or machinery, tools, tires, appliances, equipment or any parts thereof, except in an establishment licensed or authorized to conduct or operate a business involving such materials, and only then under circumstances that the materials

are not stored in an unsightly unsafe manner.

10) Any By-Law Enforcement Officer, or any person acting on the Officer's instructions, many at all reasonable times and upon producing proper identification, enter onto any property for the purpose of inspecting the property to determine whether there has been a contravention of this By-Law.

11) A By-Law Enforcement Officer who finds a contravention of this By-Law may, in addition to any other legal remedies or enforcement proceedings available to the municipality, make an order to be carried out immediately or within such times as is specified in the order.

12) The order shall be served by prepaid registered mail or personal service, on the owner of the property as it appears on the last revised rolls of the municipality, and any other person the By-Law Enforcement Officer believes is contravening this By-Law.

13) The order shall contain sufficient information to specify the nature of the contravention its location, a description of the work required to bring the property into conformity with this By-Law, and a statement that failure to comply with the order within the time specified shall entitle the municipality itself or by its purpose of performing the work set out in the order and otherwise bringing the property up to standards prescribed by this By-Law and recovering all expenses incurred in doing so by action or in like matter as municipal taxes.

14) Notwithstanding the foregoing, if upon inspection of a property, a By-Law Enforcement Officer is satisfied that the property poses an immediate danger to the health or safety of any person, the Officer may perform or cause to be performed at the owner's expense such remedial repairs or other work necessary to terminate the immediate danger.

15) Every person who contravenes this By-Law is guilty of an offence and, upon conviction, liable to pay one of the following fines:

a) First Offence, a minimum fine of not less than $500.00, and not more than the maximum fine of $5,000.00.

b) Subsequent Offences carry a maximum fine of not more than $5,000.00.

16) Any owner or occupant of a property, who has been served an order, may appeal this order, or any part thereof to the Property Committee of the Corporation of the Township of Elizabethtown-Kitley.

17) Any owner or occupant of a property who is appealing an order, or any part thereof, to the Property Committee must do so within fourteen (14) days of the service of the order or as

otherwise specified on the order. Where no appeal is filed the order shall be complied with.

18) If an owner or occupant of a property fails to comply with an order issued pursuant to this By-Law, the municipality shall have the right to enter onto the property without further notice and to carry out such work as to otherwise bring the property up to the standards prescribed in the order at the expense of the owner.

19) That this By-Law shall come into force and take effect from the date of final reading.

20) This By-Law shall be referred to as the "Property By-Law".

Read a **First** and **Second** time this 14th day of July, 2003.

Read a **Third** time and finally **Passed** this 11th day of August, 2003.

REEVE

CLERK Deputy

Clerk
Corporation of the Township of Elizabethtown-Kitley
of the County of Leeds do hereby certify that
the foregoing is a true copy of
By-law 03-15
passed by the council of the said Corporation
the 11 day of August, 2003

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

BY-LAW 06-05

BEING A BY-LAW TO REGULATE THE SALE OF MUNICIPALLY OWNED REAL PROPERTY

****

WHEREAS Section 268 (1) of the *Municipal Act, 2001* as amended, requires every municipality and local board with authority to sell land shall pass a by-law establishing procedures, including the giving of notice to the public, governing the sale of land.

NOW THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. In this by-law,
"appraisal" shall mean a written estimate of fair market value obtained from a licensed appraiser or real estate broker. The sufficiency of the appraisal shall be determined by Council.

"sale" shall include a lease of twenty one (21) years or longer.

"zone" shall mean a designation is accordance with the current Zoning By-law of the Township of Elizabethtown-Kitley.

2. Before selling any real property, Council shall:
(i) By by-law declare the real property to be surplus to the Township's needs.

(a) All vacant municipally owned real property zoned M1-X and A1 is hereby declared surplus to the Township's needs.

(b) A separate by-law, declaring the real property to be surplus to the Township's needs shall be required for all other real property to be sold by the Township of Elizabethtown-Kitley

(ii) Obtain at least one appraisal of the fair market value of real property. An appraisal obtained on a group of properties or on an individual property within the same zone and lying within 120 metres of the subject site, may be used as the basis of calculating the fair market value of the subject site provided;

(1) such original appraisal has been obtained not more than three (3) years prior to the acceptance of an offer to purchase; and

(2) that the Council is satisfied the original appraisal is an appropriate base for such calculation

(iii) Give a minimum of ten (10) days notice to the public of the proposed sale. Such notice may, as deemed appropriate by the Council, be met by:

(a) The erection of a sign on the subject site or in the case of an industrial or business park property, within the park's boundaries. Such sign shall be a minimum of 4 feet by 8 feet in size and placed so as to be clearly visible from the nearest road; or

(b) The publication of such notice in a local newspaper serving the Township of Elizabethtown-Kitley.

Regardless of the method of notice chosen, such notice shall contain, as a minimum, a general description and size of the property, frontage on a named street and a person to contact for additional information.

... 2/

3. Section 2(ii) of this By-law, respecting the obtaining of an appraisal, shall not apply to:
   (i) Land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act.*

   (ii) Closed highways if sold to an owner of land abutting the closed highways.

   (iii) Land formerly used for railway lines if sold to an owner of land abutting the former railway land.

   (iv) Land that does not have direct access to a highway if sold to the owner of land abutting that land.

   (v) Land repurchased by an owner in accordance with Section 42 of the *Expropriations Act.*

   (vi) Land sold under sections 107, 108 and 109 of the *Municipal Act, 2001.*

   (vii) Easements granted to public utilities or to telephone companies

4. Section 2(ii) of this By-law, respecting the obtaining of an appraisal, shall not apply to the sale of land to the following public bodies:
   (i) A municipality

   (ii) A local board, including a school board and a conservation authority

   (iii) The Crown in right of Ontario or Canada and their agencies.

5. Section 2 of this By-law does not apply to the sale of the following classes of land:

   (i) land sold under section 110 of the *Municipal Act, 2001*

   (ii) land to be use for the establishment and carrying on of industries and industrial operations and incidental uses.

6. If the sale of real property is initiated by an application or request from an individual or agency, such individual or agency shall bear the administrative costs associated with such sale including but not limited to the appraisal, notice and legal costs unless such requirement is waived in writing within the provisions of an offer to purchase. This may be waived by Council where the land is to be purchased for the purpose of carrying on of industries and industrial operations and incidental uses.

7. The manner in which the Council carries out the sale of the property, if consistent with the procedures by-law and the *Municipal Act* is not open to question or review by any court if the Council may lawfully sell the property, the purchaser may lawfully buy it and the Council acted in good faith.

8. The Clerk shall issue and cause to be included in a deed or transfer of land, a certificate with respect to a sale of real property verifying that:
   (i) A procedural by-law was in force at the time of the resolution or by-law declaring the real property surplus was passed:

   (ii) The requirement respecting notice of the sale to the public has been published; and

   (iii) The required appraisal was obtained or that such appraisal was not required by virtue of an exemption provided herein.

... 3/

9. The Clerk shall maintain a public register listing and describing the real property owned or leased by the municipality.

10. Section 9 of this By-law respecting the establishment and maintenance of a land registry shall not apply to:

    (i) Land 0.3 metres or less in width acquired in connection with an approval of decision under the Planning Act.

    (ii) All highways, roads and road allowances, whether or not opened, unopened, closed or stopped up.

    (iii) Land formerly used for railway branch lines.

11. Nothing in this By-law shall absolve Council's rights and obligations with respect to the requirements of any Act.

12. The provisions of this By-law shall come into force and take effect upon the passing thereof.

Read a **First and Second** time this 13th day of February, 2006.

Read a **Third** time and finally Passed this 27th day of February, 2006.

MAYOR

CLERK

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 06-05
passed by the council of the said Corporation
the 27 day of February, 2006

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 13- 44

A BY-LAW TO AUTHORIZE THE DESTRUCTION OF CERTAIN RECORDS OF THE CORPORATION AND TO REPEAL BY-LAW 05-67

****

Whereas Section 254 (1) of the Municipal Act, 2001, provides that a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner;

And Whereas Section 255 (3) of the Municipal Act, 2001 provides that a municipality may establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved in accordance with Section 254;

And Whereas The Council of the Township of Elizabethtown-Kitley deems it expedient to repeal By-law 05-67;

Now Therefore the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. All retention periods are noted on Schedule "A" of this By-law.

2. That any other By-laws, Resolutions, Motions, Acti9ons of Council that are in contravention of this By-law are hereby repealed, including but not limited to By-law 05-67.

3. This By-law may be referred to as the **RECORD RETENTION BY-LAW**.

Read a **First** and **Second** time this 15th day of October, 2013.

Read a **Third** time and finally **Passed** this 28th day of October, 2013.

MAYOR

CLERK

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 13-44
passed by the council of the said Corporation
the 28 day of October, 2013

DOCUMENT/RECORD	RETENTION PERIOD
Municipal Council/Clerk/General Administration	
Agendas (Council, Committees)	P
AMCTO	7
Annexation Files	P
Annual Request of Local Boards	7
Applications to Province (projects)	7
Appointments	7
Assets	P
Briefs/Reports for Council (background material)	7
Burial Permits	7
By-laws (originals)	P
Cemetery Records	P
Census Reports	7
Clerks Certificates	7
Committee Applications	Term of Council
Contracts (not part of By-law)	7
Correspondence - Email	7
Correspondence - General	7
Correspondence - Historical	P
Correspondence - Register	7
Court of Revision Records	7
Delegations (Included in Council Agenda)	
Ditches Awarded	P
Documents Supporting Original Minutes	7
Economic Development Committee - Agendas	P
Economic Development Committee - Minutes	P
Election Records	As per Election Act
Fence Viewers Awards	7
Fence Viewers Files	7
Index of destroyed records	P
Inquiries from the public	2
Interoffice Memos	7
Licenses - applications, expired	7
Liquor vote records	7
Livestock affidavits	7
Master Plans (ie. departmental)	10
Minutes (Committees - rough)	2
Minutes (Committees)	P
Minutes (Council - rough)	7
Minutes (Council)	P
Municipal Drains	P
Nomination papers	As per Election Act
Notice of change of land titles	7
OMB records	P
Petitions	7
Press Releases/Declarations/Ads/Newspaper Clippings	2
Real Estate Files	P
Registered letters	7
Reports	P
Reports from other Municipalities (used as guides)	7
Resolutions (Council and Committees)	P
Restructuring/amalgamation/transition board	P
Studies (if they are commissioned by the Township)	P
Tenders - successful	7
Tenders - unsuccessful	7
Tile Drains, beyond length of loan	7
Training Guides/Reference Guides (ie. Council Orientation)	7
User Manuals	7
Vital Statistics (birth, deaths, marriages)	P
Voters list	As per Election Act

Finance and Tax Department	
Accounts payable invoices	7
Accounts receivable invoices	7
Assessment appeals	7
Assessment Review Board records	7
Assessment Rolls	P
Audit prep papers	7
Audited financial statements/FIRs	P
Bank reconciliations	7
Bank statements	10
Budget - capital	7
Budget - estimates/working papers	7
Budget - operating	7
Cancelled cheques	10
Cash Books	7
Cash disbursement journal	P
Cashier Listings/Journals	
Cheque registry	P
Cheque Stubs	7
Collectors roll	P
Correspondence - general	7
Debenture register	P
Debentures - paid/coupons/summaries/working papers	7
Debit and credit memo	10
Deed (not part of by-law)	P
Deposit books/slips	7
Duplicate Accounts - Receivable	7
Duplicate Cash Receipts	7
Duplicate Vouchers	7
Electronic Funds Transactions	7
Finance Committee - Agendas	P
Finance Committee - Minutes	P
General Journal	P
General Ledger	P
Grants - federal/provincial, applications, approval	7
Information changes sent to/from MPAC	2
Inventory Records	7
Investment Files	7
Mortgage lists	7
Municipal Tax Credits	7
NSF/returned cheques	7
Petty Cash Vouchers	2
Posting and distribution journals	2
Receipts and receipt books	7
Returned notices	7
Subsidy and tax application forms	7
Tax collectors certificates	7
Tax ledger cards	7
Tax receipts/442s	7
Tax registration records	P
Treasurers certificates	7
Weigh scale tickets	2
Year-end trial balance	7

Fire and Emergency Services	
911 Numbering	P
Building Fire Reports	10
Correspondence	7
Department Capital Budget	7
Department Operating Budget	7
Emergency Reports	10
Fire Access Routes	P
Fire Apparatus Files	Life of Apparatus
Fire Marshal's Reports	10
Fire Pevention Inspection Reports	P
Fire Services Liason Committee - Agendas	P
Fire Services Liason Committee - Minutes	P
Fire Truck Inspection Reports	2
Personnel Files (After Termination)	7
Purchase Order Copies	2
Vehicle Accident Reports	10
Emergency Preparedness Information	
Police, By-Law Enforcement, Legal	
Agreements (excluding lease agreements)	20
Court cases	P
Court decisions	P
Exchange of Land Files	P
Expropriation Files	10
Insurance - claims, records	P
Insurance - claims, records (expired)	7
Land Appraisal Files	7
Leases - applications/agreements	7
Legal opinions	P
Legislation - Private Acts	P
Non-Occupancy Agreement Files	7
Notice of applications	7
Notice of claims	20
Notice of Hearing	7
Prosecution files	7
Purchase of land files	P
Sale of land files	P
Statement of Claim	20
Writs	20

Public Works	
Accident Reports	10
Agreements (if not part of By-law)	7
By-laws	P
Contract Files (upon completion of contract)	7
Copeies of requisitions	2
Copies of Purchase Orders	2
Correspondence - General	7
Drain Permits	P
Drainage Records (after final payment)	P
Duplicate Street Cut Permits	7
Easements (if not part of by-law)	P
Engineering Drawings	P
Engineers Files	P
Equipment Dialy Routine Sheets	10
Fuel Tickets	7
General Street Files	2
Intersection Drawings	10
Licenses and after expired	P
Material Distribution Sheets	7
Ministry of Environment Certificates	7
Overnight Street Parking	P
Petitions	7
Project Progress Reports	7
Project Progress Reports Under Contract	7
Public Works Committee of the Whole - Agendas	P
Public Works Committee of the Whole - Minutes	P
Public Works Contract Forms	7
Reports to Council	P
Road closing files (unsuccessful)	10
Road closing files (where by-law passed)	P
Road Construction records (after completion)	7
Road Dedication files	10
Road Reports	7
Road Sign Inventory Register	P
Road widening files	P
Sidewalk	7
Street Lighting Area Maps	P
Telephone Line Location Sheets (under/above ground	2
Traffic Counts	10
Trench Permits	7
Waste Site Management Committee - Agendas	P
Waste Site Management Committee - Minutes	P
Work Orders	7
Yearly Work Diaries	7

Culture, Parks and Recreation	
Agreements	7
Architects drawings	P
Bellamy Park Management Committee - Agendas	P
Bellamy Park Management Committee - Minutes	P
Correspondence - General	7
Environmental and Conservation Advisory Committee - Agendas	P
Environmental and Conservation Advisory Committee - Minutes	P
General Files	7
Heritage Committee - Agendas	P
Heritage Committee - Minutes	P
Public Library Board - Agendas	P
Public Library Board - Minutes	P
Recreation Committee - Agendas	P
Recreation Committee - Minutes	P
Registration Receipts	7
Reports	P
Rows Corners Ad Hoc Committee - Agendas	P
Rows Corners Ad Hoc Committee - Minutes	P
Heritage Registry (Designated Properties)	P
Heritage Registry (Non-Designated Properties)	7
Cultural Mapping	

Planning and Building/Economic Development	
Aerial photos	P
Aggregate Licenses	P
Animal Control Files	7
Assessment Maps	P
Base maps - original	P
Building Permits	P
Committee of Adjuistment - Agendas	P
Committee of Adjustment - Applications	7
Committee of Adjustment - Appointments	7
Committee of Adjustment - Decisions	P
Committee of Adjustment - Enquiries	7
Committee of Adjustment - Minutes	P
Committee of Adjustment - Notices	7
Condominium Applications (after approval)	7
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Contour maps	P
Correspondence - general	7
CRCA/RVCA Information	7
Development - Control Agreements	P
Dog Licenses	P
Dog Licenses (Duplicate)	7
Easement (not part of By-law)	7
Entrance Permits	P
Illegal Dumping	7
Land Division Committee - applications	2
Land Division Committee - decisions	P
Land surveys	P
Maintenance and Occupancy By-law	P
Minor Variances (application, sketch, consideration, release letter, decision)	P
MOE Certificates	P
Municipal Addressing	P
Official plan and amendments	P
OMB records	P
Planning Advisory Committee - Agendas	P
Planning Advisory Committee - Minutes	P
Property files	P
Reference plans	P
Severances (application, sketch, consideration, release letter, decision)	P
Site Plan approval (Agreements)	P
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Department Organization Reports	P
Employees IT deductions (EI/CPP)	7
Employees personnel history files	P
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Individual earnings records	P
Job applications - hired	P
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Job descriptions	7
Oaths of office	P
OHIP, OHSC Medial Files	7
OMERS information	7
Overtime Sheets	7
Payroll journal	P
Rough Payroll Sheets	2
Sick Leave	7
T-4 slips	P
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Terminated employees record	10
Training and Development Files	10
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Township of Elizabethtown-Kitley

Website Policy

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1.0 Definitions

The following definitions apply to this policy in its entirety.

Content Management: Is defined as the process of determining what information will be offered on the Corporation of the Township of Elizabethtown-Kitley's website. Content management includes, but is not limited to the tasks associated with routine maintenance as defined under this policy.

Council: Refers to the Council of the Corporation of the Township of Elizabethtown-Kitley.

External Link: An external link is defined as any hyperlink that takes the website user from the Township's official website to the website of another organization, association, or group.

External Organization: For the purpose of this policy, an external organization is defined as any association, body or group that is not an official board or committee of the Council of the Corporation of the Township of Elizabethtown-Kitley. For the purpose of this policy, only those boards and committees appointed by Council established by by-law or through provincial legislation are considered to be official boards and committees of Council.

Objectionable Material: Objectionable material is defined as matter which may contain, but is not limited to, material promoting hate and/or violence, materials of a pornographic, profane or sexually explicit nature, as well as content that may offend on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, sex, marital status, sexual orientation, family status or disability.

Routine Maintenance: The definition of routine maintenance includes, but it not limited to the following tasks: updating the calendar of events, posting material advertised by the Township, posting material as requested by various department heads, correcting information posted online in order to ensure accuracy, verifying all hyperlinks to ensure that they are functioning, monitoring website hits, posting council, board and committee meeting minutes in accordance with this policy, as well as posting the council meeting agenda cover sheet.

Township: Refers to the Corporation of the Township of Elizabethtown-Kitley.

2.0 Policy Objectives

2.1 Policy guidelines should be made available to staff responsible for maintaining and updating the website, as well as department heads who contribute to content to the website.

2.2 Policy guidelines should also be made available to the general public on the Township's website.

2.3 The goal of the policy is to establish procedures, aid in content management and to provide staff with a baseline for decisions with regard to the website.

3.0 Final Authority

3.1 Final authority with regard to all decisions pertaining to the Township's website rests with the Council of the Corporation of the Township of Elizabethtown-Kitley.

4.0 Website Objectives

4.1 The official website of the Corporation of the Township of Elizabethtown-Kitley is committed to providing convenient, accurate, timely and efficient access to information about Township services, activities, policies and programs for residents, visitors and persons conducting business in the Township.

5.0 Disclaimer/Terms of Use

5.1 The Disclaimer/Terms of Use contained in Appendix A should be made available to the public on the Township's website.

6.0 Authority To Post Material

6.1 The staff member responsible for routine maintenance of the website is authorized to carry out those activities defined as routine maintenance under this policy, as well as the removal, alteration and addition of information found on departmental pages when requested by the appropriate department head.

6.2 The staff member responsible for routine maintenance of the website is authorized to post in the location(s) most appropriate to the subject matter, any material advertised by the Township in other media outlets.

6.3 Board and committee meeting minutes which have been adopted by the board or committee may be posted on the website by the staff member responsible for routine maintenance.

6.4 Council meeting minutes which have been adopted by Council may be posted on the website by the staff member responsible for routine maintenance.

7.0 Content Management

7.1 Content which includes objectionable material as defined under this policy, is prohibited from appearing on the official website of the Corporation of the Township of Elizabethtown-Kitley.

7.2 Final authority to determine whether or not content meets the definition of objectionable material rests with Council..

7.3 Content on the Township's website must meet the one or more of the following criteria in order to be posted:

(i) The content must provide public information about events, activities, and services provided by, in association with or supported by the Township, a Board, and/or Committee of the Township.

(ii) The content must provide public information about events, activities and services provided by, in association with or supported by upper tier governments that directly affect residents, visitors, and persons conducting business in the Corporation of the Township of Elizabethtown-Kitley.

(iii) The content is deemed by Council to be of interest to the Corporation of the Township of Elizabethtown-Kitley, its residents and/or visitors.

8.0 Content Review

8.1 Each department head and Committee is required to perform a semi-annual review of all website material posted under their departmental sections.

8.2 Department heads may request that their departmental information be reviewed, amended or removed at any time throughout the year.

9.0 Web Hosting For External Organizations

9.1 The Township does not provide web hosting for external organizations.

10.0 External Links Policy

10.1 External links from the Township's website must meet one or more of the following criteria in order to be posted. The link must:

(i) Connect members of the public with information and services provided by other levels of government in Canada;

(ii) Provide additional information on subject matter found within the pages of the Township's website. Such information must be provided by an official and/or accredited source;

(iii) Connect members of the public with non-profit agencies and organizations which have bearing on information provided within the Township's website;

(iv) Provide the content that is deemed by Council to be of interest to the Corporation of the Township of Elizabethtown-Kitley, its residents and/or visitors.

10.2 External links from the Township's website must not contain or reflect any of the following:

(i) The link must not contain objectionable material as defined in this policy;

(ii) The link must not contain buried links to objectionable material;

(iii) The link must not be a personal homepage;

(iv) The link must not connect to a for-profit business unless it is associated with the Township's online business directory, and is featured on the appropriate business directory webpage.

10.3 Township cannot be responsible for any material stored on other websites, nor is it liable for any inaccurate, defamatory, offensive or illegal materials found on other websites.

10.4 Requests to establish an external link from the Township's website will be received and evaluated by the staff member responsible for routine maintenance of the site. The staff member responsible for routine maintenance of the website is authorized to post online those links which meet the criteria as established in this policy.

10.5 Links which fail to meet the criteria for posting may be removed or replaced without notice.

11.0 Business Directory

11.1 Matters pertaining to the Corporation of the Township of Elizabethtown-Kitley's online business directory can be found in Appendix B of this policy.

Appendix A

Disclaimer/Terms of Use

The following statements are intended to encourage the responsible use of resources provided by the Township through their website.

Persons utilizing the Township's official website, www.elizabethtown-kitley.on.ca accept and acknowledge the following statements, and agree to abide by the terms of use contained therein:

1.0 Accuracy Of Information

1.0 The Corporation of the Township of Elizabethtown-Kitley makes every effort to ensure the accuracy and timeliness of the information provided, however information should be verified independently before being used or relied on by contacting the appropriate department. All information is provided on an "as is" basis without warranty of any kind, expressed or implied, statutory or otherwise. The Township does not warrant or make any representations as to the quality, content, accuracy or completeness of the information, text, graphics, links and other items contained on its website. The Township makes no warranties, express or implied, as to the fitness of the information for any purposes, or to results obtained by individuals using the information and is not responsible for any action taken in reliance on the information contained herein. Material is provided as general information only and is not intended to provide specific legal advice for any individual and should not be relied upon in that regard.

2.0 External Links From The Township's Website

2.1 The Township is not responsible for any material stored on other websites, nor is it liable for any inaccurate, defamatory, offensive or illegal materials found on other websites, and that the risk of injury or damage from viewing, hearing, downloading or storing such materials rests entirely with the user.

2.2 External links may be removed or replaced at anytime without notice. The Township reserves the right to refuse or delete any link that is inconsistent with the guidelines established by the Township's Website Policy.

3.0 Links To The Township's Website

3.1 The Township welcomes links to its website; however, establishment of a link does not imply any sponsorship of that site by the Corporation of Township of Elizabethtown-Kitley.

4.0 Content Ownership

4.1 Persons using the Township's website, acknowledge that content including, but not limited to, text, software, photographs, video, graphics or other material contained in this website may be protected by copyrights, trademarks, service marks, patents or other proprietary rights and laws.

4.2 Content, including code and software, available through the Township's website may not be modified, copied, reproduced, published, uploaded, posted, transmitted or distributed in any way inconsistent with the intent of the material.

5.0 Use and Disclosure of Personal Information

5.1 The information accessible on the Corporation of the Township of Elizabethtown-Kitley's website does not require users to identify themselves, and can be accessed anonymously. The website does not automatically gather any specific personal information from the user, such as name, home phone number or email address. This type of information is obtained only if the user supplies it.

5.2 From time-to-time the Township's website may request information via surveys. Participation in these surveys is completely voluntary. If the user chooses not to participate in surveys, they will still be able to access the website.

5.3 The Corporation of the Township of Elizabethtown-Kitley does not use or retain personal information that is provided by the user for any secondary purposes unless we clearly notify the user and gain their permission first. The Township will not sell, share, rent or otherwise disclose your personal information to any organization or individual outside the Corporation of the Township of Elizabethtown-Kitley unless we first notify the user and ask permission. The exceptions to this policy of non-disclosure are stated below. The Township may disclose your personal information:

i.) To companies contracted to process your requests
ii.) For law enforcement purposes
iii.) For the purpose of acting in an emergency or in compassionate circumstances to facilitate contact with your next of kin or friend if you become injured or take ill

Appendix B

Business Directory Guidelines

1.0 Business Directory Objectives

1.1 The objective of the Corporation of the Township of Elizabethtown-Kitley's online business directory is to promote local businesses within the Township at no charge to the businesses.

1.2 The business directory is intended to compliment the Township's main website by emphasizing the economic diversity of the Township.

1.3 The business directory is administered by the Economic Development Committee of the Corporation of the Township of Elizabethtown-Kitley.

1.4 Final authority with regard to all matters relating to the directory rests with Council.

2.0 Criteria For Listing A Business

2.1 To qualify for listing on the directory, a business must be located within the geographic boundaries of the Township.

2.2 Businesses that meet the listing criteria are eligible to display their information on one (1) page of the directory. Where appropriate, businesses may be indexed in more than one location within the directory.

2.3 All businesses which meet the listing criteria and have applied to be posted on the business directory are required to review a copy of their listing prior to publication, and must return to the Township a signed confirmation form that verifies the accuracy of the information and consents to the publication of the listing on the business directory portion of the website.

2.4 Businesses that fail to submit a signed confirmation form will not be listed on the business directory.

3.0 Directory Content Management

3.1 The staff member responsible for routine maintenance to the Township's website is authorized to proceed with business directory content management, which includes but is not limited to, minor and routine changes, processing directory applications, adding and removing businesses in accordance with these guidelines.

4.0 External Links From Business Directory Listings

4.1 External links located on business directory pages must connect directly to the website appropriate to the local business referenced on that page of the business directory.

4.2 External links from the business directory must comply with section ten (10) of the Township's website policy.

5.0 Review Procedures

5.1 All listings on the directory will be reviewed annually to ensure the accuracy of the information and to determine that all businesses continue to meet the listing criteria.

5.2 At the time of the review, all businesses listed will be mailed, faxed or emailed a business directory reminder encouraging them to keep their listing current.

POLICY: **Communication Standards**

POLICY STATEMENT:

The purpose of this policy is to provide general guidelines as to the level of customer service expected by all Township of Elizabethtown-Kitley employees in an effort to supply the most efficient and effective service delivery to our customers.

PROCEDURE:

Telephone Standards

1. The primary telephone system will be answered via an employee during regular office hours. It is understood that, if the primary telephone system is busy, an automated call answer system may answer.

2. During off hours, the primary telephone system will be answered via an automated answering system.

3. If it is known that an individual is out of the office due to illness, vacation, etc. do not identify why they are out of the office as it may put that individual's personal property at risk, or the reason may be considered to be of a personal and/or private nature.

4. Telephone calls must be returned within one business day **if** the staff person receiving the message is in the office.

5. In the case where the staff person is away, a return call is to be made within 1 to 2 days of returning to the office.

6. Returned calls to the customer may include a full response to an inquiry; request further background information, or acknowledging the initial call noting that more information will be gathered for the customer.

7. Personal greetings must be current and should contain the following information:
    - identify that the caller has reached the Township of Elizabethtown-Kitley and if necessary, the relevant department
    - identify yourself/position
    - inform callers that you are unable to take calls (in office but away from desk)
    - encourage callers to leave a detailed message including their name and telephone number
    - if away for an extended period of time, inform callers when you will be returning

Email and Internet Standards

8. Email is a business communication tool and users are obliged to use this tool in a responsible, effective and lawful manner. Although, by its nature, email seems to be less formal than other written communication, the same guidelines apply.

9. The following rules are required by law and are to be strictly adhered to. It is strictly prohibited to:
    - Send or forward emails containing libelous, defamatory, offensive, racist or obscene remarks. If you receive an email of this nature, you must promptly notify your supervisor.
    - Forward a message externally without acquiring permission from the sender first.
    - Forge or attempt to forge email messages
    - Disguise or attempt to disguise your identity when sending email
    - Send email messages using another person's email account, unless authorized to do so by the person or his/her supervisor
    - Copy a message or attachment belonging to another user without written permission of the originator

10. Emails must be acknowledged within two business days, provided the employee is not on an extended leave. Where the email is considered 'junk mail', e.g. selling advertising space requests, etc., no response is required

11. Returned emails to the customer may include a full response to an inquiry, request further background information, or acknowledging the initial email noting that, where applicable, more information will be gathered for the customer.

03/29/2012

Township of Elizabethtown-Kitley

POLICY: Municipal Flag Policy

POLICY STATEMENT:

The Township of Elizabethtown-Kitley wishes to ensure that the National Flag of Canada is displayed only in a manner befitting this important national symbol and as such, this policy sets out the guidelines for flying flags at half-mast at Township facilities to ensure fair and consistent application.

PROCEDURE:

Half-Masting

1. Flags are flown at the half-mast position as a sign of respect and condolence or to commemorate significant dates;

2. The appropriate staff at each location will be required to lower and raise the flags;

3. All flags will be flown at half-mast at the corporate properties in accordance with the guiding principles of the Canadian National Flag Protocol, through the following specific occasions:

    a. On the death of a current or former Mayor or Member of Council

    b. On the death of a current Township of Elizabethtown-Kitley employee

    c. On the death of a former Township of Elizabethtown-Kitley employee only if the death is reported to the Township prior to the funeral

    d. On the death of the current and former Lieutenant Governor of Ontario, the current or former Premier of Ontario, the current or former Prime

    e. Minister or another person similarly honoured by the Province of Ontario

    f. On the death of the local Member of Parliament, or local Member of Provincial Parliament whose riding includes the Township of Elizabethtown-Kitley

    g. On the death of the Sovereign

h. On the death of a member of the Royal Family related in the first degree to the Sovereign (spouse, son, daughter, father, mother, brother or sister)

i. On the death of someone the Township wishes to respect as determined by the Mayor.

4. For the purposes of this policy, Members of Council and staff are requested to notify the Clerk's Department upon the death of any of the above-noted persons.

5. The Clerk's Department will inform all facilities of the half-masting of flags, with respect to the locations, the reason, and the duration that the flag will be flown at half-mast. The appropriate staff at each location will be required to lower and raise the flags in accordance with the Clerk's notification.

6. The flags at Fire Stations may also be flown at half-mast in recognition of the death of active or retired Township fire fighters, if notified; in recognition of line-of-duty deaths of fire fighters in other municipalities; and in special circumstances outside of Ontario at the discretion of the Fire Chief. The half-masting of such flags shall be performed by the Fire Station staff.

7. Flags will be flown at half-mast, in recognition of November 11, Remembrance Day.

Canadian National Flag Protocol www.pch.gc.ca

TOWNSHIP OF ELIZABETHTOWN-KITLEY

HAMLET SIGNAGE POLICY

Policy Statement

The intent of this policy is to set out the manner in which the signage entering hamlets/villages/settlement areas within the Township will appear in order to ensure uniformity.

Subject to approval by the Council, those community associations wishing to erect signage indicating a particular hamlet will be required to adhere to this policy and the cost for the installation of such signage will be borne by the community association.

The following will establish the Policy of the Township of Elizabethtown-Kitley for signage entering and leaving hamlets/villages/settlement areas within the Township.

1. All hamlet signage will include the Corporate identity being "Township of Elizabethtown-Kitley";

2. All hamlet signage will include the Township's Logo which will be dimensional/ non dimensional;

3. *All hamlet signage will have the font size of name of the Township of Elizabethtown-Kitley name 50 % less than the font size of the hamlet*;

4. All hamlet signage will have the same colour scheme and shape;

5. Hamlet signage shall not obstruct pedestrian/vehicular traffic or fire hydrant;

6. Hamlet signage shall not be located within any road allowance, without written approval from the appropriate road authority; and

7. All hamlet signage shall be approved by Council prior to design, installation and location.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

Respect in the Workplace Policy
(Harassment and Violence)

The Township of Elizabethtown-Kitley ("**the Township**") is committed to the prevention of workplace violence and harassment. To that end, this policy describes the principles that the Township will apply when considering issues of workplace violence and harassment, as well as the process that will be followed when addressing concerns.

The Policy applies to all workers of the Township, as that term is defined in the Program. All workers will be informed of the policy and receive appropriate instruction on the contents of the policy. All workers are expected to adhere to the policy regarding workplace violence and harassment.

The Township will ensure the program that follows is implemented and maintained and that all workers have the appropriate information and instruction to protect them from violence and harassment in the workplace. This policy will be reviewed as necessary and at least on an annual basis.

All workers must work in compliance with this policy.

Yvonne Robert, Administrator-Clerk	Jim Pickard, Mayor
Date	Date

TOWNSHIP OF ELIZABETHTOWN-KITLEY

Respect in the Workplace Program
(Harassment and Violence)

PURPOSE:

The Township of Elizabethtown-Kitley ("**the Township**") is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization. It is the Township's goal to provide a healthy and safe work environment for all workers.

SCOPE:

This policy applies to all Township workers which include employees, contractors, consultants, and members of Council. It applies in any location in which workers are engaged in work-related activities. This includes, but is not limited to:

- the workplace;
- during work-related travel ;
- at restaurants, hotels or meeting facilities that are being used for business purposes;
- in Township owned or leased facilities ;
- during telephone, email or other communications; and
- at any work-related social event, whether or not it is company sponsored.

This policy also applies to situations in which a worker is harassed or subjected to violence in the workplace from individuals who are not workers such as members of the public and suppliers, although the available remedies may be constrained by the situation.

DEFINITIONS:

1. Workplace Harassment

"workplace harassment" means,

(a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or

(b) workplace sexual harassment.

Workplace harassment may have some or all of the following components:

- it is generally repetitive, although a single serious incident may constitute workplace harassment if it undermines the recipient's psychological or physical integrity and has a lasting harmful effect;
- it is hostile, abusive or inappropriate;
- it affects the person's dignity or psychological integrity; and
- it results in a poisoned work environment.

In addition, behaviour that intimidates, isolates or discriminates against the recipient may also be included.

Some examples of workplace harassment are:

- verbally abusive behaviour such as yelling, insults, ridicule and name calling including remarks, jokes or innuendos that demean, ridicule, intimidate or offend;
- workplace pranks, vandalism, bullying and hazing;
- gossiping or spreading malicious rumours;
- excluding or ignoring someone, including persistent exclusion of a particular person from workplace-related social gatherings;
- undermining someone else's efforts by setting impossible goals, with short deadlines and deliberately withholding information that would enable a person to do their job;
- providing only demeaning or trivial tasks in place of normal job duties;
- humiliating someone;
- sabotaging someone else's work;
- displaying or circulating offensive pictures or materials;
- offensive or intimidating phone calls or emails;
- impeding an individual's efforts at promotions or transfers for reasons that are not legitimate; and
- making false allegations about someone in memos or other work related documents.

2. <u>Workplace Sexual Harassment</u>

"workplace sexual harassment" means,

(a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

(b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Some examples of workplace sexual harassment are:

- sexual advances or demands that the recipient does not welcome or want;
- threats, punishment or denial of a benefit for refusing a sexual advance;
- offering a benefit in exchange for a sexual favour;
- leering (persistent sexual staring);
- displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic web sites or other electronic material;
- distributing sexually explicit e-mail messages or attachments such as pictures or video files;
- sexually suggestive or obscene comments or gestures;
- unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex;
- persistent, unwanted attention after a consensual relationship ends;
- physical contact of a sexual nature, such as touching or caressing; and
- sexual assault.

3. <u>What Isn't Workplace Harassment</u>

Pursuant to the *Occupational Health and Safety Act,* a reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment. Such reasonable actions could include:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan,
- imposing discipline for workplace infractions; or
- requesting medical documents in support of an absence from work.

4. <u>Workplace Violence</u>

Workplace violence is defined under the Occupational Health and Safety Act as:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Workplace violence includes:

- physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects;
- verbal or written threats to physically attack a worker;
- leaving threatening notes or sending threatening emails;
- wielding a weapon at work;
- stalking someone; and
- physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking,

throwing an object at someone, physically restraining someone or any other form of physical or sexual assault.

Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

Workplace violence may come from many different sources:

- strangers or people with no ties to the workplace;
- members of the public, suppliers;
- other workers; and
- intimate relationships outside of work (such as intimate partners, family, friends)

5. Domestic Violence

If you are experiencing domestic violence that would likely expose you, or other workers, to physical injury that may occur in the workplace, we will take every precaution reasonable to protect you and your co-workers in the circumstances. We appreciate sensitivity of these issues and will do our best to assist you as discreetly as possible while maintaining your privacy.

RESPONSIBILITIES AND DUTIES

1. General Responsibilities of Workers

Compliance: It is the responsibility of all workers to comply with this policy at all times to protect themselves and others in the workplace from workplace violence and harassment.

Cooperation: It is the responsibility of all workers to fully cooperate in any investigation of complaints or incidents or breaches of this policy.

Training: It is the responsibility of all workers to participate in any training session conducted by the Township regarding this policy.

2. General Responsibilities of the Township

Written Policy: The Township shall prepare a policy with respect to workplace violence and workplace harassment.

The first page of this document satisfies this duty.

Review of Written Policy: The Township shall review the policy with respect to workplace violence and workplace harassment as often as is necessary, but at least annually.

It shall be the joint responsibility of the Department Heads and Administrator-Clerk to ensure this policy is reviewed as often as is necessary, but at least annually. Any revisions to this Policy or Program are subject to the approval of the Administrator-Clerk and Mayor who must sign the policy statement on an annual basis.

Posting of Policy: This policy shall be in written form and shall be posted at a conspicuous location in the workplace.

It shall be the responsibility of each department head to ensure this policy is posted at a conspicuous location within their department.

Assessment of Risks of Violence: The Township shall assess the risks of workplace violence that may arise in the workplace and reassess as often as is necessary to ensure that this policy and the program implementing this policy continue to protect workers from workplace violence.

Each department, under the leadership of the department head, shall assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of the work. A Risk Assessment Form is attached as Schedule "A" to this policy. The assessment shall take into account circumstances that would be common to similar workplaces and circumstances specific to the workplace as well as possible mitigation that the Township can provide. A reassessment of the risks of workplace violence shall be conducted as often as is necessary to ensure that the policy continues to protect workers from workplace violence.

The results of all risk assessments and reassessments shall be submitted to the Safety Officer and Administrator-Clerk.

Information and Instruction: The Township shall provide workers with information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace violence and harassment.

It shall be the responsibility of the Administrator-Clerk to ensure all workers are provided appropriate instruction and information regarding the Workplace Violence and Harassment Policy and Program.

Information – Workplace Violence: The Township shall provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour if the worker can be expected to encounter that person in the course of his or her work and the risk of workplace violence is likely to expose the worker to physical injury. The Township shall not disclose more personal information than is reasonably necessary in the circumstances to protect a worker from physical injury.

In circumstances where the risk of workplace violence is not imminent, it shall be the responsibility of the Administrator-Clerk to determine what personal information, if any, shall be provided to workers to protect them from physical injury.

In circumstances where the risk of workplace violence is imminent, the supervisor or worker with information about the risk shall disclose the personal information that is reasonably necessary to protect a worker from physical injury.

Precautions – Domestic Violence: If the Township becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the Township shall take every precaution reasonable in the circumstances for the protection of the worker. This could include but is not limited to:

- Creating a safety plan
- Contacting the police
- Establishing enhanced security measures such as a panic button, code words, and door and access security measures
- Screening calls and blocking certain email addresses
- Setting up priority parking or providing escorts to your vehicle

Reprisal: This policy prohibits reprisals against workers who have made good faith complaints, provided information regarding a complaint or incident of workplace violence or harassment or who have followed the procedures outlined in the policy. Any worker who must leave the workplace due, in their opinion, to an imminent threat of violence will not be penalized with a loss of pay or other penalties.

Workers who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

In order to protect workers from possible reprisals identifying information about any individuals involved shall not be disclosed unless the disclosure is necessary for the purpose of investigation or taking corrective action or is otherwise required by law.

A worker who makes a false and malicious complaint or otherwise abuses this policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

Program: The Township shall develop and maintain a program to implement this policy with respect to Workplace Violence and Workplace Harassment.

This document forms the Program implementing the Policy.

WORKPLACE HARASSMENT PROCEDURES

1. Informal Procedure

If you believe that you are being harassed, the first thing to do is to tell the person to stop. Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you don't like their actions is often enough to stop the behaviour.

Some of the things you can say that might stop the behaviour include:

"I don't want you to do that."

"Please stop doing or saying..."

"It makes me uncomfortable when you ..."

"I don't find it funny when you ..."

If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop.

Provide details of the next steps you plan to take if the harassment does not stop e.g., filing a formal complaint. Make sure you keep a copy of this statement for yourself.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

If you believe that someone who is not a member of our organization, e.g., a customer, supplier, etc., has harassed you, please report the harassment to your supervisor.

Although the Township has limited control over third parties, we will do our best to address the issue and prevent further problems from arising.

2. Formal Procedure

If the complaint cannot be resolved informally or if it is too serious to handle on an informal basis, you may bring a formal complaint to the Administrator-Clerk. The Administrator-Clerk acts as the workplace coordinator with respect to harassment and violence in the workplace.

If you bring a formal complaint we will need as much written information as possible, including the name of the person you believe is harassing you, the place, date and time of the incident(s), and the names of any possible witnesses. A copy of the Workplace Respect Complaint form is available from the Administrator-Clerk and is appended to this policy as Schedule "B".

It is important that we receive your complaint as soon as possible so that the problem doesn't escalate or happen again. Once we receive your complaint, we will initiate a formal investigation.

NOTE: Where your complaint is against the Administrator-Clerk, your complaint should be submitted to the Mayor. Where your complaint is against the Administrator-Clerk and the Mayor, your complaint should be submitted to any two members of Council. The Mayor (or two members of Council) will follow a procedure similar to that outlined above for the Administrator-Clerk. The investigation, reporting and corrective action procedures will be altered accordingly.

3. Investigation Procedure

The Township will investigate complaints of workplace harassment as well as incidents of workplace harassment where a formal complaint is not made.

The Administrator-Clerk or designate will commence an investigation as quickly as possible. We may choose to use either an internal or external investigator, depending on the nature of the complaint.

An investigation that is appropriate in the circumstances shall be conducted. Such investigation may include any of the following steps:

- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- interviewing witnesses
- reviewing relevant documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards. A breach of confidentiality can impair an investigation. A flagrant or a repeated breach of

confidentiality may in and of itself attract disciplinary action up to and including termination.

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings to the Administrator-Clerk. A summary of the findings will also be provided to the complainant and respondent.

It is our goal to complete any investigation and communicate the results to the complainant and respondent within thirty days after the complaint is received, where possible.

4. Corrective Action

The Administrator-Clerk will determine what action should be taken as a result of the investigation and will inform the complainant and respondent of the results of the investigation and whether (but not necessarily what) corrective measures were taken, if any were necessary.

If a finding of harassment is made, the Township will take appropriate corrective measures, regardless of the respondent's seniority or position in the Township.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination with or without cause
- referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect
- a demotion or denial of a promotion
- reassignment or transfer
- financial penalties such as the denial of a bonus or performance related salary increase, and
- any other disciplinary action deemed appropriate under the circumstances

If there is not enough evidence to substantiate the complaint, corrective measures will not be taken.

If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township will, however, discipline or terminate anyone who brings a false and malicious complaint.

WORKPLACE VIOLENCE PROCEDURES

1. Control of Risks

If the Administrator-Clerk or any supervisor is notified of risks of workplace violence, they shall take all reasonable precautions in the circumstances to control the risks that are likely to expose a worker to physical injury. This could include but is not limited to:

- separating workers
- removing an individual from the workplace
- creating a safety plan
- contacting the police
- establishing enhanced safety measures
- screening calls and blocking certain email addresses
- setting up priority parking

2. Summoning Immediate Assistance

You have the right to refuse work if workplace violence is likely to endanger you. In that instance, please immediately contact your supervisor at which point appropriate measures will be taken to protect you and investigate the situation. In appropriate circumstances, we may contact the police or other emergency responders to assist, intervene or investigate workplace violence.

Any worker who feels in imminent danger shall:

- ensure they are in a safe location which may include leaving the workplace;
- if, in their opinion, the situation warrants, contact the police by dialing 911;
- follow the reporting procedures that follow.

3. Reporting Procedure

Workers are required to report the existence of any workplace violence or threat of workplace violence to his or her supervisor and the supervisor shall immediately inform the Administrator-Clerk.

NOTE: Where the supervisor is the respondent, the complainant shall report the matter directly to the Administrator-Clerk. Where the Administrator-Clerk is the respondent, the complainant shall report the matter to their supervisor who shall immediately inform the Mayor. The procedures for investigating and taking corrective action will be altered accordingly.

4. Investigation Procedure

The Administrator-Clerk or designate will commence an investigation as quickly as possible. We may choose to use either an internal or external investigator, depending on the nature of the incident.

The investigation may include any of the following:

- conducting interviews of relevant individuals to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations;
- reviewing any related documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file.

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings and submit it to the Administrator-Clerk for review. A summary of the findings will be provided to the complainant and respondent following the Administrator-Clerk's review.

5. Corrective Action

The Administrator-Clerk will determine what action should be taken as a result of the investigation. If a finding of workplace violence is made, the Township will take appropriate corrective measures.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect;
- a demotion or denial of a promotion;
- reassignment or transfer;
- financial penalties such as the denial of a bonus or performance related salary increase, and
- any other disciplinary action deemed appropriate under the circumstances.

If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township may, however, discipline or terminate anyone who brings a false and malicious complaint.

MEDIATION OF HARASSMENT AND VIOLENCE MATTERS

At any time, where appropriate and in situations that warrant, the parties to a complaint may, by mutual agreement, enter into a mediation process in an effort to resolve the matter. Mediation is a voluntary process.

Mediation will require the approval of the Administrator-Clerk since costs may be involved. Where the parties agree to mediation, the Administrator-Clerk shall appoint a mediator who may be internal or external to the organization. The mediation process is

confidential and shall be explained to the parties prior to their signing an agreement to mediate. At any time either party may withdraw from mediation without stating a reason.

Since mediated settlements may involve costs or obligations for the Township, a proposed mediated settlement must first be approved by the Administrator-Clerk and, if required, by Township Council prior to the parties entering in the settlement.

SCHEDULE "A" – HAZARD RISK ASSESSMENT FORM

This Form must be completed for each work area.

An occupational hazard is a thing or situation with the potential to harm a worker. Occupational hazards can be divided into three categories:

- Safety hazards that cause accidents that physically injure workers;
- Health hazards which result in the development of disease.
- Harassment or violence that take place in or effect employees in the workplace

Please see second page for an explanation of hazard ranking, and total risk.

Description of Work Area:	Assessment Performed By: Name:_____ Signature:_____	Date of Assessment:

Description of Hazard or Unsafe Work Activity	Severity (1-3)	Probability of Incident Occurrence (1-3)	Frequency of Exposure (1-3)	Total (S+P + F)	Total Risk	Controls in Place			Follow-Up Action Required (If any)
						Engineering (e.g. remove/ isolate hazardous material, ventilation, substitute)	Administrative (e.g. establish policy to reduce risk, training)	PPE	

General Guidelines

Hazard ranking will be based upon the severity of the hazard, the probability of the incident occurring in the workplace, and the frequency of exposure to the hazard. Please refer to the following table regarding numerical application of hazard ratings. Please apply a rating based upon your best judgment of the workplace and workplace hazards.

	1	2	3
Severity	First-Aid required and/or minor property damage	Lost-time injury and or significant property damage	Permanent disability or fatality. Major property damage sustained
Probability of Incident	Unlikely to Occur	Could Occur	Immanent if not Attended to
Frequency of Exposure	Rarely (less than one month)	Often (once a week or more)	Everyday

To compute a total please add columns: severity, probability of incident and the frequency of exposure for each hazard. Total risk is based upon these totals. A total of:

7, 8, 9 = High Risk – requires immediate attention

5 or 6 = Moderate Risk – requires attention.

3 or 4 = Low Risk – Monitor the hazard, ensure risk does not increase.

SCHEDULE "A" – HARASSMENT/DISCRIMINATION COMPLAINT FORM

HARASSMENT/DISCRIMINATION COMPLAINT FORM

I, _____, an employee of the Corporation of the Township of
(Name of Complainant)
Elizabethtown-Kitley, believe I have reasonable grounds to file a complaint under the Corporation of the Township of Elizabethtown-Kitley's Policy on Harassment/Discrimination in the Workplace.

This complaint is an:

☐ **Informal Complaint** ☐ **Formal Complaint**

I request that the matter be investigated in accordance with the Corporation of the Township of Elizabethtown-Kitley's Policy on Harassment/Discrimination in the Workplace.

Please provide the following details and attach additional information if need be:

1. Source of harassment or violence (name of alleged offender),

_____

2. Link between the complainant and the alleged offender (supervisor, colleague, etc.)

_____

3. Frequency and dates of the incident(s)

_____
_____
_____

4. Where did the incident(s) happen?

_____
_____

5. Circumstances that could have led to the incident(s)

_____

_____

6. Details of the offensive behaviour (the way that harassment or violence occurred)

_____

_____

7. Name of witnesses, link with the situation, time(s), date(s), locations.

_____

_____

_____

8. Steps taken to date by the complainant

_____

_____

_____

9. Impact on the complainant (illness, depression, discomfort)

_____

_____

_____

_____ _____

(Signature of Complainant) *(Date and time of filing of the complaint)*

"Information received from a complainant, a person accused or a witness, related to an allegation of harassment or discrimination, including any observation, experience or participation, is collected by the Town of Hearst for the purpose of conducting an investigation into the merits of a complaint and to take the necessary steps to ensure the workplace is free from harassment or discrimination. The information collected can be used in subsequent proceedings arising from incidents that led to the complaint. The collection of such information is authorized by the Municipal Freedom of Information and Protection of Privacy Act. "

POLICY: **SOCIAL MEDIA POLICY** **I-6**

COVERAGE: **All Employees**

POLICY STATEMENT:

This policy applies to the professional use of social media in the performance of the business of the Corporation of the Township of Elizabethtown-Kitley.

The Corporation of the Township of Elizabethtown-Kitley ("Township") recognizes that social media is a valuable tool to increase communications between the Township and the Community. The Township will use social media to provide the community with information on public events, projects, meetings and other initiatives.

PURPOSE:

This policy creates guidelines for the establishment and use by the Township's social media sites. The Township has an overriding interest and expectation in deciding what is "spoken" on behalf of the Township on Township and Committee/Board social media sites.

This policy launches guidelines for the use of social media applications so that the distribution of timely and accurate information is balanced with the Corporation's need to ensure that:

a. Social media content posted on behalf of the municipality is accurate, accessible, transparent and accountable.

b. Social media content does not violate individual privacy or conflict with existing municipal policies and by-laws or other regulations as applicable.

c. The use of social media tools does not compromise public safety or the Township's image.

GENERAL POLICY:

1.0 This policy applies to all Township employees, volunteers, contractors, consultants and other persons, including third parties who use communications and computer resources on the Township's behalf.

2.0 Social media tools are third-party internet-based applications that allows for the sharing of opinions, insights, images, information and experiences through real-time conversations among individuals and groups. Such as Twitter, Facebook, Linkedin and YouTube.

3.0 Social Media Working Group (SMWG) – The Township's Administrator-Clerk, Deputy Clerk, and Emergency Information Officer. The SMWG will approve the creation of social media accounts and will assign specific staff members to use and maintain the sites to be known as Designated Site Monitors (DSM).

4.0 The decision to establish social media accounts shall be a risk-based decision supported by a strong business case that considers the Township's goals, audience, legal risks, technical capabilities and potential benefits.

5.0 All Township social media sites shall be administered by the Township's SMWG.

6.0 Township social media sites should make clear that they are maintained by the Township and that they follow the Township's Social Media Policy. The Township's SMWG will evaluate annually all Township Social media sites to ensure that they continue to be relevant and meet the Township's business goals. Should they no longer meet these purposes, the sites shall be retired.

7.0 Designated Site Monitors will monitor content on Township social media sites to confirm compliance to both the Township's Social Media Policy and the interest and goals of the Township.

8.0 Social networking applications should follow the same guidelines as other Township communication applications. The following information will be permitted:

- Information pertaining to Township business and Township managed events and activities;
- Information pertaining to Public Health and Safety (i.e. road closures, inclement weather etc.).

9.0 The Township reserves the right to restrict or remove content that is considered in violation of this Social Media Policy or any applicable law. Any content removed based on these guidelines will be retained by the Designated Site Monitor for a retention period of one year; keeping a paper copy of the removed post with the time, date, identity of the poster, and reason why the post was removed available for further reference, if necessary.

10.0 These guidelines must be displayed to users or made available by hyperlink.

11.0 The Township will approach the use of social media tools as consistently as possible, enterprise wide.

12.0 All Township social media sites will be comply with applicable federal, provincial and local laws, regulations and policies.

13.0 Employees representing the Township via Township social media sites must conduct themselves at all times as a representative of the Township and in accordance with all Township policies.

14.0 This Social Media Policy may be revised at any time.

COMMENT POLICY:

1.0 As a public entity the Township must abide by certain standards to serve all its citizens in a civil and unbiased manner.

2.0 The intended purpose behind establishing the Township of Elizabethtown-Kitley social media sites is to broadcast information from the Township, about the Township, to its residents.

3.0 Posts or Comments containing any of the following inappropriate forms of content shall not be permitted on the Township of Elizabethtown-Kitley social media sites and are subject to removal and/or restriction by the Township's Information SMWG or the Designated Site Monitors:

a. Comments not related to the original topic, including random or unintelligible comments;

b. Profane, obscene, violent, or pornographic content, sexual in nature and/or language;

c. Content that promotes fosters or perpetuates discrimination on the basis of race, creed, colour, age, religion, gender, national origin, or any human rights restricted group;

d. Defamatory or personal attacks;

e. Threats to any person or organization

f. Comments in support of, or in opposition to, any political campaigns or ballot measures;

g. Solicitation of commerce, including but not limited to advertising of any non-Township business or product for sale;

h. Conduct in violation of any federal, provincial or local law;

i. Encouragement of illegal activity;

j. Information that may compromise the safety or security of the public or public systems; or

k. Content that violates a legal ownership interest, such as copyright, of any party.

4.0 A comment posted by a member of the public on any Township social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Township, nor do such comments necessarily reflect the opinions or policies of the Township of Elizabethtown-Kitley.

5.0 The Township reserves the right to deny access to the Township's social media sites for any individual who violated the Township of Elizabethtown-Kitley Social Media Policy, at any time and without prior notice.

6.0 Departments and Committees shall monitor the social media sites for comments requesting responses from the Township and for comments in violation of this policy. Responses to inquiries and comments will be submitted to the SMWG or DSM's for follow-up.

7.0 When a Township of Elizabethtown-Kitley employee responds to a comment, their capacity as a Township of Elizabethtown-Kitley employee, the employee's name and title should be made available, and the employee shall not share personal information about themselves or other Township employees.

8.0 Appropriate content for staff to post include but are not limited to:

- Notices of upcoming meetings and events;
- Content of all press releases;
- Policies and procedures and bylaws (or a portion thereof);

- Employment opportunities with the Corporation;
- Information about municipal services, trends or technology;
- Communications between staff and the community regarding municipal work or projects;
- Frequently asked questions (FAQs);
- Training and continuing education opportunities;
- Links to other Township-administered websites and social media
- Links to sites or services related to the municipality.

Administration of Social Media

The Clerk's Department shall be the lead department for the Township's online communication strategies.

The Clerk's Department will work with staff to ensure that the information published online regarding Township policies, programs, services, events and initiatives should carefully consider message to be posted to the social media sites. Social media content generated by employees of the Township are records owned by the Corporation and not the individual employee.

In addition to being a record of the Township, content maintained in a social media format that is related to the Township's business is a public record and is subject to the rules of the Municipal Freedom of Information and Protection of Privacy Act.

The following are guidelines to administering a social media site:

a. Priority should be given to social media sites that can provide information to the public in program or services areas that receive a high volume of public contact;

b. Each site will have a staff person assigned as a Designated Site Monitor who will monitor their social media site regularly to ensure that the information and content should be updated at least once a week;

c. Login and password information will be made accessible to the SMWG and DSM's;

d. Sites will include only approved Township logos and program identifiers; An appropriate disclaimer or other terms and conditions, as approved by the Clerk's Department, must be posted on any social media group or site prior to its use.

In accordance with the Corporation of the Township of Elizabethtown-Kitley Social Media Guidelines, the assigned Designated Site Monitor(s) shall be responsible for:

1. Correcting misinformation and ensuring content is up-to-date;

2. Ensuring responses to wall posts, in-box messages and discussion comments are made as soon as practical and no longer than one (1) week of when they are posted or received;

3. Removing any post that is considered to be defamatory, abusive, hateful, obscene, racist, sexually-oriented, threatening or invasive of someone's privacy;

4. Denying access to or blocking users who continue to post in appropriate or offensive comments;

5. Removing any commercial posting made by any company or business that has not received prior approval;

6. Responding to any concern or objection concerning the site in a timely manner, preferably within one (1) week;

7. Closing and removing the site or information therein upon completion of its intended purpose.

Response to Public Inquiries/Comments

The Township of Elizabethtown-Kitley staff may provide factual responses but not engage in debate regarding comments and inquiries that are generated by the public as a result of content posted on social media sites used by the Township. The SMWG or Clerk will determine if exceptions to this policy are required.

Disclaimer

The Township is not responsible for comments made by subscribers or members related to its social media applications and reserve the right to remove any content that is inappropriate for any reason and at any time. Third-party social media sites are private businesses with their own terms of service and privacy policies. The Township does not accept any responsibility for the operation of third-party social media sites and is unable to

guarantee the privacy of individuals who access content provided to such sites by the Township.

Final resolution pertaining to any disputes will reside with the Administrator-Clerk for the Corporation of the Township of Elizabethtown-Kitley. Any questions related to the content of a document will be answered in person, by telephone or e-mail.

POLICY: **SOCIAL MEDIA GUIDELINES**

COVERAGE: **All Employees**

The Township of Elizabethtown-Kitley is committed to excellence in municipal management with a focus on accountability, transparency, communication and customer service. As a result, the Township strives to provide open access to information about its policies, services, and initiatives. The Township recognizes that social media applications are widely being utilized as new communication tools with the potential to provide the public with timely information. The Township is committed to disbursing information in a range of formats to reach a variety of stakeholders.

Further to the HR Social Media Policy, these guidelines have been established for the use of the social media applications specifically so that the disbursement of timely and accurate information is balanced with the Corporation's need to endure that:

a. Social media content posted on behalf of the municipality is accurate, accessible, transparent and accountable.

b. Social media content does not violate individual privacy or conflict with existing municipal polices and by-laws or other regulations as applicable.

c. The use of social media tools does not compromise public safety or the Township's imagine.

The following protocols are meant to guide the Township of Elizabethtown-Kitley's corporate social media use. For Township of Elizabethtown-Kitley staff, see also the applicable Human Resource Department's policies: Accessible Customer Service; Code of Conduct; Computer Use; Respect in the Workplace; Website Policy; Workplace Harassment and Discrimination and of course the Social Media Policy itself.

DEFINITIONS:

SMWG: Social Media Working Group: Appointed by the Administrator-Clerk, the SMWG is responsible for overseeing the Corporation of the Township of Elizabethtown-Kitley's Social Media Policy and provide training to Designated Site Monitors. They will perform random audits of Sites and ensure content, format and standards are being meet.

Township: The Corporation of the Township of Elizabethtown-Kitley

Corporate Use: Refers to management approved activity on social media platforms or accounts that are operated and maintained by the Township.

Department Head: Senior manager of the department.

Social Media Guidelines, continued

Designated Site Monitor: A Township employee who is designated by the Township's Social Media Working Group (SMWG) and is responsible for creating and approving content, posting to and monitoring a social media account on behalf of the Township or one of its departments, programs or services

SOCIAL MEDIA ACCOUNTS

New Accounts

- The Township will manage one, central account for each social media site. Department heads, Committee Chair's, etc., will have the opportunity to forward information to the SMC for posting to the social media sites.

- If a Department or Committee wish to create an individual social media account, separate from the Township's central account, a request must be forwarded to the SMWG for review.

- The Township's corporate social media accounts will be approved, established and maintained by the SMWG.

- All corporate social media accounts will clearly indicate that they are maintained by the Township.

- Where possible, all corporate social media accounts will display:
    - The Township Logo;
    - Applicable contact information;
    - A link to the office Township website, and social media policy describing; the terms of use that clearly indicate what content is unacceptable and will be subject to removal without notification;
    - Notice that the personal and other information contained within the Corporations social media sites is subject to the Municipal Freedom of Information and Protection of Privacy Act and may be deemed releasable under this legislation, and that the anonymity or confidentiality of the sender and any information contained within the correspondence cannot be presumed or relied upon

Social Media Guidelines, continued

Account Management

- The use of all social media accounts administered by the Township will adhere to:
  - All applicable provincial, federal laws, policies and regulations;
  - The terms of service of the applicable social media platform; and,
  - All existing Township policies, procedures and guidelines.

- The Township of Elizabethtown-Kitley's corporate social media accounts will be administered and monitored by Designated Site Monitors

- Designated Site Monitors will be appointed by the SMWG and will be trained regarding the terms of the Township's Social Media Policy.

- Designated Site Monitors are trusted to have access to login and password information that is owned by the Township of Elizabethtown-Kitley. All user names and passwords will be and/or changed with the permission of the SMWG, and shared with the Administrator-Clerk.

- Updates to all corporate social media accounts will only be posted by a Designated Site Monitor and will adhere to this Social Media Policy, training that they have received and/or current best practice guidelines provided by the SMWG.

- The Township generated content that requests feedback or input from the public will be reviewed and approved by the department head or in the case of a committee the Clerk or designated department head.

- Designated Site Monitors will review their assigned corporate social media accounts a minimum of three times daily (morning, mid-day and end of business day) to:

  - Ensure that all content is appropriate;

  - Review posted comments and inquiries to determine whether a response is appropriate; and,

  - Identify opportunities to engage in social media use that would benefit the Township programs and/or service delivery.

Social Media Guidelines, continued

GUIDELINES FOR DESIGNATED SITE MONITORS

Designated Site Monitors should refer to these protocols as a guide to:

- Protect the Township's reputation and ensure consistency and professionalism in how the Township communicates via all online forums and social media platforms;
- Establish, monitor and maintain approved, corporate social media accounts;
- Provide timely, effective and accurate information and responses;
- Address controversial or sensitive matters relating to online content about the Township, its business, or its employees; and,
- Protect the privacy of municipal staff and the public who engage with the Township via social media platforms.

As of July 15, 2014, all Township social media sites **must** be approved in advance by the Social Media Committee (SMC).

Employees who serve as Designated Site Monitors will be trusted with the responsibility of using social media to support objectives that may include, but may not be limited to:

- Distributing information to the public quickly;
- Increasing access to information for targeted audiences;
- Sharing information and public notification during emergencies;
- Promoting Township events, programs and services;
- Driving traffic to the Township's website (www.elizabethtown-kitley.on.ca)
- Encouraging civic engagement and comment;
- Extending the reach of communications campaigns;
- Humanizing our connections with constituents and enhancing transparency;
- Recruiting employees and volunteers; and,
- Monitor trends, issues and reactions to Township news.
- Following local area social media sites (i.e. OPP) and reposting to the Township's sites when applicable.

Social Media Guidelines, continued

To promote responsive and effective two-way communication, a three-tiered approach is used, following a "low risk and high risk" model to guide decision-making. Initially, all social media content must be approved in advance of posting to ensure accuracy and professionalism.

Low Risk – Social media content or activity that meets the following criteria can be posted without hesitation:

- Sharing previously published information about Township events, programs and services;
- Public Advisory related announcements or information;
- Providing links to the Township's published and approved communications materials, such as web pages, news releases, newsletters etc.;
- Links to positive media coverage about the Township;
- Reponses to complimentary posts about Township;
- Thanking people for following or connecting with the Township

Medium Risk – Social media content or activity that meets any of the following criteria should be considered carefully before posting. The approval process should include discussions with related program staff and managers. Final approval from the SMWG is required. Examples include:

- Reponses to negative comments or inquiries directed to any of the Township's corporate social media accounts;
- Content that requests feedback or input from the public;
- Links to potentially controversial issues;
- Anything that makes reference to other governments or jurisdictions;
- References to any elected officials, political parties or political movements
- References to religious events, holidays or beliefs

High Risk – Designated Site Monitors should refrain from creating or sharing content that:

- Promotes a candidate for municipal, provincial or federal election;

Social Media Guidelines, continued

- Makes negative references about any elected officials, political parties or members of political parties;
- Promotes a business, campaign, product or service that is not connected to or endorsed by the Township
- Criticizes a business, campaign, product or service
- Promotes an individual religion or religious service;
- Is a personal attack on an individual or specific group;
- Promotes, perpetuates or fosters discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, nationality, physical or mental disability or sexual orientation;
- Is profane or abusive;
- Is sexually explicit or link to content that is sexually explicit;
- Conducts or encourages illegal activity;
- May tend to compromise the safety or security of the public or public systems;
- Provides the personal information of individuals;
- Violates a legal ownership interest of another party; or
- Does not comply with municipal, provincial or legislation.

Inquiries and Comments

- Comments or inquiries directed to any corporate social media account should be reviewed by a Designated Site Monitor to determine whether a response is appropriate, and is to comply with the Township's complaint policy.
- If a Designated Site Monitor determines that a comment and/or inquiry requires a response, it should be made within forty-eight (48) working hours, in accordance with the Township's policies.

- Negative, sensitive or controversial comments or feedback directed to any of the Township's corporate social media accounts will be reviewed by the SMWG or Administrator-Clerk to determine the best course of action.

- Responses to comments or inquiries must be approved by either a Designated Site Monitor, or if the matter is potentially contentious, the SMWG or Administrator-Clerk.

- DSM's that receive inquiries outside of their departments or committees of responsibility should redirect the inquiry to the appropriate department for a draft response.

Removal of Inappropriate Content

At all times, the DSM must respect public order as well as the rules and laws in effect. These rules are designed to ensure a respectful and pleasant communication environment. Inappropriate content will be removed. Examples include material that:

  - Provides the personal information of individuals;

  - Promotes, perpetuates or fosters discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, nationality, physical or mental disability or sexual orientation;

  - Is a personal attack on an individual or specific group;

  - Is profane or abusive;

  - Is sexually explicit or links to content that is sexually explicit;

  - Conducts or encourages illegal activity;

  - Is commercial in nature and is attempting to advertise, promote or sell products or services of an individual or an individual business;

  - Is for the purposes of promoting a candidate for municipal, provincial or federal election;

- May tend to compromise the safety or security of the public or public systems;
- Violates a legal ownership interest of another party;
- Does not comply with municipal, provincial or federal legislation;
- Promotes an individual religion or religious service; or
- Is deemed inappropriate in the opinion of the Township.

Rules about Comments

Respect – Everybody has a right to his/her opinion and nobody is perfect, thus respect other people's comments and ideas. Keep any rebuttal or disagreement to a comment intelligent and respectful.

The following lists the terms, messages and/or content that shall not be tolerated:

- Comments that divulge personal and confidential information that allow for identification of a person other than yourself;
- Lack of respect towards another member, an administrator and/or moderator;
- Comments provided in a language other than English;
- Comments that are written in upper case, which is the web equivalent of shouting; and posting the same message in repetition;
- It is forbidden to engage in any form of illegal activity, most notably the unauthorized copying and distribution of software, content, pictures, and images. It is also forbidden to twist the space reserved for comments into propaganda and/or solicitation and/or use the space to purse a political, professional and/or commercial agenda;

- The content of the materials, notes and text comments, pictures, sounds and videos must not contravene to moral ethics, public order, and laws and rules in effect in addition to being under the sole responsibility of the author. Moreover, you must at all-time make sure that your posts are free of any legal limitation and that they do not infringe upon the rights of others, notably copyright.

Remember that no one is anonymous over the internet. IP addresses are recorded for security purposes and we shall not hesitate to retrieve them to reprimand those who threaten others or who do not show any respect towards others. Furthermore, it is prudent that you protect yourself by not divulging any personal or nominative information. Inappropriate content identified by a Designated Site Monitor will be brought to the attention of the SMWG immediately to determine the best course of action.

Accessibility

The Township is committed to the principle of accessibility and is required to comply with communications and information provisions within the Accessibility for Ontarians with Disabilities Act (AODA). As such, Designated Site Monitors must be able to facilitate delivery of accessible material that the Township communicated through social media in accordance with the Township's accessibility policy.

Privacy

Social media platforms are third-party services providers and they are not private. The Township cannot guarantee that information will be recorded and we cannot assure confidentiality. Users should be aware that personal and other information contained in electronic correspondence (or printed versions thereof) which are directed to the Township are subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and may be deemed releasable under this legislation, and that the anonymity or confidentiality of the sender and any information contained within the correspondence cannot be presumed or relied upon. These facts should be clearly stated on all Township social media accounts.

Records Management

Most content posted to the Township's corporate social media accounts will be considered transitory records and will not be retained by the Township. Information collected electronically will be kept in accordance with the Townships' Records Policy. These facts should be clearly stated on all Township corporate social media accounts.

The Township reserves the right to suspend access and distribution of a posting or comment in part or in its entirety that contravenes the aforementioned rules.

The Corporation of the Township of Elizabethtown-Kitley reserves the right to suspend and the distribution of a posting or comment in part or in its entirety that contravenes the aforementioned rules.

The Corporation of the Township of Elizabethtown-Kitley assumes no responsibility with respect to the content and opinions conveyed on any Township staff or committee social media sites. The comments are under the sole responsibility of their authors and the Township does not endorse the intent or judgment that may be present in them. The Township reserves the right, at their discretion, to remove or edit messages that do not respect the rules of these guidelines and rules of good conduct. The Township may also suspend or remove postings where comments are made at any time and ban those who do not comply with the guidelines without prior notice. Thanks for your cooperation.

If you have any questions about your use of social media, please consult with the SMWG or a Designated Site Monitor.

GUIDELINES FOR PERSONAL SOCIAL MEDIA USE

Township employees who engage in personal use of social media should be aware that there are professional risks. Employees cannot control the fact that an audience may perceive that their posts are being made within context of their employment with the Township. As such, caution should always be exercised. Furthermore, while social media activity can seem transitory, posts on social media are considered publications, and are subject to laws governing publications.

The Township has prepared the following risk model to help inform employees' own judgments about their personal use of social media. These guidelines are meant to provide employees with a sense of what types of activities could have the potential to harm the Township, their fellow employees, or their own interests.

Low Risk – Activity that falls under this category is low-risk. Staff should feel comfortable posting personal content that falls within this category without hesitation. This includes content or activity that:

- ✓ Is non-controversial and positive and tone;
- ✓ Is unrelated to the Township;

Social Media Guidelines, continued

- ✓ Adheres to the terms of service of the applicable social media platform; and,
- ✓ Respects the Township policies, procedures and guidelines.

Medium Risk - Activity that falls under this category may involve risks. Social media content or activity that meets any of the following criteria should be considered carefully before posting:

- o Content that promotes a particular product, opinion or cause;
- o Content that refers to a political party, political candidate or elected official;
- o Content that refers to an individual or an identifiable group;
- o Content that refers to media coverage;
- o Content that shares or re-posts information that was produced by someone else;
- o Content that posts photographs of events or individuals; or
- o Content that relates to the Township and its business.

High Risk – Activity that falls under this category is high-risk. It is very likely to be considered unprofessional, and has the potential to cause harm to the Township, its employees, the person posting it, or others. As such, staff should refrain from posting content that:

- o Provides the personal information of individuals without their consent;
- o Promotes, perpetuates or fosters discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, nationality, physical or mental disability or sexual orientation;
- o Is a personal attack on an individual or specific group;
- o Is profane or abusive;
- o Is sexually explicit or link to content that is sexually explicit;
- o Conducts or encourages illegal activity;
- o May tend to compromise the safety or security of the public or public systems;
- o Violates a legal ownership interest of another party; or,
- o Responds to online inquiries or comments addressed to any of the Municipality's corporate social media accounts or other official communications channel.

Social Media Guidelines, continued

What Are The Risks?

Here are some questions you may want to ask before you post:

- Am I respecting others' privacy?
- Am I confident that this could not be viewed as an attack on an individual or group?
- If sharing something created by a third-party or media outlet: Have I read it through in its entirety? Do I know what I am sharing?
- Am I confident that this post does not have the potential to harm the Township or anyone employed by the Township?
- If it relates to Township business: Am I making it clear that I am an employee of the Township?
- Am I comfortable with the possibility that I could be misinterpreted, by some audiences, as speaking for the Township of Elizabethtown-Kitley?
- Would I say that same thing in a public square? Would I post the comment under my own name?

If the answer to any of the above questions is not a confident "yes", employees are encouraged to exercise caution. If they feel strongly that their information should be posted, employees would be wise to consult with their manager or one of the Township's Designated Site Monitors before posting the material.

Township of Elizabethtown-Kitley

POLICY: Routine Disclosure and Active Dissemination

COVERAGE: All Employees

PURPOSE:

The purpose of this policy is to establish practices for facilitating open access to and disclosure of municipal records within the custody and control of the Township of Elizabethtown-Kitley, while also protecting the integrity and privacy of personal information within the custody and control of the Township. .

1.0 Definitions:

Active Dissemination means the periodic release of government records in the absence of a request.

Administrator-Clerk means the Administrator-Clerk of the Township of Elizabethtown-Kitley as appointed from time to time.

Council means the Council of the Township of Elizabethtown-Kitley.

Department Head means the Director of Finance, the Director of Planning and Development, the Director of Public Works and the Fire Chief for the Township of Elizabethtown-Kitley.

Formal Requests means requests made under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Informal Requests means requests which do not require the application of the process outlined in MFIPPA.

Municipal Act means the Municipal Act, 2001, S.O. 2001, c.25.

PHIPA means the Personal Health Information Protection Act, S.O. 2004, Chapter 3, Schedule A.

Personal Information means recorded information about an identifiable individual including:

a) Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,

b) Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,

c) Any identifying number, symbol or other particular assigned to the individual,

d) The address, telephone number, finger prints or blood type of the individual,

e) The personal opinions or views of the individual except if they relate to another individual,

f) Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,

g) The views or opinions of another individual about the individual, and

h) The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Record means all recorded information in the custody of the Township, regardless of the physical form, including but not limited to paper files, microfilm, audio-visual materials, maps, electronically stored data, emails, notes, address books, draft reports, handwritten notes or annotations made by staff, diaries, etc.

Routine Disclosure means the release of certain types of records in response to informal requests for information.

Township means the Township of Elizabethtown-Kitley

Township Website means the official website of the Township of Elizabethtown-Kitley, www.elizabethtown-kitley.on.ca

2.0 Effective Date

This policy shall come into effect on the date of passing of the By-law.

3.0 Scope

This policy applies to all Township employees and members of Council and all records in the custody and control of the Township of Elizabethtown-Kitley.

4.0 Policy

The Township of Elizabethtown-Kitley is committed to ensuring the public are provided with government records and information easily, informally, and in accordance with the Township's commitment to accountability and transparency, as well as the principles of the *Municipal Act* and the *Municipal Freedom of Information and Protection of Privacy Act.*

5.0 Procedure

5.1 Method of Routine Disclosure

Informal requests will be accepted verbally, in writing, or electronically. Whenever possible, the record will be disclosed in the format requested. For example, upon receipt of a request for electronic records, the records will be provided in electronic form. However, should it be deemed imprudent or impractical to provide documents in the requested format, the record will be disclosed in the format found by staff to be the most appropriate and efficient.

5.2 Method of Active Dissemination

Those documents identified in, but not limited to, section 6.2 below, can be released through the process of active dissemination. Methods of active dissemination of records include, but are not limited to, posting on the Township's website, dissemination of posters, pamphlets, flyers, handouts, publications, etc., media releases, and advertising.

5.3 Records Subject to Routine Disclosure and Active Dissemination

Records subject to Routine Disclosure and Active Dissemination include, but are not limited to, the records listed below.

a) Council and Committee agendas, minutes, reports, policies, resolutions, and by-laws.

b) Names of proponents for Request for Proposals, Expressions of Interest, and Request for Quotations which are read at the public openings.

c) Tender bid amounts which are read at public openings.

d) Financial or other details of a contract for personal services between an individual and the Township.

e) Financial statements, annual budgets, investment results, taxation rates and ratios, capping, assessment figures, and performance measures.

f) General information on the buying and selling of land once the purchase/sale is completed.

g) Expenditures incurred by members of Council.

h) Councillor and Committee members' salaries and remuneration.

i) Classifications of salary range and benefits of employees.

j) Employment responsibilities of an individual who is an officer or employee.

k) Staffing levels, human resources policies, annual human rights reports, and information regarding staff injury costs.

l) Monthly and annual water reports for municipal water systems

m) Information pertaining to leisure events and activities sponsored by the Township.

n) Emergency plans.

o) Accessibility plans and building audits.

p) Construction information, including road closures, traffic controls and regulations, results of traffic studies, winter and summer levels of service data, roads by-laws, snow and ice control records, permit information, road allowance data, conveyance information, infrastructure history, condition and planned work data, technical data arising from transportation and environmental assessments, road classifications.

q) Subdivision information, planning related documents, and development records as per the Planning Act.

r) Economic development statistics and information on investing in Elizabethtown-Kitley, resources for businesses, various publications, real estate listings and reports.

5.4 Records Not Routinely Disclosed

a) Closed meeting agendas, minutes, and reports.

b) Negotiations for the buying or selling of land addressed in closed session.

c) Unit prices and other proprietary information contained in tenders and proposals without the permission of the bidders.

d) Personal information about an identifiable individual who is not a business or company.

e) Any information subject to solicitor client privilege or otherwise protected by *MFIPPA*, the *Municipal Act*, or any other Act.

5.5 Records in Accessible Format

Records actively disseminated and routinely disclosed are subject to the requirements of the *Accessibility for Ontarians with Disabilities Act* and its regulations, and will be provided in accessible formats in accordance with the requirements set out by the Act.

6.0 Responsibilities

6.1 Administrator-Clerk/Department Heads

Administrator-Clerk/Department Heads shall be responsible for:

a) Overseeing the routine disclosure and active dissemination of records associated with their division.

b) Ensuring all departments within their division maintain compliance with respect to privacy as set out in legislation, and ensuring all personal information is managed and protected.

6.2 Staff

Staff shall be responsible for:

a) Assisting the public with informal requests for records

b) Protecting personal information to which they have access

c) Consulting with their supervisor or the Administrator-Clerk when uncertain about disclosure and/or dissemination.

7.0 Personal Information

7.1 Personal Information Not Routinely Disclosed

The Township will not disclose personal information through routine disclosure or active dissemination practices. Requests for personal information mut be submitted formally under the MFIPPA process.

In addition to formal requests by the public, it should be noted that staff and/or members of Council do not have the right to access personal information by virtue of their employment/office. Use and disclosure of personal information must be directly related to their job duties/office, and in accordance with the reason the information was collected.

8.0 Other

8.1 Destroyed Records

The Township is not required to restore records that have been properly destroyed under the authority of the Retention By-law.

8.2 Township Not Required to Create Records

The Township is not required to provide information discussed but not recorded. In response to an informal request, the Township is not required to create records which do not otherwise exist.

8.3 Enforcement

The Administrator-Clerk and Department Heads are responsible for enforcing this policy within their areas.

8.3 Review of Policy

The Administrator-Clerk is responsible for initiating a review of this policy.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

POLICY: Hand Held Cellular Wireless Devices

PURPOSE:

Certain job functions benefit from the use of hand held cellular wireless devices. An employee is eligible for such a device when their job duties require its frequent use. This policy outlines the processes and procedures for acquiring and using a Township supplied wireless device.

Eligibility:

A cellular wireless device may be issued to an employee if one or more of the following situations exist:

1. The job function involves working away from a land-line on a daily basis (30%-40% of the day)
2. The job function includes being on-call. (A shared use of the cellular wireless device should be considered first)
3. The job function includes being available for emergencies either during normal working hours or outside of normal working hours.
4. The employee must have access to a cellular wireless device for health and safety reasons.
5. The job function involves working from multiple locations during working hours and requires that the employee be easily accessible during this time.
6. The job function requires continuous online, real time access to email which may be unavailable by any other means.
7. The job function requires working away from their regular workstation and outside of normal work hours exceeding 10 hours per week.

Unacceptable Use of a Township Supplied Wireless Device:

Employees are to keep personal use of a Township issued device at a minimum. These calls must be few in number and brief. Employees are expected to use other means for personal calls. Excessive personal use will result in reimbursement to the Township and possible suspension/loss of the device.

Acceptable Use of a Township Supplied Wireless Device:

a) Cellular Wireless Devices are Supplied for Business Use

Township supplied cellular wireless devices are provided to employees for business purposes.

Employees using these devices must not perform unethical or unlawful activities with the device. In environments where there are restrictions on the use of these devices, employees are expected to comply.

b) Use in the Local Calling Area

Air time charges are incurred when an employee uses a wireless device in the local calling area. Charges are for both in-coming and out-going voice calls and/or data transmissions as per the rate plan selected.

Employees are not to assume that the service provider's network will provide flawless reception in every in-door or out-door location in the calling area.

When there is a choice of making a phone call using a cell phone for which per usage charges apply and a Township office phone where charges do not apply, employees are expected to use the office phone.

c) Use Outside the Local Calling Area in North America

Outside the local calling area cellular wireless devices incur long distance and roaming charges. Employees are to use their best judgement. Any and all charges for personal use will be the responsibility of the employee

d) Use Outside North America Not Recommended

Employees may incur extraordinary large charges for air time, long distance, roaming, foreign taxes and other charges if the cellular wireless device is used outside North America. Employees are advised not to use the cellular wireless device outside North America.

e) Access to the Internet

Internet browsing on a cell phone is an added cost item. Employees must not use Internet features on cell phones unless authorized by their management.

f) Text Messaging or Other Short Messaging Functions Restricted

Cell phone text messaging and internet instant messaging are other ways to exchange information using hand held wireless devices. Text messaging and instant messaging are not encrypted allowing anyone who intercepts them to read them. Employees are advised to keep this in mind and must not send sensitive information using these technologies.

g) Installation of Software Restricted

Installation of any unauthorized and/or unlicensed software on any wireless device is prohibited. Employees wishing to add software to wireless devices must submit a service request to their department head for approval.

h) Township Assigned Cellular Wireless Devices are to be Used Only by Township Employees.

Township supplied wireless devices must be used only by Township employees. They are not to be lent to others including suppliers, friends or family members.

i) Operating Vehicles

Employees are not to use and are expressly prohibited from using any hand-held cellular wireless device while operating a vehicle on Township business, unless exempt under Regulation 366/09 of the *Highway Traffic Act,* attached hereto. All vehicles must be pulled over safely and parked.

j) Damaged, Lost or Stolen Cellular Wireless Devices

If the Township owned cellular wireless device is damaged, lost, or stolen through the negligence of the authorized user, the individual user will be responsible for reimbursing the Township for all repair or replacement costs.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

POLICY: Computer Use

Purpose:

The Township of Elizabethtown-Kitley provides computer resources to employees as business needs require. There exists a potential for abuse of this valuable and useful resource and this procedure is intended to outline the Township's expectations and outline what constitutes abuse and its consequence.

Procedure:

1. ENFORCEMENT AND MONITORING

a. The Clerk's department is responsible for the provision and support of computer resources.

b. The Administrator-Clerk must approve, in advance, the downloading or use of freeware or shareware and/or the installation of personal software.

c. The Township reserves the right, through its IT support, to monitor any and all activity, communications or transmissions involving the Township's computers to verify appropriate access and usage. No advanced notification to users is required. The Township also reserves the right to view the contents of any and all electronic records and communications.

2. VIOLATION

a. Any violation of this policy may result in disciplinary action up to and including termination.

3. USAGE

a. Computers are provided for business use and personal use must be limited, within reason, and not interfere with normal business activities and job performance.

b. Computers cannot be used for any purpose that violates the law and usage must comply with ethical business needs.

c. Computers cannot be used to transmit, receive, or store any information where such information could be considered sexually explicit, profane, threatening or otherwise offensive.

4. SECURITY

a. Users must control and protect the confidentiality of passwords, user I.D.'s, and personal identification.

b. Users are prohibited from allowing non-authorized personnel to access the Township's computer resources by sharing of password information, etc.

c. The Administrator-Clerk, through the Township's IT support, is responsible for issuing and deleting user identification and passwords.

	The Corporation of the Township of Elizabethtown-Kitley

Policy and Procedure Manual			
Policy No.	ADM 001-2016	**Policy Type:**	Administrative
Authority	Administrator-Clerk	**Approval Date:**	10/08/16
		Effective Date:	
		Last Revision Date:	
Subject	Public Complaint Resolution Policy		

Purpose:
This policy is intended to enable the Township of Elizabethtown-Kitley to promptly and effectively address program and service delivery concerns raised by members of the public. The policy will assist the Township in providing excellent service to the public which promotes public confidence in the services provided, and contributes to continuous improvement of operations. The Township strives to reduce customer dissatisfaction by:

- Providing a timely and accurate response to complaints; and
- Using complaints as an opportunity to improve the Township's programs and service delivery.

Definitions

In this Policy:

- **Complainant** means the individual filing the complaint with the Township.
- **Complaint** means an issue or concern raised relating to a Township program, service, or operation that is not resolved at the time of the incident for which the complainant submits their concerns, in writing, to the Township in accordance with this policy.
- **Council** means the Council of the Township of Elizabethtown-Kitley.
- **Employee** means an employee of the Township of Elizabethtown-Kitley.
- **Director** means a Director of the Township of Elizabethtown-Kitley Department.
- **Administrator-Clerk** means the Administrator-Clerk or designate.
- **Township** means the Corporation of the Township of Elizabethtown-Kitley.
- **ARB** means Assessment Review Board.
- **OMB** means the Ontario Municipal Board.

Legislative/Other Policies:
Municipal Act
Municipal Freedom of Information and Privacy Act
Respect in the Workplace (Harassment and Violence) Policy

Policy:

Scope

This policy is not meant to address:

a. Complaints about non-municipal services;
b. Issues already addressed by legislation, or an existing Municipal by-law, policy or procedure. For example appeals to the ARB or OMB;
c. A decision of Council; or,
d. Internal employee complaints

Administrator-Clerk

- The Administrator-Clerk will receive all complaints and may delegate the authority to investigate a complaint to the Director responsible for the service.

- The Administrator-Clerk may not delegate the authority to investigate a complaint to a Director who is or may be named in the complaint.

- If a complaint is made against the Administrator-Clerk, the Township's legal representative shall investigate and respond accordingly.

Frontline Resolution

- It is the responsibility of the complainant to attempt to resolve concerns by dealing with employee(s) directly involved with the issue where appropriate.

- It is the responsibility of all employees to attempt to resolve issues or concerns before they become complaints, and identify opportunities to improve municipal services.

Filing a Complaint

- Where frontline resolution cannot be achieved, complaints should be submitted on the prescribed form to the Administrator-Clerk and include:

  a. The name, phone number, e-mail address, and mailing address of the individual submitting the complaint.
  b. The nature of the complaint including the:
     i. Background leading to the issue(s);
     ii. Date(s), time(s), and location(s) of any incident(s); and,
     iii. Name(s) of any employee(s) previously contacted regarding the issue(s); and,
  c. Any action(s) being requested of the Township.

- Complaints shall be submitted on the prescribed form provided in Schedule A.

Receipt and Acknowledgement

- The Administrator-Clerk shall acknowledge in writing that the complaint has been received within three (3) business days of receipt of the complaint.

- The Administrator-Clerk shall record the compliant, assign a complaint number, forward the complaint to the respective Director for investigation and a response.

Refusal or Cease Investigation

- An investigation shall not commence if the complaint is lodged more than two years after the date of the incident.

- The Director may refuse to conduct an investigation into a complaint for the following reasons:
  i) The matter is the subject of complaint filed under another Act. For example; an ARB, OMB.
  ii) The matter could more appropriately be dealt with under another Act; such as ARB, OMB, etc.
  iii) Is a civil matter between two outside agencies/individuals.
  iv) The matter is minor or trivial.
  v) Dealing with the matter would serve no useful purpose because the length of time that has elapsed since the matter first arose.
  vi) If the Township becomes aware that the matter is under investigation to determine if an offence has been committed such as illegal use of equipment.

Investigation

- The Director shall review the issues identified by the complainant and in doing so may:
    a. Review relevant municipal and provincial legislation;
    b. Review the Township's relevant policies and procedures;
    c. Review Standard Operating Procedures, where appropriate;
    d. Review any existing Township record/s;
    d. Interview employees or members of the public involved in the issue;
    e. Take other actions the Director deems expedient to resolving the matter;
    f. Make recommendations to make, and/or implement, improvements upon a service or program delivery.
- All complaints and responses must be filed in the electronic log for future reference.
- The Administrator-Clerk shall maintain a file of the complaint in compliance with the Township's Records Retention Policy.

Decision

- Within three (3) business days of receipt of a complaint the Administrator-Clerk shall respond with an acknowledgement of receipt of the complaint advising the complainant which Director has been designated to resolve the concern.
- Within twenty (20) business days of receipt of a complaint, the Director shall provide a response in writing to the complainant. The response shall include:
    a. Whether the complaint was substantiated,
    b. If the complaint is not substantiated, the Director shall provide reason(s) for their decision; and,
    c. Any actions the Township has or will take as a result of the complaint.
- If the Director is unable to provide a response within twenty (20) business days, they shall notify the complainant of the delay and provide an estimate of when a response will be provided.
- Decisions made by the Director, to delay the response, may not be appealed to Municipal Council.

Complaints Regarding Staff/Services Contracted by Municipality

- Complaints regarding staff members that are employed by a service provider contracted by the Municipality shall be subject to the policies of that service provider and not that of the Municipality.
- Complaints regarding services provided by a service provider contracted by the Municipality shall be handled in accordance with this policy, and may also be subject to any complaint policies and procedures employed by that service provider.

General

- Any complaint regarding an employee will be processed through the Administrator-Clerk and forwarded to the appropriate Director to resolve. Where the complainant names the Director the complaint will be forwarded to the Administrator-Clerk.

- Copies of all correspondence and notices shall be retained in the electronic complaint file.

- All notes and correspondence shall be dated and identified by author.

- The Administrator-Clerk or their delegate shall make dated records of any communications and attempted contacts with complainants.

- When the complaint has been resolved, the respective Director will notify the Administrator-Clerk who will archive the complaint records.

Township of Elizabethtown-Kitley
Complaint Form
Schedule A – Policy #####

Your Name:		**Complaint #**	(YYYY-### Office
Phone Numbers:		**Date:**	(YYYY/MM/DD)
Home:			
Work:			
Cell:			
E-mail Address:			
Mailing Address:			

What is your complaint? Please include relevant date(s), time(s), location, and background information, including municipal employees you have contacted regarding this matter. Additional space is available on the back of this form. Additional information, such as relevant photographs, can be attached to this form.

How could the situation be improved?

_____

_____

_____

Additional information:

DRAFT

Office Use Only:	
Received by:	Date:
Forwarded to:	Date:
Acknowledgement Letter ☐ Sent Date: _____ Staff Name: _____	Additional Correspondence ☐ Sent Date: _____ Staff Name:

Action Taken: All written responses must be filed with the Administrator-Clerk to form a record of the Township.

Final Response Letter ☐

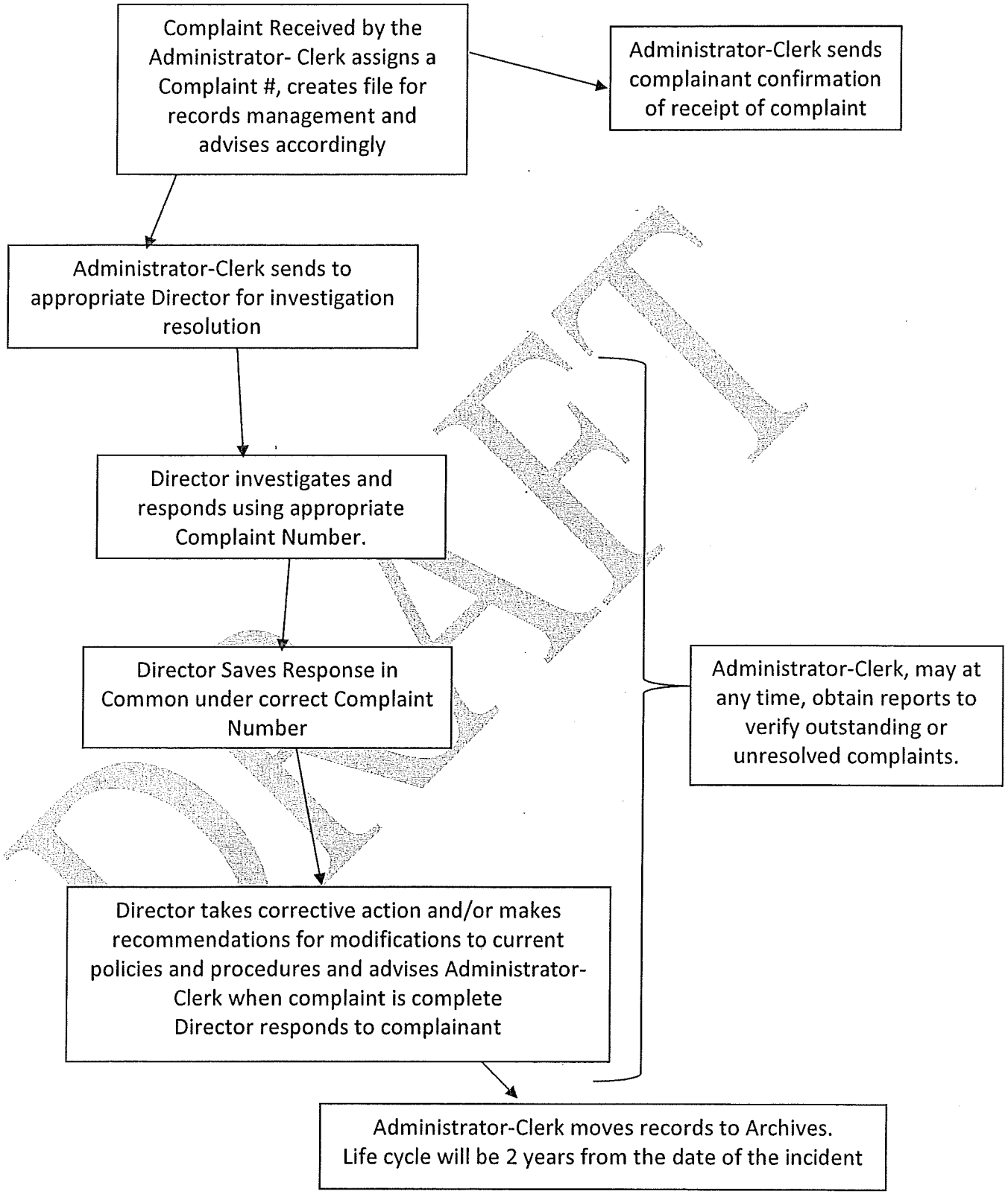
Sent Date:

Staff Name:

Thank you for taking the time to explain your concern. We will provide a response to your concern within twenty (20) business days of receiving your complaint. If you have any questions about the process, please contact the Administrator-Clerk at 613-345-7480

DRAFT

Complaint Policy Flow Chart



POLICY: **EMPLOYEE DEFINITIONS** **#A-1**

COVERAGE: **All Employees**

FULL-TIME EMPLOYEE

The term "full-time employee" shall apply to any employee who has been appointed to a full-time permanent position and works a standard workweek annually.

PART-TIME EMPLOYEE

The term "part-time employee" shall apply to any employee who has been employed to work for a short term and/or whose hours of work are consistently less than the standard work week for the appropriate or comparable full-time classification.

CASUAL EMPLOYEE

The term "casual employee" shall ply to any employee who has been employed to work on a call in basis or as required for temporary jobs, fill in for holidays or full-time employees or assist in work overload in a Department but not on a regular schedule.

CONTRACT EMPLOYEE

The term "contract employee" shall apply to any employee with whom the Township enters into a contract of service for a specified term.

STUDENT EMPLOYEE

The term "student employee" shall apply to an employee who is attending school on a regular full-time basis and is generally employed on weekends, evenings and during school holidays.

SEASONAL EMPLOYEE

The term "seasonal employee" shall apply to an employee who has been employed to work full-time hours for a period of less than six months of the year.

POLICY: **PROTECTION OF PERSONAL EMPLOYEE INFORMATION** **#A-2**

COVERAGE: **All Employees**

POLICY STATEMENT:

The Township must adhere to the *Municipal Freedom of Information and Protection of Privacy Act* in the collection, use, disclosure and disposal of personal employee information.

PROCEDURE:

A. Definition

Personal employee information is recorded information:

- Relating to an employee's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, martial or family status, political beliefs or associations;
-
- Relating to an employee's education or medical, psychiatric, psychological, criminal or employment history;
- Describing an employee's finances, income, assets, liabilities, net worth, bank balances, financial history or credit worthiness, or financial transactions in which the employee has been involved;
- Identifying number assigned to the employee (e.g. social insurance number);
- Personal address, telephone number, fingerprints or blood type of the employee;
- The employee's personal opinions or views, except if they relate to another employee in which case they are the latter employee's personal information;

- The views or opinion of another individual about the employee, e.g. personal recommendations or evaluations, character references;

- Eligibility for social services or welfare benefits or information relating to the determination of benefit levels.

B. Collection

The Act limits the rights of institutions to collect and hold personal information about individuals. The general rules are (1) that individuals must consent to the specific use of personal information about them and (2) that personal information should be collected directly from the individual to who the information relates unless, among other exceptions, he/she authorizes an indirect method of collection. For example, in conducting a reference check on a job applicant, the applicant's written authorization must first be obtained and the authorization must specify who can be contacted for a reference.

C. Disclosure of Employee Information to the Employee

1. Every employee has the right to access his/her own personal information. Specifically, an employee can access, with sufficient notice, all personal documentation in his/her employee file(s). the only exception would be:

    - Evaluative information collected in a reference check if the disclosure would reveal the identity of the information source, and the source expected that his/her identity would e held in confidence. (This information should be retained on the competition file rather than in the employee file.

    - Information that would disclose personal information about another party.

2. An employee can request correction of his/her personal information if there is an error or omission or alternatively he/she may require that a statement of disagreement be attached.

3. No document is to b removed from an employee's file or be photocopied without the approval of the Administrator-Clerk.

D. Disclosure of Employee Information to Others

1. Employees have access to other employees' personal information only on a need-to-know basis in the performance of their duties.

2. Other individuals/organizations have access to employees' personal information only;

   - If the employee has given consent;
   - If the information is required for the purpose for which it was obtained; (such as a court order)
   - If legislated (e.g. reporting to employee accidents to Workers Compensation Board under the *Workers' Compensation Act*; disclosure of employee information to Revenue Canada under the *Income Tax Act*);
   - To a law enforcement agency;
   - In compelling circumstances where a delay in obtaining information would be injurious to someone's health and safety;
   - In compassionate circumstances to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.

3. Disclosure of an employee's specific salary to financial institutions, collection agencies, etc. constitutes an unjustified invasion of privacy. Employees will provide written authorization before the Township provides personal information.

4. If an organization contacts the Township for reference information on an employee or former employee of the Township, the information may be disclosed only if the organization has the written authorization of the employee.

E. Security

Reasonable measures must be put in place to prevent unauthorized access to employee records and to ensure that those individuals who need a record for the performance of their duties have access and that records are protected from inadvertent destruction and damage. Files may be accessed and viewed by the employee only in the presence of his/her supervisor.

POLICY: **RECRUITMENT** **#A-3**

COVERAGE: **All Employees**

POLICY STATEMENT:

In order to facilitate consistent and fair hiring practices, the Township adopts the following recruitment policies and procedures. The policy is devised to eliminate any practice that may give rise to conflicts or difficulties for supervisors, co-workers and subordinates when recruiting.

PROCEDURE:

The Township recruitment policies include:

1. Hiring Process
2. Interview Expenses
3. Hiring of relatives
4. Reference Checks

1. Hiring Process

1.1 All job positions will be advertised in the local newspapers (Recorder and Times and the Record New Extended Market Coverage), other local papers as deemed appropriate, and where appropriate and if time allows, in the Municipal World magazine. The Advertisement shall run for at least two weeks before the final date for the receipt of resumes or applications.

All resumes and applications will be received by the Clerk. The opening of all resumes/applications will be done by a Committee responsible for the particular department as soon as possible and practical after the deadline date for submission.

1.2 <u>Department Heads</u>

1.2.1 Department Heads include the following positions:

1) Administrator-Clerk
2) Director of Finance
3) Director of Planning and Development
4) Director of Recreation
5) Fire Chief
6) Road and Landfill Supervisor

1.2.2 Interviews will be conducted by a Selection Committee. Such Selection Committee will be appointed by Council and will include, as a minimum, three (3) members of Council and the Administrator-Clerk.

1.2.3 Once the successful applicants have been subjected to at least one interview, the Selection Committee is to recommend to Council the candidate who, in their opinion, would best be able to perform the position in question.

1.2.4 Upon recommendation of the Selection Committee to Council, a second interview may be held, at the discretion of Council. The second interview should be held within one week of the preliminary interview.

1.3 Non-Supervisory Personnel

1.3.1 Non-Supervisory personnel include the following positions:

1) Administrative Assistant
2) By-law Enforcement Officer
3) Chief Building Official
4) Deputy Clerk
5) Deputy Treasurer
6) Grader Operator
7) Labourer (permanent and casual)
8) Machine Operator
9) Mechanic

1.3.2 Interviews will be conducted by a Selection Committee. Such Selection Committee will include, as a minimum, the Administrator-Clerk and the appropriate Department Head.

1.3.3 Once the successful applicants have been subjected to at least one interview, the Selection Committee will provide an offer of employment to the candidate who, in their opinion, would best be able to perform the position in question.

1.3.4 The Administrator-Clerk will inform Council of the successful candidate.

1.4 Once the hiring decision has been made, all applicants will be notified of the decision.

1.5 The following positions must be appointed by by-law:
Administrator-Clerk
Director of Finance/Treasurer
Director of Planning and Development
Director of Recreation and By-law Enforcement Officer
Director of Public Works
Chief Building Official
Fire Chief
Deputy Clerk
Deputy Fire Chief
Deputy Treasurer

1.6 The written approval of the Administrator-Clerk must be obtained prior to all employees being hired.

2. Interview Expenses

Applicants selected for interviewing purposes may, at the discretion of Council, be reimbursed for out-of-pocket expenses incurred t o attend the interview.

3. Hiring of Relatives

3.1 For the purpose of this policy, a 'relative' is defined as an employee's wife, husband, father, mother, father-in-law, mother-in-law, sister, brother, son, daughter, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents, common-law spouse, grandchildren, foster child and/or the equivalent members of a blended family of a member of council, local board, committee of council or existing employee of the municipality.

3.2 Hiring of individuals by a Department Head is subject to the following restrictions:
i) the individual must not supervise a relative, or
ii) the individual must not be supervised by a relative.

3.3 Recruitment of a relative is permissible provided that the Administrator-Clerk can establish that:

iii) standard competition procedures have not been circumvented;
iv) the applicant is the most qualified;
v) no undue influence was exerted on the recruiting supervisor;
vi) no potential conflict or difficulties appear to exist

3.4 No member of Council, a local board or employee who are related to an applicant for a position with the Municipality shall be involved in the interview for the same. The member of Council, a local board or employee shall remain neutral and in no way influence the interviewers who are involved with the hiring of the position to which the relative has applied.

4. Reference Checks

4.1 Reference checks are conducted to obtain additional or substantiating information concerning an applicant. Attached is a listing of key questions and questions which, by law can not be asked during reference checks.

4.2 Reference checks shall be undertaken on all new and prospective employees by the Departmental representative prior to any formal offer of employment.

4.3 A reference check must not be conducted without first obtaining the written authorization of the applicant.

4.4 Criminal Reference Checks may be required for specific positions, including but not limited to those employees handling money or those who interact with children.

Administrator-Clerk's Office
6544 New Dublin Road, R.R.#2, Addison, Ontario, K0E 1A0

REFERENCE CHECK GUIDELINES

The Ontario Human Rights Code prohibits discrimination based on age, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, marital status, family status, record of offenses or handicap. Therefore, all persons conducting reference checks **must** ensure that the questions asked of the reference do not relate to any of the before mentioned areas.

Minimum Reference Check (temporary or non-skilled positions):

- verify the last two places of employment,
- verify the type of work performed,
- verify dependability of applicant, and
- determine the reason for leaving employment by the applicant.

Moderate Reference Check (full-time employees):

- those items listed within the minimum reference check,
- verify diplomas, degrees, certificates and professional certification, and
- verify job experience, work record and military experience, if any

Format for Telephone Reference Check:

- call the person as provided by the applicant
- state intention of call
- ask when the applicant began working for the reference and when he/she left this employment
- ask what the job duties and responsibilities of the job applicant were
- ask for the reason of termination
- ask about the applicant's work habits, experience and skills
- ask if the candidate would be rehired by the reference if a suitable opening was available. If not, attempt to determine the reason

POLICY: **PROBATION** **#A-5**

COVERAGE: **All Employees**

POLICY STATEMENT:

All newly hired employees shall be subject to a probationary period from the date of hiring. Permanent appointment as an employee of the Township shall be subject to satisfactory performance during the formal probationary period.

PROCEDURE:

1. Employees (Full-Time)

a) The probationary period for full-time employees shall be six (6) months. A probationary assessment shall be completed by the Department Head at the end of the first three (3) months and forwarded to the Administrator-Clerk. Prior to the completion of the probationary period, the Department Head shall review the probationary period with the employee and advise the Administrator-Clerk of the employment continuation decision.

b) At the discretion of the Administrator-Clerk, the probationary period may be extended to a maximum of one (1) year.

c) During their probationary period, employees shall be entitled to all rights and privileges except with respect to discharge.

d) The employment of such employees may be terminated at any time during the formal probationary period without recourse to the Appeal Procedure outlined in Policy A-6.

2. Employee's (Part-Time)

a) Part-time employees working in classifications which are normally 8 hours per day shall be on a probationary basis for a period of 1040 working hours from the most recent date of hire. Part-time employees working in classifications which are normally seven hours per day shall be on probation for a period of 910 working hours from the most recent date for hire.

b) A probationary assessment shall be completed by the Department Head. The assessment must be signed by the employee and the Department Head. Prior to the completion of the probationary period, the Department Head shall review the probationary period with the employee and advise the Administrator-Clerk of the employment continuation decision.

3, General

a) It is the responsibility of the Department Head to ensure that the performance of the probationary employee is monitored and that proper documentation is completed and forwarded to the Administrator-Clerk at the final assessment date.

b) The decision to dismiss a probationary employee is to be made by the Department Head in consultation with the Administrator-Clerk.

c) If a decision is made to dismiss the employee, notice, if applicable, shall be in accordance with the policy on termination (A-6).

d) After completion of the probationary period, seniority shall be effective from the employee's last date of hire.

TOWNSHIP OF ELIZABETHTOWN-KITLEY #A-5

Administrator-Clerk's Office

6544 New Dublin Road, R.R.#2, Addison, Ontario, K0E 1A0

PROBATIONARY ASSESSMENT FORM

NAME: _____

POSITION: _____

DEPARTMENT: _____

STARTING DATE: _____

ASSESSMENT DATE: _____

SUPERVISOR'S COMMENTS:

(Consider attitude, initiative, knowledge of job, production/performance, reliability, quantity and quality of work)

Areas Requiring Development:

EMPLOYEE'S COMMENTS:

Date _____ _____

Employee's Signature

DEPARTMENT HEAD: (Please Check One)

Continued Probation _____

Probationary Period Completed _____

Terminate _____

Date _____ _____

Department Head's Signature

**Please submit completed form to the Administrator-Clerk

** **Information collected on this form is protected under the Freedom of Information and Protection of Privacy Act**

POLICY: **TERMINATION** **#A-6**

COVERAGE: **All Employees**

POLICY STATEMENT:

Terminations, either voluntary or involuntary, shall be initiated with the appropriate notice and shall be properly documented for payroll processing.

PROCEDURE:

1. Voluntary Termination

   An employee who resigns his/her position shall be required to state the resignation in writing. If the employee refuses to provide the resignation in writing, the Department Head shall immediately confirm the verbal resignation by registered mail stating the date, and if appropriate, the circumstances.

   Employees shall be expected to give a minimum of two weeks= notice of resignation except Department Heads who shall be expected to give thirty (30) days= notice. All written resignations must be acknowledge immediately.

2. General Termination

   General termination of short-term part-time positions do not require notice if the defined term is worked. However, if the intended term is increased or decreased, the Department Head should state to the employee(s), in writing, the revised term. Two weeks= notice in advance should be given if possible.

3. Involuntary Termination

   Termination initiated by the Employer shall require notice consistent with the terms set out in the Employment Standards Act and Common Law practices.

   Terminations initiated by the Employer for cause, such as willful misconduct, disobedience or willful neglect of duty are not subject to a notice period.

4. Appeal Procedure

   a) No appeals will be considered in the case of any employee discharged prior to completion of the probation period.

b) Any minor disagreement must first be taken up with the employee's immediate supervisor in writing, a copy of which shall be filed with the Administrator-Clerk.

If the matter is not amicably settled, the employee has the right to appeal to the Administrator-Clerk. If there is still not an agreeable settlement, the employee has the right to appeal to the Council to intervene.

5. Exit Interview

The Administrator-Clerk may require that an exit interview be conducted when an employee terminates. The exit interview would normally be conducted by the employee=s supervisor. The Supervisor should seek to gain an understanding from the terminating employee on anything that the employee wishes to advance in terms of either positive or negative comment about the job or the organization. The Supervisor will complete the exit interview report concerning the rehire ability of the employee.

TOWNSHIP OF ELIZABETHTOWN-KITLEY #A-6

Administrator-Clerk's Office

6544 New Dublin Road, R.R.#2, Addison, Ontario, K0E 1A0

EXIT INTERVIEW

PART I - To be completed by the Supervisor, Manager, Department Head, or Administrator-Clerk

Employee's Name_____Position Title_____

Department_____

Date of First Appointment_____

Final Day of Work_____

How long have you supervised this employee?_____

Comment on the quality of the employee's work and the effectiveness, attitude, strengths, and weaknesses, and, if applicable, supervisory ability of the employee (use a separate sheet if necessary:_____

_____

Reason For Leaving:_____

Date_____Supervisor's Signature_____

Exit Interview, contined

Part II - To Be Completed by Employee

Reason For Leaving:_____

What were the positive aspects of your employment with the municipality?:

What were areas of your employment that need improvement?:

Please make any further comments you may have regarding your employment with the municipality:_____

Date:_____Employee's Signature_____

Part III - To Be Completed by Department Head or Administrator-Clerk

Comments:_____

Date:_____Department Head Signature_____
(Or Administrator-Clerk)

Note: *Any attachments should be initialled and copies made for all parties.*

POLICY: PERFORMANCE MANAGEMENT POLICY **A-9**

COVERAGE: All Employees

POLICY STATEMENT:

The Performance Management Program has been established and endorsed by the Township council to support the Township employees in striving to do their best. The Township embraces the concept of Performance Management defined as:

> ***The informal and formal process of regularly planning, monitoring, reviewing, documenting, discussing and improving employee performance and results to further the success of the organization and to provide a mechanism for merit increases based on the merit increase policy as adopted by Council.***

The object of performance management is to encourage and support employees through continuous improvement and provide recognition for accomplishment and milestones.

OBJECTIVES

The objectives of the Performance Management Program are:

1. To ensure open, honest and ongoing communications between a supervisor and an employee about the employee's performance.

2. To provide for the establishment and a mutual understanding of performance expectations, objectives and goals.

3. To provide information for decisions regarding career advancement, training and development (i.e. career decisions).

4. To establish specific action plans, objectives, and goals for the review period.

5. To facilitate the ongoing performance evaluation between the employee and the supervisor, as well as providing the opportunity for the employee to participate in his/her performance evaluation.

6. To establish a development plan designed to equip the employee to fulfill organizational and personal goals for the future.

As part of the Performance Management Program, the Township recognizes the importance and need for training opportunities to support growth and development for its employees and for the achievement of organizational goals. This commitment to training, as may be required, is supported by both the employer and the employee in various ways.

By the employer – A financial commitment to training within the budgetary limits established by Council on an annual basis. Establishment of criteria appropriate to the development plan that ensures equity and fairness and at the same time meets the principle of accountability for public funds.

By the employee – Willingness to fully participate and recognize the value of training opportunities that are appropriate to the job duties and are in keeping with employee and organizational growth. Recognize the importance of mutual responsibility in the area of training.

PROCEDURE

Ongoing performance evaluations will be conducted by supervisory personnel having direct responsibility for the specific job function with the incumbent employee.

The performance appraisal cycle will contain the following steps:

1. **Develop assessment measures and standards**
   Measures and standards should have an impact on success, distinguish between effective and ineffective job performance, and can be directly influenced by the employee, for example, review of job descriptions.

2. **Communicate expectations**
   The measures and standards must be communicated verbally and/or in written form to the employee, who has participated in their formulation.

3. **Planning for performance**
   Supervisors and employees should develop strategies and plans in order to achieve the performance expectations, taking into account action plans, job descriptions, budgets, time frames, etc.

4. **Monitor, assist and control performance**
   Performance management is a continuous, day-to-day process involving ongoing feedback and discussion, whereas a formal assessment is a scheduled activity. Performance management may involve observation, problem solving, coaching, counselling, instruction, training, imparting knowledge and feedback.

5. **Performance assessment**
   Judgements and evaluations are made, based on accumulated observations of job performance. Action planning is the first step toward converting conclusions drawn from the assessment into the plans for improvement by the employee, and represents the outcome of performance evaluation, analysis, and diagnosis. The plan should be agreed upon between the supervisor and the employee, and be subject to future review. Action

plans are future oriented and may assess training needs, potential for development or promotion to make better use of the employees' needs and abilities. The plan should also contain provision for discussing and listing future goals.

6. **Provide Feedback**
Joint, formal feedback sessions should be held. The most useful feedback contains facts and examples of actual behaviour, rather than subjective inferences, and conclusions.

7. **Decision making from results**
Decisions which are affected by the outcome of the assessment process can be made at this stage. These may include decisions relating to promotion, career planning, training and development, workforce planning, remuneration, counselling, progressive discipline, etc.

8. **Performance development**
New and/or revised action plans are implemented, monitored, and reviewed. Training and development activities may comprise part of the plan. Key milestones relating to the achievement of certain goals and/or benchmarks may be identified as part of this review.

ANNUAL PERFORMANCE EVALUATIONS

For employees with one or more years of service, a formal assessment with written performance evaluations are completed at least once per year. This step should represent a summary of the years' performance, in accordance with performance management objectives. The "Performance Evaluation" form is to be used for this purpose and is to be completed by the supervisor. The supervisor will then discuss the evaluation in detail with the employee. In advance of the performance evaluation interview, the employee should be asked to prepare for the interview by evaluating his/her own performance utilizing the Performance Evaluation form.

The Performance Evaluation form must be signed by both the evaluator and the employee. The employee's signature does not indicate agreement with the appraisal. However, it does indicate the employee has had the information reviewed with him/her. Should an employee refuse to sign an evaluation form, the employee's refusal to sign should be noted on the evaluation form.

The Performance Evaluation form shall be filed in the employee's personnel file, ensuring appropriate signatures have been obtained and payroll has been notified of any salary increase.

Should an employee's performance need significant improvement, the supervisor may wish to place the employee on specified review periods with a schedule to be determined subject to the nature of the performance issue and the associated steps required to address the issue. This step shall only be taken after consultation with the Administrator-Clerk.

In discussions with the employee, the expected performance standards, training requirements, improvement measurers and time-lines must be clearly communicated and documented. As well, the consequences of continued poor performance must be stated. In the event the employee does not improve, additional steps shall be taken in conjunction with the progressive disciplinary procedure.

GUIDELINES FOR PERFORMANCE EVALUATIONS

A. *Purpose*

As part of the performance management process, each supervisor should prepare a periodic Performance Evaluation for each employee under his/her direction to, among other things:

1. Formalize the on-going, day-to-day performance discussions that have occurred throughout the period.
2. Establish expected job performance measures and standards.
3. Identify an employee's strengths and areas for improvement and prepare an action plan for the next period.
4. Determine the employee's potential for further advancement and development and identify any training needs.
5. Build and strengthen the supervisor/employee relationship.

B. *Levels of Performance*

AE **ABOVE EXPECTATIONS** – performance consistently exceeds expected results for the position in all major areas. Individual performs all tasks in an exceptional manner. Requires little or no supervision. Typically accurate, timely, decisive, and comprehensive in carrying out assignments and/or making recommendations. Sought out for advice and assistance, consistently makes significant contributions to the overall effectiveness of the department, and aware of the organizations overall objectives. Consistently displays initiative.

ME **MEETS EXPECTATIONS** – Performance consistently meets the standards and requirements of the position. The overall results are fully satisfactory. Requires normal supervision. Generally works independently. Requires infrequent progress reviews. Contributes to the overall effectiveness of the department.

BE – **BELOW EXPECTATIONS** - Performance is inconsistent and at times fails to meet expected standards and requirements of the position. Individual performs most, but not all, tasks satisfactorily. Requires more than normal supervision. Occasionally may fail to complete assignments on time and/or comprehensively. Requires direction and review of major parts of assignments. **IMPROVEMENT IS REQUIRED**. A Performance Improvement Plan may be implanted, with built in stated expectations and time lines.

A Performance Improvement Plan may also be requested by an employee at any *level of performance.*

C. *Factors to Be Evaluated*

1. Specific Review Factors:

a) Behaviour
b) Initiative
c) Knowledge of the Job
d) Production – Quality of Work
e) Production – Quantity of Work
f) Personal Work Habits
g) Reliability
h) Attendance
i) Compliance with Safety
j) Equipment Operation

(The supervisor is to indicate the employee's overall performance in the above areas.)

2. Overall Performance: The supervisor is to indicate additional comments to explain any fluctuation in the employee's overall performance. The reviewing supervisor is to indicate any difference of opinion or additional comments regarding the employee being reviewed.

3. Action Plan - General Review of Current Performance and Potential for Advancement

a) Areas requiring improvement - every employee has areas which may keep him/her from growing within his/her job and/or from being promoted (e.g. lacks job knowledge, does not delegate, fears responsibility, afraid to discipline employees, constantly late for work, excessive absenteeism, can not follow instruction, etc.)

b) Major strong points - every person has strong points that qualify him/her for his/her current position. (e.g. enthusiasm, excellent job knowledge, strong skills sets, etc.)

c) The supervisor should set mutually acceptable goals for the employee to reach before the next performance appraisal. The recommendations should specifically state methods and time lines to correct identified areas for improvement or prepare the employee for a future promotion.

d) The supervisor should indicate where an employee could be ready for further responsibility. Can the employee handle larger workloads? Can the employee handle duties in some supervisory position? Does he/she possess skills that would make him/her promotable? Does he/she show eagerness for more responsibility?

e) Areas That Should Be Developed: This factor identifies the most important areas that the employee should focus on to achieve greater results. This includes technical knowledge, other training that may be required, and exposure to other areas (which may include other areas in the Township).

4. Employee Comments: The employee is to write what they thought of the evaluation (e.g. was it objective? Did he/she agree with what was said? Where does he/she disagree with what was said? Etc.)

5. Career Goals: The employee may be asked to comment on his/her career goals for the future; his/her comments regarding the immediate next step or position within the organization and his/her comments regarding developmental, career goals or interests.

D. *Pitfalls in Conducting Performance Evaluations*

1. "Halo": This is a tendency to evaluate an employee in general as "*Meets Expectation*" or "*Below Expectation*" and to colour judgements about specific qualities of this employee by this general feeling.

2. The tendency to rate all employees in a group the same – either *Above Expectation, Meets Expectations or Below Expectations..*

3. The supervisor should remember that *even* the best employees have areas that can be improved, and even the poorest employees have some strong points.

E. *When to Conduct Performance Evaluations*

1. **NEW EMPLOYEES** – In accordance with Township policy number A-5.

2. **PERFORMANCE EVALUATION** – is to be conducted at least once each year on the anniversary date of assuming the position using the appropriate Performance Evaluation form. This review will give management the opportunity to review with the employee his/her strengths and areas for improvement. Unless placed on probation, this will give the employee one year during which he/she can improve upon those areas identified by the supervisor requiring attention during the previous review. The supervisor will complete the Performance Evaluation form. A blank copy of the Performance Evaluation form will be given to the employee in order that he/she can evaluate his/her own performance. The supervisor and employee comments will be reviewed during the performance interview. Once completed, the employee should sign the review to acknowledge that the form was reviewed with him/her by the supervisor.

3. **CHANGING POSITIONS** – a performance evaluation should be done by the outgoing supervisor when an employee is transferring positions, whether laterally or by promotion. The incoming supervisor is responsible for setting new objectives and action plans, *for* the new position. This is to ensure that performance is documented for the period worked and that expectations are set for the new role.

4. **MERIT INCREASES** – if, in the "Overall Performance" category, the evaluation is deemed to be "*Below Expectations*", then the merit increase will be withheld. Future merit increases will be determined based on the criteria and requirements that are established for the individual by their supervisor/manager and Administrator-Clerk. As a result of a scheduled annual evaluation (or other evaluation if applicable), an employee will be eligible to receive his/her annual increase if they receive a *Meets Expectations* or *Above Expectations* rating. When an employee who has had a merit increase withheld improves their performance based on the criteria and requirements that are established for the individual by their supervisor/manager and Administrator-Clerk through a Performance Improvement Plan and receives a higher overall performance rating, the merit increase may be granted as of the review date with no retroactivity. The employee's anniversary date will remain unchanged.

5. Overall Review Process – The Administrator-Clerk will review the performance ratings distribution to ensure that ratings are being administered fairly and consistently throughout the organization.

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

CONFIDENTIAL

PERFORMANCE APPRAISAL FORM

REVIEW PERIOD: From	**To**
EMPLOYEE NAME	**DATE:**
DEPARTMENT:	**POSITION:**
DATE OF HIRE:	

A Performance Appraisal form is to be completed once a year. When completed, the form is to be signed by the employee and the supervisor. The performance appraisal period/timing will be different for recently hired employees in accordance with Township policy.

Upon completion, the appraisal form should be returned to the Township Administrator-Clerk.

The rating scale is explained under each factor. This form is intended as a guide and may not cover every circumstance. Select that level within each factor which best describes your judgement of the employee. Stroke out any words that are not appropriate and add any words required to clarify your rating.

Levels of Performance

AE **ABOVE EXPECTATIONS -** Performance consistently exceeds expected results for the position in all major areas. Individual performs all tasks in an exceptional manner. Requires little or no supervision. Typically accurate, timely, decisive, and comprehensive in carrying out assignments and/or making recommendations. Sought out for advice and assistance, consistently makes significant contributions to the overall effectiveness of the department, and aware of the organizations overall objectives. Consistently displays initiative.

MA **MEETS EXPECTATIONS** – Performance consistently meets the standards and requirements of the position. The overall results are fully satisfactory. Requires normal supervision. Generally works independently. Requires infrequent progress reviews. Contributes to the overall effectiveness of the department.

BE – **BELOW EXPECTATIONS** - Performance is inconsistent and at times fails to meet expected standards and requirements of the position. Individual performs most, but not all, tasks satisfactorily. Requires more than normal supervision. Occasionally may fail to complete assignments on time and/or comprehensively. Requires direction and review of major parts of assignments. **IMPROVEMENT IS REQUIRED**. A Performance Improvement Plan may be implanted, with built in stated expectations and time lines.

EVALUATION SUMMARY - REVIEW COPY

1. IDENTIFY MAJOR RESPONSIBILITIES

i)

ii)

iii)

Employees and supervisors should strive to establish major responsibilities.

PERFORMANCE CHARACTERISTICS

1. BEHAVIOUR: Consider ability to get along with others (public/fellow workers), helpfulness, general conduct and cooperativeness:

BELOW EXPECTATIONS *	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Not willing and co-operative, tactless and inconsiderate in dealing with others.	Considerate in dealing with others.	Shows outstanding co-operation and enthusiasm.
☐	☐	☐

*Required Comments: _____.

2. INITIATIVE: Consider the manner of application to work. Performs extra work. (Responsibility of position is to be considered; organize individual and team work efforts; offer suggestions to improve operations.)

BELOW EXPECTATIONS*	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Needs constant direction or instructions	Good initiative	Conscientious, sees and performs extra work when necessary
☐	☐	☐

*Required Comments: _____.

3. KNOWLEDGE OF JOB: Consider knowledge of job and procedures regardless of volume or quality. (sharing experience, effort to enhance knowledge):

BELOW EXPECTATIONS *	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Some knowledge, needs direction and/or instruction.	Sufficient knowledge to perform tasks with normal direction and/or instruction	Significant knowledge to perform tasks with minimum direction
☐	☐	☐

*Required Comments: _____

4. PRODUCTION - QUALITY OF WORK: consider quality or accuracy and efficiency of work, regardless of volume:

BELOW EXPECTATIONS*	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Errors, work needs regular checking	Normal quality of work, negligible errors	High quality of work performed
☐	☐	☐

*Required Comments: _____

5. PRODUCTION - QUANTITY OF WORK: consider the amount of work done, conditions under which it is done (unusual situations), and the promptness with which it is completed:

BELOW EXPECTATIONS*	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Errors, work needs regular checking	Normal quantity of work	High quantity of work performed
☐	☐	☐

*Required Comments:

P400

6. PERSONAL WORK HABITS: In relation to position (ability to perform duties in organized manner):

BELOW EXPECTATIONS*	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Less than satisfactory, inconsistent work habits	Satisfactory work habits	Superior work habits
☐	☐	☐

*Required Comments: _____

7. RELIABILITY: Consider such factors as dependability, trust, and ability to meet deadlines:

BELOW EXPECTATIONS*	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Occasionally unreliable	Reliable in most aspects of job	Very reliable
☐	☐	☐

*Required Comments: _____

8. ATTENDANCE: Consider such factors as punctuality, availability and reporting to work regularly:

BELOW EXPECTATIONS*	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Frequently absent and/or late	Acceptable attendance	Rarely absent or late
☐	☐	☐

*Required Comments: _____

9. COMPLIANCE WITH SAFETY IN RELATION TO POSITION:

BELOW EXPECTATIONS *	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Ignores safety practices, endangers life of self and others	Understands practices and procedures and follows them	Identifies safety practices to fellow employees and suggests new safety methods
☐	☐	☐

*Required Comments: _____.

10. EQUIPMENT OPERATING ABILITY (vehicles, office equipment, etc):

BELOW EXPECTATIONS *	MEETS EXPECTATIONS	ABOVE EXPECTATIONS*
Makes little effort to understand or demonstrate ability	Understands and demonstrates ability	Very good understanding and demonstrates ability, attempts to show others
☐	☐	☐

*Required Comments: _____.

COMMENTS

DEPARTMENT HEAD'S COMMENTS:

ACTION PLAN FOR UPCOMING YEAR (consider areas to be improved, strong points, goals, areas to be developed, etc):

EMPLOYEE'S COMMENTS:

REVIEW MEETING:

Department Head's Signature:	Date:
Has this report been discussed with employee: YES NO	
If "NO", reason why not:	
Employee's Signature:	Date:

Reviewed by:

Department Head:_____Date:_____

Administrator-Clerk:_____Date:_____

POLICY: **Hiring of Relatives - Section 270 Municipal Act** **#A-10**

COVERAGE: **Members of Council and Boards**

POLICY STATEMENT:

Section 270 of the *Municipal Act, 2001* which states that "a municipality and a local board shall adopt policies with respect to the hiring of its employees, including policies with respect to,

a) the hiring of the relatives of a member of council or local board, as the case may be;

b) the hiring of relatives of existing employees of the municipality or local board, as the case may be; and

c) any other prescribed matter."

The hiring of a relative of members of Council and local board members shall be governed as set out in this policy.

PROCEDURE:

1. Hiring of Relatives of Members of Council and Local Boards

1.1 For the purpose of this policy, a 'relative' is defined as an employee's wife, husband, father, mother, father-in-law, mother-in-law, sister, brother, son, daughter, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents, common-law spouse, grandchildren, niece, nephew, step-father, step-mother, step-brother, step-sister and foster child.

1.2 Hiring of individuals by a Department Head is subject to the following restrictions:
i) the individual must not supervise a relative, or
ii) the individual must not be supervised by a relative.

1.3 Recruitment of a relative is permissible provided that the Administrator-Clerk can establish that:

iii) standard competition procedures have not been circumvented;
iv) the applicant is the most qualified;
v) no undue influence was exerted on the recruiting supervisor;
vi) no potential conflict or difficulties appear to exist

1.4 No member of Council or local board who are related to an applicant for a position with the Municipality shall be involved in the interview for the same. The member of Council or local board shall remain neutral and in no way influence the interviewers who are involved with the hiring of the position to which the relative has applied

1.5 This policy shall apply to the hiring of relatives of members of Council and local boards.

POLICY: **ESTABLISHMENT OF NEW POSITIONS** **#B-3**

COVERAGE: **All Positions**

POLICY STATEMENT:

The Township of Elizabethtown-Kitley follows a practice of human resources planning to facilitate greater co-ordination of staffing amongst Department and to ensure that the total number of employees is effectively controlled. All new positions established must be approved by Council.

PROCEDURE:

I Budget Preparation Process

1. During the budget preparation process, each Department Head shall forecast his/her Department's full-time, part-time, and student human resource requirements for the upcoming year.

2. At this time the Department Head may also recommend funds for reclassifications, changes in existing distribution of human resources and any additions or reductions in the staff complement authorized for his/her Department.

3. Budget provisions for new positions which are being submitted to Council during the budget process must include information supporting the request(s) including a proposed Job Description.

4. Upon Committee and Council approval of the budget, the Department Head, when he/she deems appropriate, shall submit a written request to the Administrator-Clerk to initiate evaluation and recruitment procedures for any new positions approved.

II New or Altered Positions Within Approved Complement

1. The Department Head shall prepare a draft Job Description and discuss his/;her request with the Administrator-Clerk.

2. The Department Head shall then prepare a Job Fact Sheet and forward the proposed Job Description and Job Fact Sheet, for review, to the Governance and Finance Committee which shall be

POLICY: **PAYROLL** **#B-7**

COVERAGE: **All Employees**

POLICY STATEMENT:

Pay shall normally be issued to employees on a by-weekly basis every second Thursday and will be deposited directly into the employee's bank account. Employees shall be paid up to and including the Sunday of the previous week.

PROCEDURE:

1. Time sheets are to be completed bi-weekly and authorized by the Department Head or designate.

2. The deadline for submitting the time sheets to Payroll is 10:00 a.m. on the Monday before payday.

3. In the event of a statutory holiday falling n the Monday before the payday, the deadline for submitting the time sheets to Payroll is 10:00 a.m. on the next working day.

POLICY: **SAFETY CLOTHING ALLOWANCE** **#B-8**

COVERAGE: **All Full-Time Employees**

POLICY STATEMENT:

The Township provides an allowance to those full-time employees who are required to wear safety glasses, footwear and clothing in the performance of their duties.

The Township will provide all safety equipment when it can be justified that it is in keeping with the Health and Safety Policies of the Township and regulated by legislation which governs health and safety issues.

The Township will cover any expenditure up to a maximum of $500.00 per employee per year for the purchase of safety clothing such as work pants, work shirts and safety footwear, and any other appropriate work related clothing.

Additionally, the Township will cover the cost of the purchase of prescription safety glasses once every two years.

POLICY: **Merit Increments** **#B-10**

COVERAGE: **All Employees**

POLICY STATEMENT:

It is the goal and intent of the Council of the Township of Elizabethtown-Kitley to establish and maintain equitable salary and wage rates ranges for its' employees, commensurate upon requisite skills and responsibilities of job classes, and to enable the progression of an employee through his/her wage range to be objectively based upon levels of job performance and the attainment of skills as may be reasonably determined by the performance appraisal process.

PROCEDURE:

1. Elements of a Merit Increment System

1.1 The adjustment of employee wage rates shall be in accordance with and reflect levels of job performance and skill attainment as measured by the performance appraisal process.

1.2 Wage rate changes shall be revised annually to reflect cost of living adjustments as set by Statistics Canada in November of each year.

1.3 The progression and the rate of progression of an employee thorough the wage rate range for that employee's wage class position shall be dependent upon the annual performance appraisal rating achieved by the employee

1.4 The determination of merit pay adjustments and the level of any such adjustments shall be on non-judgmental and shall be based upon the outcome and findings of the performance management process

1.5 In the case of an exceptional employee or where the employee's worth to the corporation is underestimated, advancement on the wage rate range may result in more than one step progression at any time.

1.6 All recommendations for merit pay adjustments resulting from the performance appraisal process shall be presented to Council by report for authorization

2. Merit Pay Process

Under circumstances where the entire performance appraisal process is employed to its fullest potential, it should be expected that the employee be capable of progressively improving his or her performance and be able to achieve maximum wage rate within 5-9 years. Faster progression would be achieved upon exceptional employee performance on behalf of the Corporation.

POLICY: **PENSION PLAN** **#C-2** P412

COVERAGE: **All Employees**

POLICY STATEMENT:

All full-time employees shall join the Ontario Municipal Employees Retirement System. Subject to enrollment requirements, part-time employees may participate in the O.M.E.R.S. pension system. It is mandatory to participate in the Canada Pension Plan.

PROCEDURE:

1. Documentation is completed at the time of hire and submitted to the Treasurer. Employee contributions are made through payroll deductions.

2. Enrolment is mandatory for full-time employees from the first day of employment and premiums are shared by the employee and the Township.

3. When a full-time employee transfers from full-time to part-time the O.M.E.R.S. pension contribution must continue.

4. Subject to specific legislation conditions, a part-time employee may participate in the O.M.E.R.S. plan. These conditions are:

   a. Effective January 1, 1988, any employee who, on each of two consecutive calendar years,

      1. Has earned not less than 35% of the Year's Maximum Pensionable Earnings under the Canada Pension Plan, or
      ii. Has worked 700 hours,

   must be given the **option** to join the pension plan.

   b. In a multi-employer setting the criteria are measured against any participating employer, not just one. Also, an employee's membership, once gained, may not be lost if the criteria are not met in the subsequent year. This is the same as current O.M.E.R.S. rules.

   c. Waiver forms are to be completed every two years by those part-time employees who qualify but choose not to participate in the O.M.E.R.S. Plan.

5. If a new part-time employee elects not to participate, a waiver form must be signed by the employee.

NOTE: Details of the O.M.E.R.S Plan are outlined in a brochure available from the Treasurer.

POLICY: **Benefit and Service Continuation During Long Term Disability** **#D-2**

COVERAGE: **All Employees**

POLICY STATEMENT:

In order to facilitate consistent and fair procedures regarding the continuation of the employee benefit plan for members of staff on long term disability and to set out the Township's re-employment obligation.

PROCEDURE:

Employee Benefit Plan:

1. The employee will continue to be eligible for Township funded employee benefits for a period of up to two years while on long term disability.
2. At the conclusion of the two years, the employee may opt to continue their participation in the employee benefit package at their own cost.
3. If the employee opts for continuation of the benefits, the employee must enter into an agreement with the Township whereby he/she agrees to pay the premium on a monthly basis.
4. If the employee misses a monthly payment, the employee benefit coverage is to be cancelled.

Re-employment Obligation:

1. The Township will hold an employee's position for a period of two years from the date of the commencement of the long term leave.
2. Prior to the end of the two year term, a review will be conducted to determine the employee's capability of returning to his/her position.
3. During the two year re-employment obligation period, the Township may fill the position on a contract basis.

POLICY: **SICK LEAVE PLAN** **#D-4**

COVERAGE: **All Full-Time Employees**

POLICY STATEMENT:

The Township will provide income protection through a Sick Leave Plan in order to protect the earnings of full-time employees.

PROCEDURE:

Sick leave shall be the period of time an employee is absent from work due to a disability caused by either injury or illness, exposed to contagious disease or under examination or treatment of a physician, chiropractor or dentist. Each full shift or part thereof an employee is absent shall be referred to as "sick leave day or part thereof".

Employees who are absent from work and unable to complete their duties due to an illness are entitled to full payment of wages.

Employees on sick leave shall not be eligible for merit increase or wage increases as granted by Council until the employee is back to full-time work.

While an employee is on sick leave the Township will maintain all benefits to which the employee if normally entitled at the time of absence.

When and employee is absent due to illness, the days absent shall be deducted from the accumulative sick leave credits based on a five (5) day workweek. If the sick leave credits of an employee are exhausted during an illness, remuneration shall cease.

The Township has the right to request a physician's certificate at any time.

Sick leave will be earned and paid for at the rate of one day per month of permanent employment.

All unused sick leave in excess of a 12 day reserve will be paid to each employee in December of each year up to a maximum of 6 days.

All sick leave entitlements in excess of the twelve day reserve accumulated during a specific year and not paid or used by the employee will accumulate at a maximum rat of six days per year to a maximum level of eighty working days to be used by the employee, with the approval of Council and a physician's certificate, in the event of a prolonged illness of the employee.

POLICY: **HOURS OF WORK AND OVERTIME** **#E-1**

COVERAGE: **All Employees**

POLICY STATEMENT:

In order to administer its affairs as efficiently and effectively as possible and in the best interest of the general public, the Township establishes hours of work, including shift work if required for all job classifications.

PROCEDURE:

Hours of Work

1. The normal minimum daily hours of work for management, administrative and administrative support employees shall be seven hours per day.

2. The normal daily hours of work for all other employees including the Road/Landfill Supervisor shall consist of eight hours per day.

3. A fifteen minute break period shall be provided in both the first and second half of a shift.

4. Each Department Head shall ensure that each employee in his/her Department is working the required number of hours for his/her classification.

Overtime

1. (a) All authorized work performed by employees (except those indicated in 1 (b) below) beyond the normal daily hours shall be considered as overtime and shall be paid at the rate of time and one-half or upon mutual agreement with their Department Head, employees may bank hours to a maximum of eighty (80) hours at any given time.

   (b) All managers/supervisory employees shall be eligible for time off in lieu of overtime at straight time, to a maximum of eighty (80) hours per calendar year at the regular hourly rate of pay for the job.

(d) Employees may bank time and schedule time off at a mutually agreed time with their Department Head. If mutual agreement cannot be reached, the Department Head may schedule the time off.

2. Overtime must be authorized by the employee's Department Head or designate.

Office Hours

1. The normal hours of business for all administrative employees operating out of the Administration Building shall be 8:30 a.m. to 4:00 p.m. with one-half hour off for lunch. Exceptions to the above may be established at the discretion of the Department Head.

2. The normal hours of operation for the Road and Landfill Department shall be 7:00 a.m. to 3:30 p.m. with one-half hour off for lunch. Exceptions to the above may be established at the discretion of the Department Head.

POLICY: **STATUTORY AND PAID HOLIDAYS** **#E-2**

COVERAGE: **All Employees**

POLICY STATEMENT:

Full-time employees of the Township are entitled to a designed number of paid holidays each calendar year. Eligibility is specified below.

PROCEDURE:

Hours of Work

1. The Township recognizes the following as paid holidays:

New Year's Day	Civic Holiday (August)
Family Day	Labour Day
Good Friday	Thanksgiving Day
Easter Monday	Christmas Day
Victoria Day	Boxing Day
Canada Day	

and any other day proclaimed by the Federal, Provincial or Municipal government.

In addition to the holidays listed above, each employee shall be entitled to one additional holiday to be known as a Floating Holiday. The date and time for taking the Floating Holiday shall be mutually agreed upon by the employee and employer.

When the holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday shall be declared as the holiday by the Administrator-Clerk.

Holidays falling during a period of vacation shall not be considered vacation time.

POLICY: **VACATION** **#E-4**

COVERAGE: **All Employees**

POLICY STATEMENT:

Each Department Head is responsible for scheduling vacation dates for employees in a manner that shall be as fair as possible to all employees and shall ensure minimum disruption of service in the department.

PROCEDURE:

A. Full-Time Employees

The following schedule shall be used to calculate vacations:

Beginning January 1 of the year in which the employee will complete 1 year of employment, the employee will be credited with 2 weeks' vacation (4% of annual earnings).

Beginning January 1 of the year in which the employee will complete 5 years of employment, the employee will be credited with 3 weeks' vacation (6% of annual earnings).

Beginning January 1 of the year in which the employee will complete 10 years of employment, the employee will be credited with 4 weeks' vacation (8% of annual earnings).

Beginning January 1 of the year in which the employee will complete 15 years of employment, the employee will be credited with 5 weeks' vacation (10% of annual earnings).

One week carry over will be permitted upon approval of the Department Head.

B. Part-Time Employees

Vacation pay for part-time employees shall be in accordance with the Employment Standards Act.

C. Department Heads

All department heads begin employment with three (3) weeks' vacation and then continue with the above schedule for increases to vacation time.

POLICY: **BEREAVEMENT LEAVE** **#E-5**

COVERAGE: **All Employees**

POLICY STATEMENT:

Employees shall be granted paid leave of absence in the event of death in the family.

PROCEDURE:

Full-Time Employees

1. The Employer shall pay an employee up to three (3) days pay at the employee's straight time hourly rate for all regular time lost in the event of the death of the employee's immediate family. Such leave consists of three (3) consecutive days and shall be taken to coincide with the funeral of the deceased person.

   Immediate family shall be defined as an employee's wife, husband, common-law wife, common-law husband, father, mother, father-in-law, mother-in-law, sister, brother, son, daughter, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents, grandchildren and foster children.

2. In exceptional circumstances, extra days may be granted at the discretion of the Department Head. Pay shall be at the employee's regular rate and an employee shall be paid only for the time which he/she would normally have worked.

3. Leave for attending the funeral of an employee's relative, other than a member of the immediate family as define in Section 1 above, or close friend may be permitted subject to prior approval of supervisor.

4. In the event that bereavement leave is required while an employee is on paid vacation, such paid vacation shall be re-credited to the employee.

Part-Time Employees

Bereavement leave is applicable to part-time employees to the extent that such leave is required during a three (3) day consecutive period which coincides with the date of the funeral, on days which part-time employees are scheduled to work.

POLICY: **MATERNITY/PARENTAL LEAVE** **#E-6**

COVERAGE: **All Employees**

POLICY STATEMENT:

In order to administer its affairs as efficiently and effectively as possible and in the best interest of the general public, the Township establishes the provision for the benefit of employees who qualify for maternity/parental leave.

PROCEDURE:

During Maternity/Parental leave, the Township will:

1. Continue to fund the employee benefits for the period of the maternity/parental leave.

2. In accordance with the regulations set out by the Ontario Municipal Employees Retirement System (OMERS), a member can elect to purchase all or part of the maternity/parental leave, payment must be made in one lump sum before the end of the year following the year in which the leave period ended or before a *Form 143-Request for an OMERS plan benefit* is submitted.

POLICY: **COURT LEAVE** **#E-7**

COVERAGE: **All Employees**

POLICY STATEMENT:

Leave of absence with pay shall be granted to a full-time employee who is required to serve as a juror, subpoenaed as a witness, or as witness of the Employer. This provision shall also apply to part-time employees for scheduled time lost.

PROCEDURE:

1. A full-time or scheduled part-time employee required to serve as a juror, subpoenaed as a witness or as a witness of the Employer, shall receive his/her normal earning with all benefits for time spent on such duty.

2. As soon as the employee receives payment from the Court for services as a juror, such payment must be submitted without delay to the Treasurer.

3. An employee on authorized vacation leave who is required to testify or is subpoenaed as a witness shall have his/her vacation entitlement restored for the period of time required.

POLICY: **GENERAL LEAVE WITHOUT PAY** **#E-8**

COVERAGE: **All Employees**

POLICY STATEMENT:

An employee may be granted a leave of absence without pay upon obtaining the approval of his/her Department Head.

PROCEDURE:

1. All requests for leaves of absence without pay must be submitted in writing and authorized by the appropriate Department Head and the Administrator-Clerk.

2. A letter of confirmation shall be sent to the employee by the Administrator-Clerk with a copies forwarded to the Department Head's office.

3. If the absence exceeds one full pay period, the employee shall not accumulate service for the purpose of vacation entitlement, seniority, sick leave, pension plans, merit increment progression or other compensation matters affected by service. Life and health benefits may be continued for up to twelve (12) months but the employee shall be responsible for the total premium costs of all benefits for the total period of absence.

POLICY: **EMPLOYEE TRAINING AND DEVELOPMENT** **#F-1**

COVERAGE: **All Employees**

POLICY STATEMENT:

It is the policy of the Municipality of the Corporation of the Township of Elizabethtown-Kitley to assist its employees in the upgrading of skills, knowledge and qualifications in order to increase current job performance and the potential for assuming increased responsibilities. The Municipality of the Township of Elizabethtown-Kitley recognizes the need for, and the benefits which accrue from, effective training and development programs which can serve to raise the performance level of individual employees and the general quality of performance of the municipal administration.

PURPOSE:

The purpose of this policy is to:

1. Attract and retain competent employees who are concerned with their personal development and interested in building a rewarding career with the Municipality;

2. Provide, on an equitable and consistent basis, the method of meeting the training and developmental needs of municipal employees, in accordance with individual and organizational needs, requirements and objectives;

3. Help enrich the work experience of municipal employees, allowing greater satisfaction and preparation for assuming increased levels of performance and responsibility.

DEFINITIONS:

Training:
Program(s) of activity designed to raise an employee to the level of ongoing competence required for present job responsibilities.

Development:
Program(s) of activity designed to prepare an employee for future job responsibilities.

Educational Courses:
Programs and/or courses offered by educational or professional institutions that the Administrator-Clerk has recognized as contributing to the increased knowledge of the employee and to the benefit of the municipality.

Educational Leave of Absence:
Leave from present job duties on a part-time or full-time basis for the purpose of advancing an employee's abilities or supplementing professional or skills training.

STATEMENTS OF RESPONSIBILITY

1. COUNCIL

The Council of the Municipality of the Corporation of the Township of Elizabethtown-Kitley will:

a) Establish a formal policy through which responsibility is allocated and procedures established with respect to the training and educational functions.

b) Establish a budget for training and education that will provide the necessary annual resources to meet the municipality's needs.

c) Encourage staff members to explain and seek approval for new methods or practices which have been learned through training seminars or educational instruction.

d) Recognize the significant accomplishments of staff who attend such training seminars or who are awarded a professional designation.

2. ADMINISTRATOR-CLERK

The Administrator-Clerk (or appropriate designated official) will:

a) Establish and maintain a central training and developmental records and files.

b) Identify the overall training and development needs of the municipality.

c) Inform Department Heads of training and development activities available

d) Liaise with educational and training institutions and other relevant municipal/professional organizations with respect to program and course availability and need.

e) Manage and coordinate the training and development budget.

f) Coordinate arrangements for employee participation at out-of-town training and development activities.

g) Approve all requests for training and development activities.

h) Monitor the effectiveness of training and development activities, and recommend appropriate changes in policy and procedure to Council,

i) Emphasize to all employees the importance of the training and development function as an on-going, continuous process.

3. DEPARTMENT HEAD

The Department Head will:

a) Identify departmental training and development needs and priorities.

b) Evaluate, on an annual basis, all employee participation in training and development activities whether internal or external, in terms of performance levels and overall effectiveness and appropriateness.

c) Assist departmental staff in achieving individual job/career ambitions of which training and development activities can be of assistance, in accordance with departmental and municipal needs, policies and overall goals and objectives.

d) Monitor the effectiveness of the Department's training and development activities.

e) Emphasize the importance of the training and development function as an on-going, continuous process.

4. EMPLOYEE

The employee will:

a) Be responsible for the initiation of individual development opportunities, including the identification of training and development needs and the discussion of such needs and opportunities with his/her department head.

b) Participate in training activities where requested by the municipality.

c) Be prepared to take advantage, and make the most effective use of the training and development opportunities available.

d) Complete an evaluation/rating report, provided by the municipality, on any training and/or development activities attended, for which municipal assistance is received.

e) Expect to make a personal and financial contribution towards his/her career development.

f) Realize that assistance with his/her career development is not a fringe benefit, nor an automatic entitlement.

PROCEDURE

1. Training and Development

Training and Development activities may vary from short, informal on-the-job instruction and guidance to more structured programs, courses, workshops and seminars offered by organizations, businesses or associations, either during or after regular working hours.

a) Application
Application for participation in training and development programs must be forwarded to the Department Head.

b) Funding
All costs for training and development activities are to be assumed, as set out in the annual budget for such activities, unless specified otherwise by the Municipality.

2. Educational Courses

a) Eligibility
   i) To qualify for financial assistance, an employee, prior to enrolling in a particular course of study, must be an employee of the municipality.
   ii) The course of study requested by the employee for financial assistance must have a direct application to present or anticipated future job responsibilities.

   iii) Consideration will be given to areas of study deemed to have an indirect relationship to present job responsibilities or anticipated future responsibilities as approved by the Administrator-Clerk and Council.

b) Application
Application for participation in any educational course must be forwarded for approval to the Administrator-Clerk at least four weeks prior to participation, when possible.

c) Funding

i) Costs for an approved educational course are to be assumed by the municipality and include books and registration and will be limited to $1,200.00 per year. The Township will provide the money toward the course if the employee enters into a contract with the municipality to ensure that, if the employee fails the course, the municipality is reimbursed.

ii) Where a leave of absence has been granted, for training or educational purposes, by the Administrator-Clerk, it shall be granted without pay. Benefits may continue if the employee pays 100% of the costs.

iii) Depending on the nature of the course(s), Council may require the employee to enter into an employment contract to ensure that the employee remains with the Township for an agreed upon period of time.

POLICY: **CONFERENCES AND SEMINARS** **#F-2**

COVERAGE: **All Employees**

POLICY STATEMENT:

The Township of Elizabethtown-Kitley provides for employee attendance at such conferences and seminars as deemed necessary. The Township also provides for reimbursement of expenses.

PROCEDURE:

A. ATTENDANCE

1. Conferences Each year as part of the annual budget process, each Department Head shall provide a list of conferences which are provided for within the estimates. This list shall include the intended individual(s) to attend and the estimated expenditure. Approval of the budget shall constitute formal approval to attend and any changes must be approved by the Administrator-Clerk.

2. Seminars
Each Department Head shall have the authority to approve attendance of his/her staff at any seminar subject to the limit of funds approved by Council for these purposes.

The Administrator-Clerk or designate shall authorize the attendance of Department Heads.

B. EXPENSES

1. Conferences

a) Registration will be fully reimbursed to a Department Head or employee but will not include any registration fee for a spouse or family member except as specifically authorized by Council. A receipt for the registration fee shall be required unless pre-paid by the Township.

b) The employee will be paid per diem rates to cover the cost of accommodation, travel, and meals while attending the conference.

c) Where an employee makes his/her own travel arrangements to attend a conference, he/she is to receive an additional per diem rate to cover such expenses. For example if the conference is three days in duration, the employee will receive a per diem for four days.

2. Seminars

a) For attendance at a seminar the employee will be reimbursed for the cost of using their personal a motor vehicle at the rate per kilometre adopted by resolution of Council from time to time.

a) While attending one day seminars, the employee will be reimbursed actual expenses for meals, gratuities and incidental expenses, supported by receipts, excluding the cost of alcoholic beverages.

3. Advances

a) The Administrator-Clerk is authorized to issue accountable advances provided a request is received at least ten business days prior to the date required.

b) Where an advance is made, an expense account claim must reflect the advance(s) for the month.

4. Approvals

a) The authorization for expense account claim forms shall be the following:

i) Employee's claim approved by appropriate Department Head
ii) Department Head's claims approved by the Administrator-Clerk
iii) Administrator-Clerk's claims approved by the Head of Council

POLICY: OCCUPATIONAL HEALTH AND SAFETY G-1

COVERAGE: All Employees

POLICY STATEMENT:

The Township of Elizabethtown-Kitley recognizes that the health and safety of employees is of primary importance in all municipal operations and acknowledges its obligations under the Occupational Health and Safety Act.

PROCEDURE

1. The Township shall promote a safe work environment and provide information, instruction and supervision on occupational health and safety as required.

2. **Health and Safety Representative**
   (a) Occupational Health and Safety Act requires each workplace that employs five or more workers must appoint at least one health and safety representative. Therefore the Administrator-Clerk will ensure that, for the New Dublin Office, New Dublin Public Works Garage (including the waste site) and the Toledo Public Works Garage workplaces, appoint at least one person per site as its health and safety representative. A single representative for the Public Works Garages can be appointed if the employees so choose.

   (b) The name of such representative shall be confirmed each year, on or about January 1st.

   (c) The health and safety representative must inspect the workplace at least once a month noting the physical condition of the workplace. Such inspection schedule must be agreed upon by the employer and the representative.

   (d) The health and safety representative is to identify any potential sources of danger or hazard and make recommendations to the employer on remedial action.

   (e) The health and safety representative will obtain information from the employer regarding the conducting or taking of tests of any equipment, machine, device, article, thing, material or biological, chemical or physical agent in or about a workplace for the purpose of occupational health and safety.

2. Health and Safety Representative, continued

(f) Be consulted about, and be present at the beginning of, testing referred to above conducted in or about the workplace if the representative believes his/her presence is required to ensure that valid testing procedures are used and to ensure the test results are valid.

(g) Obtain information from the employer respecting the identification of potential or existing hazards of materials, processes or equipment and health and safety experience and work practices;/standards in similar or other industries of which the employer has knowledge.

3. Duties of Department Heads and Supervisors

(a) Ensure that employees use or wear the equipment, protective devices or clothing that is legislated, mandated, recommended by the manufacture or the Township requires to be used or worn.

(b) Advise employees of the existence of any potential or actual danger to the health or safety of employees, of which the Department Head and/or Supervisor is aware.

(c) Take every precaution, reasonable in the circumstances, for the protection of a worker.

(d) Familiarize themselves with the provisions of the *Occupational Health and Safety Act*.

(e) Upon receipt of the health and safety representative recommendations, the employer, through the Department Head, shall respond in writing within twenty one days.

4. Duties of Employees

(a) Employees must use or wear the equipment, protective devices, or clothing that is legislated, mandated, recommended by the manufacture or the Township requires to be used or worn and follow health and safety policies and procedures.

(b) Report to his/her Department Head and/or Supervisor the absence of, or defect in, any equipment or protective devices or the existence of any hazard of which he/she has knowledge.

4. Duties of Employees, continued

(c) Operate equipment and machines safely and generally conduct him/her self in a safe manner.

5. Safety Information

Through the established lines of Departmental organization, safety information shall be given to employees. In all Departments, the Department Head and/or Supervisors shall transmit safety information to their employees either through group meetings or by discussion with individual employees.

6. Safety Suggestions

Safety suggestions made by employees to their Department Head and/or Supervisor shall be given definite consideration.

7. Training

It is the responsibility of the Department Heads and Supervisors to ensure that employees are provided with sufficient training to safely operate all equipment for which the employee is required to work with and to perform their duties safely. Within the Public Works Department it is the responsibility of the Department Head and Supervisors to ensure that Public Work employees are properly trained in traffic control procedures. Employees and Supervisors will be required to sign a form indicating that training has been completed.

POLICY: **DISCIPLINE AND DISMISSAL** **#H-2**

COVERAGE: **All Employees**

POLICY STATEMENT:

Discipline and Dismissal Guidelines: Discipline and dismissal are management approaches which can be taken by Department Heads or Supervisors when necessary and where circumstances warrant such action to ensure that Township rules, directives, regulations, instructions and procedures are followed and adhered to by all Township employees. By adhering to these rules and directives the Township provides assurance to the public that they can expect a reasonable and orderly approach to the delivery of all of the programs and services.

For the purpose of this policy guideline, ***discipline*** refers to an action taken by a Department Head or Supervisor to warn an employee that the actions or behaviour of the employee are outside the limits deemed acceptable by the employee. Disciplinary actions can be taken either by giving an oral reprimand, giving a letter of warning to an employee, or by suspending an employee from the work-place for a stated period of time with or without pay.

Dismissal refers to the removal of an employee from the workplace and from related work responsibilities as defined by the employee's job description. In effect, once a dismissal is initiated the employee ceases to work for the Township and does not receive a salary or have any related work responsibilities with the Township.

PROCEDURE:

1. DISCIPLINE (Warning Procedure)

    1.1 Responsibility for Discipline

        1.1.1 The Department Head is responsible for enforcing fair and consistent discipline within his/her department. Disciplinary measures can include reprimands, formal warnings, suspensions without pay and termination. The Administrator-Clerk must be consulted beforehand, except for reprimands, as defined in 2.1.

        1.1.2 An employee may not be disciplined more than once for the same occurrence.

2. WARNING PROCEDURE (Progressive Discipline)

In all cases where there is a possibility that a regular employee may have to be terminated for reasons connected with performance, behaviour or a related circumstance a warning procedure must be followed. The steps in such a procedure are set out in sections 2.1 to 2.5 below.

2.1 Informal warning - reprimand

The Department Head should tell the employee the nature of the problem and offer help in its solution. A date should be set for a review of progress. A written summary, as described in section 2.2 .2, is not necessary except where there is the potential for further disciplinary action being necessary.

2.2 Formal warning - disciplinary letter

2.2.1 This should take place on the date set in section 2. 1. The Administrator-Clerk must be notified beforehand of the interview and, if appropriate, will attend the meeting. The Department Head should stress the seriousness of the situation and note future consequences if there is no improvement. A new review date should be set and help offered once more.

2.2.2 Immediately after the interview, a summary of the proceedings must be written noting the date, steps to be taken by both sides and the consequences discussed. Copies must go both to the employee and his/her personnel file.

2.3 Formal warning - suspension without pay

2.3.1 This should take place on the date set in subsection 2.1 above. The continuing lack of progress should be reviewed and the employee should be suspended without pay. This should be stated in a letter, signed by the Department Head. Help should again be offered and a new review date should be set, with the employee told that no more warnings will be issued and termination is the next step.

2.3.2 The Administrator-Clerk may be present at this meeting or must be kept informed of the proceedings. The steps outlined in section 2.2 should be followed.

2.3.3 The length of the suspension and its commencement should be agreed to beforehand by the Department Head, and the Administrator-Clerk. Council is to be kept informed.

2.4 Termination interview

The Administrator-Clerk must be present at this interview. Only the facts of the case should be dealt with and the employee may be given his/her final cheque. If appropriate, he/she should be asked to leave the premises and turn in keys and other security items. A summary of the proceedings should be placed in the personnel file.

2.5 Variations in procedure

2.5.1 In situations where the responsibility of the employee for an action or event is unclear, and an investigation is under way, the individual may be suspended with pay. Subsequent disciplinary action will date from the conclusion of the investigation.

2.5.2 In cases of terminations for cause, the employee should be dismissed without any formal warning being given.

2.6 Clearing of Record

The record of an employee shall not be used against him/her at any time after twenty-four (24) months ***for Group 1 offences and forty eight (48) months for Group 2 and Group 3 offences*** following a suspension or disciplinary action, including letters of reprimand or any adverse reports.

3. Disciplinary Examples

Included in Appendix 'A' are three different sets of infractions and types of discipline which may be taken. ***It should be noted that these are only examples to assist in clarifying different types of situations and disciplinary actions.*** Within this context the following is to be noted:

a) The infractions shown on Appendix 'A' are not intended to be all inclusive or in any way to limit the Township's right to discipline.

b) The Disciplinary actions shown on Appendix 'A' for infractions are not more than a guide, them may be reduced or extended as required.

c) One incident may involve more than one infraction.

d) The degree of discipline usually increases with the number of incidents per infraction.

SCHEDULE A

GROUP ONE OFFENSES

First Offence: *Oral warning*
Second Offence: *Written warning*
Third and Fourth offenses: *Reprimand and suspension*
Fifth offense: *Long-Term suspension or dismissal*

The following are to be used as reference only, for the guidance of department heads and supervisors. They are not meant to be all-inclusive in nature but to illustrate possible offences that may occur.

1. Unauthorized leaving of the working area at any time without permission from the supervisor. The employee should notify their Department Head or, if that is not possible, the Administrator-Clerk (prior to the start of their shift if possible) of the reasons for their absence and the expected time or date of return, except in case of sickness or other cause beyond the control of the employee which prevents obtaining prior approval.

2. Unauthorized leaving of the working area at any time without permission from the Department Head or supervisor.

3. Neglecting job duties (e.g. reading for pleasure during working hours).

4. Arriving late for work.

5. Failure to commence work at the beginning of the work period, and/or leaving prior to the end of the work period without permission.

6. Creating or contributing to unsanitary or unsafe conditions in the workplace.

7. Use or possession of the Township's property and/or equipment without authorization.

8. Willful failure to respond to legitimate requests for work to be undertaken.

9. Unauthorized stopping of work or making preparations to leave work prematurely.

10. Distracting the attention of others, or causing confusion by unnecessary shouting or demonstration on the job.

SCHEDULE A, continued

GROUP TWO OFFENSES

First Offence: *Written warning*
Second and Third Offenses: *Reprimand and suspension*
Fourth Offense: *Long-Term suspension or dismissal*

The following are to be used as reference only, for the guidance of department heads and supervisors. They are not meant to be all-inclusive in nature but to illustrate possible infractions that may occur.

1. Neglect or carelessness in observance of official or departmental rules of safety or disregard of common safety practices.

2. Unauthorized leaving of the job during regular working hours without permission from a supervisor.

3. Unauthorized sleeping during working hours.

4. Drinking alcoholic beverages on the job.

5. Using abusive or threatening language towards subordinates, co-workers, or other individuals.

6. Soliciting or canvassing of municipal employees during working hours without permission.

7. Failure to report an accident in which the employee is involved.

8. Refusing to give testimony during investigation of an accident.

9. Unauthorized use of municipal property for private work or performing private work during regular working hours.

10. Threatening, intimidating, coercing, or interfering with employees or supervisors at any time.

11. Making or publishing false or malicious statements concerning any employee, supervisor, the municipality or its operations.

SCHEDULE A, continued

GROUP THREE OFFENSES:

First Offence: *Long-term suspension or dismissal*

The following are to be used as reference only, for the guidance of department heads and supervisors. They are not meant to be all-inclusive in nature but to illustrate possible infractions that may occur.

1. Wanton or willful neglect in the performance of assigned duties or in the care, use or custody of any of the Township's property; abuse, or deliberate destruction in any manner of municipal property, tools, equipment, or the property of other employees.

2. Altering another employee's time card or unauthorized altering of own time card.

3. Falsifying testimony when accidents are being investigated; falsifying or assisting in falsifying staff or other records; giving false information or withholding pertinent information in making an application for employment.

4. Making false claims or misrepresentations in an attempt to obtain sick leave, accident benefits or Workers' Compensation benefits.

5. Bookmaking or gambling of a similar serious nature

6. Theft, damage or destruction of property belonging to the Township or to other employees

7. The sale or use of narcotics during working hours.

8. Fighting or attempts to injure another employee or threats to do so.

9. Possession of firearms, explosives or weapons on municipal property at any time.

10. Conviction of a felony.

11. Misuse or removal of information such as blueprints, lists, municipal records or confidential information of any nature, or revealing such information without prior written authority from the municipality.

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 04-31

BEING A BY-LAW TO ESTABLISH POLICIES REGARDING A CODE OF CONDUCT FOR PERSONS INVOLVED IN RECREATION WITHIN THE TOWNSHIP OF ELIZABETHTOWN-KITLEY FACILITIES

****

WHEREAS the Council of the Corporation of the Township of Elizabethtown-Kitley deems it advisable to establish policies to govern the conduct of person who will be involved in recreation programs within Township facilities;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows;

1. THAT the Code of Conduct as outlined in Schedule "A" attached to and made part of this By-law be adopted;

2. THAT the Director of Recreation shall be responsible for the administration of this By-law and will be accountable to the Council for its enforcement.

3. THAT this By-law shall not be interpreted to contradict or violate any statute or regulation of the Province of Ontario.

4. THAT this By-law shall come into force and take effect on the date of its passing.

Read a **First** and **Second** time this 14th day of June, 2004.

Read a **Third** time and finally **Passed** this 14th day of June, 2004.

Mayor

Clerk / Deputy

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 04-31
passed by the council of the said Corporation
the 14 day of June, 2004

The Township of Elizabethtown-Kitley Recreation Department

Code of Conduct

The following policies have been approved by the Township of Elizabethtown-Kitley Council and Recreation Committee. It shall be the obligation of all local associations and individuals using Township facilities for recreation to adhere to these policies.

CODE OF CONDUCT

This Code of Conduct identifies the standard of behaviour which is expected of all persons involved in recreation in the Township of Elizabethtown-Kitley facilities (Township facilities), including but not limited to municipal staff, elected or appointed municipal officials, athletes, coaches, parents, volunteers and chaperones.

The Township of Elizabethtown-Kitley Recreation Department is committed to providing a sport environment in which all individuals are treated with respect. All persons involved in recreation in Township facilities shall conduct themselves at all times in a fair and responsible manner and shall refrain from comments or behaviour which is disrespectful, offensive, abusive, racist, harassing or sexist.

HARASSMENT

The term "harassment" includes behaviour by one person toward another which is insulting, intimidating, malicious, degrading, or offensive. Harassment can be in the form of physical, sexual, verbal or emotional abuse.

No persons in any capacity involved in recreation in Township facilities will be subject to or will subject another person to harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, age, marital status, family status or handicap.

ABUSIVE BEHAVIOUR

Abusive behaviour includes

- Any violent behaviour including verbal abuse.
- Violation of positions of trust
- Abuse of a physical, sexual or verbal nature

All situations involving a breach of this Code of Conduct **must** be reported to the Recreation Director and uninvolved supervisor (i.e. coach, association board member)

....2/

LOCAL ASSOCIATION CODES OF CONDUCT

It is the policy of the Township of Elizabethtown-Kitley Recreation Department that a Zero Tolerance approach will be taken towards players or coaches who display disrespect towards any officials. Any verbal abuse or gestures designed to intimidate or embarrass an official will be prohibited.

To curb abuse, officials may advise any person(s) that abusive verbal comments or physical gestures are inappropriate and must stop. The official may end a game and report incident if players or coaches make an attempt to:

- Intimidate an official
- Challenge the authority or competence of an official
- Incite abuse or disrespect of any official by others (players and/or other team officials)
- Embarrass an official
- Make comments or gestures intended to be personal in nature directed at an official.

Where a provision of this policy conflicts with the provisions of another policy or regulation, the provisions that establish the higher standards to protect the health, safety, and welfare of the general public shall prevail.

All local associations must provide documentation of their harassment/abuse prevention policies to the Recreation Director, and must ensure that athletes, coaches, volunteers and parents are familiar with this Code of Conduct.

SAFETY, ALCOHOL AND DRUGS

No individual involved in recreation in the Township of Elizabethtown-Kitley shall engage in activity or behaviour that endangers the safety of others, or use or be under the influence of alcohol or drugs while in Township recreational facilities.

LICENSING

All individuals using Township recreational facilities shall comply with all relevant governmental licensing requirements

....3/

NON- COMPLIANCE

Failure to comply with this Code of Conduct may result in disciplinary action, including suspension from a game or games, dismissal, or prohibition from Township recreational property.

CRIMINAL RECORD CHECKS

It is the Policy of the Township of Elizabethtown-Kitley Recreation Department that Criminal Record Checks will become mandatory in the 2005 season for all volunteers and staff engaged in recreational activities in Township facilities. A volunteer is defined as a person who donates his or her time without remuneration.

It is the Policy of the Township of Elizabethtown-Kitley Recreation Department that local associations will be required to obtain Criminal Record Checks of volunteers. These Criminal Records Checks should not be more that 4 months old when accepted by the local association. Once the individual has been permitted to act as a volunteer the Criminal Record Checks must be conducted every 4 years.

....4/

COMPLAINT PROCEDURE

Complaints of harassment will be handled in the following way:

(a) Step 1
The individual shall report the circumstances in writing to the Director of Recreation and the next uninvolved supervisor (i.e. coach or association board member). The individual may also file a report with the police if desired.

The Director of Recreation and supervisor will promptly take appropriate action, using the utmost discretion to maintain confidentiality and to respect the rights and dignity of all parties involved. Appropriate action will include:

- Documenting the case
- Interviewing the complainant to obtain all pertinent information
- Interviewing and informing the alleged offender with respect to the complaint. It is important to ensure that the alleged offender is aware of the Township's Recreation Department Code of Conduct, including the possible penalties.
- Interviewing any witnesses
- If the Recreation Director determines that there has been a breach of the Code of Conduct, he or she may take disciplinary action. Such discipline could include a warning, suspension, dismissal, or prohibition from Township recreational facilities.

(b) Step 2
If the situation is not satisfactorily resolved at Step 1, the complainant may submit the complaint in writing directly to the Administrator-Clerk of the Township of Elizabethtown-Kitley for further investigation. The Administrator Clerk will review the process followed in Step 1, interview the complainant, the alleged offender and others if she or he feels it is necessary, and make a determination about whether the Code of Conduct has been breached. If the Administrator-Clerk determines that there has been a breach of the Code of Conduct, she or he may impose appropriate discipline.

There may be circumstances where the conduct warrants police involvement. In such circumstances, discipline may be imposed pending the results of a police investigation.

Nothing in this policy prevents any individual from filing a complaint with the Human Rights Commission

***** CONFIRMATION OF RECEIPT ON FOLLOWING PAGE *****

CONFIRMATION OF RECEIPT

The local association shall retain and return to the Township the confirmation of receipt of this policy for all volunteers.

I_____ have received a copy of the Township of Elizabethtown-Kitley Recreation Department Abuse and Harassment Policy.

_____ _____

Signature Date

TOWNSHIP OF ELIZABETHTOWN-KITLEY
RECREATION GROUNDS & BUILDING RENTAL AGREEMENT FOR MUNICIPAL OWNED PROPERTY

General

1) The permit holder shall assume all liability for damages caused directly or indirectly by the permit holder or invited guests. The Municipality owned or Managed Properties will not be responsible for any loss or theft of any items brought to the facility.

2). To indemnify and save harmless the Township of Elizabethtown-Kitley, its servants, agents, and workmen of and from all and every liability of any kind whatsoever including, without limitations, liability for bodily injury or death, damage to persons or property, or liability for any debt which may arise out of the insurance of this permit for the use or the use of the facility herein referred to.

3) The permit holder is required to pay a $ 200.00 per day clean up/damage security deposit. The funds will be withheld by the Township and reimburse in the partial or full amount to the user group representative upon final inspection of the Recreation Grounds. The user group representative and the Recreation Director or designated associate shall conduct a final inspection of the recreation grounds upon completion of the tournament or event to determine state of grounds/building. The fire department coverage shall also be at the expense of the user group representative.

4) Any user group representative who forfeits this deposit shall not be able to rent any recreation ground in the Township

5) No alcohol, drugs, or other illegal activity permitted on Township property. Unless, appropriate special occasion permit by the LCBO has been approved.

Permits

6) Where a Special Occasion Permit by the LCBO or like event is to be held, the following guidelines must be followed and submitted thirty days prior to scheduled event day.

-Site plan for Concession Stands, Temporary Fencing, Trailers or any additions to location property. The plan will include exits, fire extinguishers, number of chairs, tables, people etc. which will be submitted to the Recreation Director 30 days prior to the event which then will be reviewed by the Planning / Building / Fire Departments.
-Copy of liquor license (Original liquor license must be posted)
-Refreshment Vehicles / Vending Trailers shall meet the minimum requirements of the By-Law for portable vending establishments.

7) Any group requiring tents or temporary structures at a size of 2255 square feet or larger

will require building permit approval 30 days in advance from the Township Chief Building Official.

8) Where the use of air supported structures are required, the Township requests permit approval 30 days in advanced including:

-A copy of written documentation ensuring that the flame proofing treatment complies With N.F.P.A. #701. Standard Methods of Fire Tests for Flame Resistant Textiles and Films.

9). In the event fire works are to be used, a written request for approval shall be submitted to the Township Fire Chief and Recreation Director 30 days prior to the event. The permitted use will be regulated by the Ontario Fire Code (Reg. 213/07).

10). Where open burning is required as a part of an event, approval by the Township Fire Chief is required. The person in charge will abide by all areas of the Ontario Fire Code (Reg. 213/07).

11) Users groups require Liability Insurance with the Township of Elizabethtown-Kitley named as a co insured.

Payments

12) Payment for the full facility rental, which includes $200 per day clean up and damage deposit fee refundable following the event is due 10 working days prior to the event. Should the permit not be paid at this time, you run the risk of having your permit canceled by this department.
(Fee Schedule attached)

13) Payment in full for tournament bookings is due 30 days prior to the event.

14) Notified cancellations are governed as follows:

- Agreements canceled more than 13 days in advance will forfeit a $ 10.00 administration fee.
- Agreements canceled 7-13 days in advance will forfeit 50 % of the deposit.
- Agreements canceled less than 7 days in advance will forfeit 100 % of deposit.

We, the undersigned, representing the (user group)_____
do hereby agree to abide by the terms and conditions contained in the Township of Elizabethtown-Kitley Recreation Grounds and Building Rental Agreement for (Facility) _____or _____ (event name), to be held on this day _____of_____.

We hereby agree that the Township of Elizabethtown-Kitley will be saved harmless from any liability of injury to any person in the use of the facility when injury is a direct or indirect result of the nature of the activities by the participants and/or spectators to any user group.

We agree and acknowledge that the Township will be saved harmless form any liability for the loss by accident or theft by a person(s) unknown for any articles of personal belonging or equipment of any participant and/or spectator to any user group.

We agree that said user group is responsible for the costs of repair/replacement of any equipment in said facility when necessitated as direct or indirect result of action by participants of said user group

Contact number of user representative _____.
Address of user representative _____

_____	_____	_____
Date	Recreation Director	User Group Representative

FOR OFFICE USE ONLY

Please be advised that your application is APPROVED___ NOT APPROVED___.
Reason for non approval:_____

USAGE FEE_____ Payable prior to use.

Please make cheque payable to the Township of Elizabethtown-Kitley

Township of Elizabethtown-Kitley

POLICY: Delegation Of Consent Commenting Authority For Lot Addition, Right-Of-Way And Easement Applications

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POLICY STATEMENT:

The Township of Elizabethtown-Kitley, through its Planning Advisory Committee (PAC) receives numerous consent applications from the County Approval Authority for consideration. In an effort to streamline the process, delegation of consent commenting authority for specific applications is hereby made to the Director of Planning and Development and the Chair of PAC.

PROCEDURE:

This procedure is applicable to all consent applications related to the following:

i. Lot Additions
ii. Right-of-Way
iii. Easements

When applications as noted above are received, the Director of Planning and Development staff will:

1. Consult with the Chair of the PAC to determine is the application is to be reviewed and commented on alone by staff or if it is to be forwarded to PAC for consideration and recommendation to Council.

2. If it is determined by the Chair and the Director of Planning and Development that the application can be reviewed by staff alone, staff will review the application and provide comment to the approval body such staff comments will be copied to Council and PAC until directed otherwise by Council or PAC.

3. If it is determined that the application is of a nature that the PAC is to review and comment, the application will be included in the next Committee agenda for PAC consideration and recommendation to Council.

TOWNSHIP OF ELIZABETHTOWN-KITLEY

ANTENNA SYSTEM SITING PROTOCOL

SECTION 1 OBJECTIVES:

The objectives of this protocol are:

1. To establish a siting and consultation process that is harmonized with Industry Canada's *Radio Communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* for reviewing land use issues associated with Antenna System siting proposals;

2. To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:

   a. Minimize the number of new antenna sites by encouraging co-location;

   b. Encourage designs that integrate with the surrounding land use and public realm;

   c. Allow Industry Canada and the communications industry to identity and resolve any potential land use, siting or design concerns with the Township at an early stage in the process.

3. To provide an expeditious review process for Antenna System siting proposals;

4. To establish a local land use consultation framework that ensures the Township and members of the public contribute local knowledge that facilitates and influences the siting – location, development and design (including aesthetics) – of Antenna Systems within municipal boundaries;

5. To encourage Antenna System siting locations within preferred locations.

6. To contribute to the orderly development and efficient operation of a reliable, strong radio communication network in the Township; and

7. To provide the Township with information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Township to Industry Canada at the end of the process.

SECTION 2 JURISDICTION AND ROLES:

Township:

The ultimate role of the Township is to issue a statement of concurrence or non-concurrence to the Proponent and to Industry Canada. The statement considers the land use compatibility of the Antenna System, the response of the affected residents and the Proponent's adherence to this Protocol. The Township also guides and facilitates the siting process by:

- **Communicating** to Proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
- **Developing** the design guidelines for Antenna Systems contained in Section 6 of this Protocol; and
- **Establishing** a community consultation process.

Proponents:

By working with Proponents throughout the siting process, beginning with preliminary notification and the site investigation meeting, the Township seeks to facilitate Antenna System installations that are sensitive to the needs of the local community.

Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirements in response to public demand. Throughout the siting process, Proponents must adhere to the antenna siting guidelines in the CPC, including:

- Investigating, sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with CPC-2-0-17 Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements);
- Contacting the Township to determine local requirements regarding Antenna Systems; and
- Undertaking public notification and addressing relevant concerns as is required and appropriate.

Proponents additionally must comply with the following federal legislation and/or regulations, where warranted;

- Health Canada's Safety Code 6 – *Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3KHZ to 300 GHZ* – Safety Code 6 (2009);
- The *Canadian Environmental Assessment Act*; and
- NAV Canada and Transport Canada's painting and lighting requirements of aeronautical safety.

SECTION 3

Definitions:

ANTENNA SYSTEM: an exterior transmitting device or group of devises used to receive and/or to transmit radio-frequency (RF) signals, microwave signals or other federally-licenced communications energy transmitted from or to be received by, other antennas. Antenna System include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol most commonly refers to the following two types of Antenna Systems:

1. **Freestanding Antenna System**: a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an Antenna System or Antenna Systems;

2. **Building/Structure-Mounted Antenna System**: an Antenna System mounted on an existing structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

CO-LOCATION: the placement of antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent thereby creating a shared facility.

DESIGNATED MUNICIPAL OFFICER (OR HIS/HER DESIGNATE): the municipal staff member(s) tasked with receiving, evaluating and processing submissions for telecommunication Antenna Systems. The Designated Municipal Officers name and contact information is provided in the Antenna System Siting Flowchart provided in this Protocol.

HERITAGE STRUCTURES/AREAS: buildings and structures (e.g. monuments) or areas/neighbourhoods receiving a heritage designation by the Township.

MUNICIPAL DEPARTMENTS: branches of municipal government that administer public services and are operated by municipal staff.

OTHER AGENCIES: bodies (e.g. boards or commissions) that administer public services but are not operated or staffed by the Township.

PRESCRIBED DISTANCE: 120 metres/400 feet, measured horizontally from the limits of the proposed property for the proposed Freestanding or Building/Structure-Mounted Antenna System.

PROPONENT: a company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carriers) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.

SECTION 4 – EXCLUDED STRUCTURES

4.1 Exemptions from Antenna System Siting Proposal Review and Public Consultation

For the following types of installations, Proponents are generally excluded by Industry Canada from the requirement to consult with the Township and the public, but must still fulfill the General Requirements outlined in Section 7 of the CPC:

1) New Antenna Systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level except where required by the Township as per Section 4.2.2;

2) Maintenance of existing radio apparatus including the Antenna System transmission line, mast, tower or other antenna-supporting structure;

3) Addition or modification of an Antenna System (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc., including additions to rooftops or support pillars, provided:

   a. The addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;

   b. The existing Antenna System is at least 15 metres in height; and

   c. The existing Antenna System has not previously been modified to increase its original height by 25%;

4) Maintenance of an Antenna System's painting or lighting in order to comply with Transport Canada's requirements; and

5) Installation, for a limited duration (typically not more than 3 months,) of an Antenna System that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during an emergency, and is removed within 3 months after the emergency or special event. The Township may grant additional time for the removal of Antenna Systems used for special event or emergency operation upon written request.

The CPC also states that individual circumstances vary with each Antenna System installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the Proponents to consult the Township and the public even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, Proponents should consider such things as:

- The Antenna System's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- The location of the proposed Antenna System on the property and its proximity to neighbouring residents;
- The likelihood of an area being a Community-Sensitive Location; and
- Transport Canada marking and lighting requirements for the proposed structure.

4.2 Notification and Township Review of Exempt Antenna Systems

Notwithstanding Industry Canada's exemption criteria for certain Antenna Systems, municipalities should be informed of all new Antenna System installations within their boundaries so they can:

- Be prepared to respond to public inquiries once construction/installation has begun;
- Be aware of site Co-location with the Township;
- Maintain records to refer to in the event of future modifications and additions; and
- Engage in meaningful dialogue with the Proponent with respect to the appearance of the Antenna System and structure prior to the Proponent investing in full design.

Therefore, Proponents are required to undertake the following steps for all exempt Antenna System Installations before commencing construction.

4.2.1 Building/Structure-Mounted Antenna System:

The Proponent will in all cases provide the following information for all new Antenna Systems or modifications to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard:

a. The location of the Antenna System (address, name of building, rooftop or wall mounted, etc.);

b. Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences expressed in Section 6, Development Guidelines;

c. The height of the Antenna System;

d. The height of any modifications to existing systems.

The Township may notify the Proponent of any inconsistency with the preferences and sensitivities expressed in Section 6 and the parties will work towards a mutually agreeable solution.

4.2.2 Freestanding Antenna Systems and Additions to Freestanding Antenna Systems:

The Proponent will confirm to the Township that the Freestanding Antenna system to be erected or an addition to an existing freestanding Antenna System as defined in Section 4.1(3) meets the exclusion criteria in Section 4.1 by providing the following:

1) The proposed location, including its address and location on the lot or structure;

2) A short summary of the proposed Antenna System including a preliminary set of drawings or visual rendering of the proposed system; and

3) A description of how the proposal meets one of the Section 4.1 exclusion criteria.

The Township will review the documentation and will contact the Proponent where there is a site specific basis for modifying the exemption criteria based on the preferences and sensitivities expressed in Section 6, Development Guidelines, of this Protocol. In such cases, the Township and the Proponent will work toward a mutually agreeable solution, which may include the Township requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Sections 5, Pre-Consultation With The Township, Section 7, Proposal Submission and Section 8, Public Consultation Process, of this protocol, as applicable, concluding with a letter of concurrence or non-concurrence.

Proponents should anticipate that the Township will request that all proposals for new Freestanding Antenna Systems and additions to existing Freestanding Antenna Systems that are proposed. For this reason,

Proponents are strongly encouraged to initiate this process before investing in a final design or site.

4.3 Sitting on Municipal-Owned Properties

Any request to install an Antenna System on lands owned by the Township shall be made to the Council.

SECTION 5 - PRE-CONSULTATION WITH THE TOWNSHIP

Pre-consultation is one of the most important elements in the antenna siting process as it generally occurs at a point before the Proponent is committed to a site or design. As a result it represents the best opportunity to influence the siting decision since the Proponent will more likely become committed to a site once the detailed engineering has been completed. While a discussion of submission requirements is appropriate the proposal will benefit most from early direction on matters of siting and design. Proponents are strongly encouraged to initiate pre-consultation as early as possible in the antenna siting process for exempt and non-exempt structure.

Prior to submitting an Antenna System proposal, including for Freestanding Antenna Systems or additions to Freestanding Antenna Systems as may be required under Section 4.2.2, the Proponent will undertake the following preliminary consultations with the Township.

5.1 Notifications

Proponents will notify the Township, to the attention of the Township Clerk, that locations in the community are being physically assessed for potential Antenna System siting.

5.2 Site Investigation Meeting With Township

Prior to submitting an Antenna System siting proposal, the Proponent will initiate a site investigation meeting with the Township's Designated Municipal Officer.

The purpose of the site investigation meeting is to:

- Identify preliminary issues of concern;
- Identify requirements for public consultation as set out in Section 8, Public Consultation Process (including the need for additional forms of notice and a public information session);
- Guide the content of the proposal submission; and
- Identify the need for discussions with any Township department or other agencies as deemed necessary by the Township.

Where the Township has an initial concern with the proposed siting of the proposal they will make known to the Proponent alternative locations within the Proponent's search area for consideration.

The Proponent will bring the following information to the site investigation meeting:

1) The proposed location;

2) Potential alternative locations;

3) The type and height of the proposed Antenna System; and

4) Preliminary drawings or visual renderings of the proposed Antenna System superimposed to scale; and

5) Documentation regarding the investigation of co-location potentials or existing or proposed Antenna Systems within 500 metres of the subject proposal.

If desired by both the Proponent and the township, multiple Antenna System siting proposals may be reviewed at a site investigation meeting.

5.3 Confirmation of Municipal Preferences and Requirements

Following the site investigation meeting, Designated Municipal Staff will provide the Proponent with an information package that includes;

1) This Protocol, which outlines the approval process, excluded structure, requirements for public consultation and guidelines regarding site selection, co-location, installation, design and landscaping;
2) Proposal submission requirements;
3) A list of plans and studies that may be requires (i.e. environmental impact statements);
4) A list of Township departments and other agencies to be consulted; and
5) An indication of the Township's preferences regarding co-location for the site(s) under discussion.

To expedite the review of the proposal, the Proponent will review this information package before the proposal is submitted so that the interests of the Township are taken into account. The Proponent is encouraged to consult with affected departments before submitting the proposal.

SECTION 6 DEVELOPMENT GUIDELINES

Antenna Systems should be sited and designed to respect local sensitivity and preferences as identified by the Township.

The Township has set out a number of guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- Location, including Co-location; and
- Development and Design Preferences

The Proponent should review the guidelines identified below as early as possible and should attempt to resolve any outstanding issues prior to submitting its Antenna System siting proposal and undertaking the public consultation, where required by the Township. Because expressed preferences may be location- or site-specific, the Proponent is encouraged to discuss the guidelines fully with the Township at the site investigation meeting.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings.

6.1 Location

Co-location:

Before submitting a proposal for an Antenna system on a new site, the Proponent must explore the following options:

- Consider sharing an existing Antenna System, modifying or replacing a structure if necessary;
- Locate, analyze and attempt to use any feasible existing infrastructure, including, but not limited to, rooftops, water towers, utility poles or light standards.

Where Co-location on an existing Antenna System or structure is not possible, a new Antenna System should be designed with Co-location capacity, including in Residential Areas where identified as the Township's preference.

The Township recognizes that the objective of promoting Co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the Township intends to review each submission on its merits with a view to promotion both objectives and, where necessary, will determine the appropriate balance between them. The Proponent should, in all

cases, verify the Township's site-specific design preferences during the pre-submission consultation process before investing in a final design or site.

Preferred Locations:

When new Antenna Systems must be constructed, where technically feasible, the following locations are preferred:

- Industrial and Commercial areas.
- Transportation and utility corridors.
- As near as possible to similarly-scaled structures.
- Institutional uses where appropriate, including, but not limited to, those institutions that require telecommunications technology such as emergency services.
- Areas that respect public views and vistas.
- Adjacent to parks, green spaces and golf courses.
- Other non-Residential Areas where appropriate.
- Areas that maximize the distance from Residential Areas.

Discouraged Locations

New Antenna Systems should avoid the falling areas:

- Airport Height Restriction Area as defined under the Township's Official Plan.
- Settlement Areas and residentially designated areas as set out under the Township's Official Plan.
- Locations directly in front of doors, windows, balconies or residential frontages.
- Ecologically significant natural lands.
- Riverbank lands.
- Inappropriate sites located within Parks and Open Space areas (with the exception of sites zoned to permit utilities and/or unless designed to interact with the area's character).

- Sites of topographical prominence.
- On heritage structures.
- Pitched roofs.

6.2 Development and Design Preferences

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reduce the need for future facilities in the same area, where appropriate. The Township's preferred design and development preferences are described below.

The Township will identify to the Proponent which of the following development and design preferences are encouraged in the proposed location:

Buffering and Screening

- Antenna Systems and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts. Screening could include using existing vegetation, landscaping, fencing or other means in order to blend with the built and natural environments. The colour scheme of any such landscaping such as fencing is to blend with the landscape.
- A mix of deciduous and coniferous trees is preferred to provide year-round coverage.
- Where adjacent to a principal building, equipment shelters should be constructed of a material similar in appears to at least one of the materials used in the facades of the principal building and one of the same colours used in the principal building.

Signage and Lighting

- Small owner identification signs up to a maximum of 0.19 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing.
- No advertising sign or logo is permitted.
- Appropriate signage may also be used as part of screening or disguise.

- Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged.

- Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lighting should be set to the maximum strobe interval allowed by Transport Canada.

- The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

SECTION 7 - PROPOSAL SUBMISSION

For a proposed Antenna System, except for cases in which consultation is not required as per Section 4.2.1 or the Township has not requested consultation as per Section 4.2.2, the Proponent will submit to the Township an Antenna System siting proposal and the applicable fee as set out in Appendix A attached hereto.

7.1 Proposal Submission Requirements

The Proponent must include the following information when submitting an Antenna System siting proposal:

1) A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for Co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal;

2) Visual rendering(s) of the proposed Antenna System superimposed to scale;

3) A site plan showing the proposed development situated on the site;

4) A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;

5) For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;

6) Confirmation of legal ownership of the lands subject to the proposal, or a signed letter or authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;

7) An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for the devises; and

8) Any other documentation as identified by the Township following the site investigation meeting.

A determination on the completeness of an application or request for additional information will be provided within ten working days of receipt of the proposal.

Upon receipt of a complete proposal submission, the Township will circulate the proposal for review and comment to:

1) Affected Township departments;
2) Any adjacent Township within the Prescribed Distance; and
3) Council.

7.2 Fees

The Proponent must pay an applicable application fee to the Township.

The Proponent is responsible for securing applicable applications or permissions from all relevant Township departments and paying any application fees or charges as required to the Township.

SECTION 8 - PUBLIC CONSULTARION PROCESS

If the proposed Antenna System is not exempt from the public consultation process as per the requirements in Section 4, the Proponent will initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the Township.

8.1 Notice Recipients

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:

1) All affected residential properties, within the Prescribed Distance;

2) Any adjacent municipality within the Prescribed Distance;

3) Council;

4) Director of Planning and Development; and

5) The Industry Canada regional office.

The Township will assist the Proponent in compiling a mailing list of addresses of the affected residences within the Prescribed Distance from the proposed Antenna System. The Township may charge a fee for this service.

8.2 Notice Requirements

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where a public information session is required), and include:

1) Information on the location, height, type, design and colour of the proposed Antenna System; including a 21 cm x 28 cm (8" x 11") size copy of the site plan submitted with the application;

2) The rationale, including height and location requirements, of the proposed Antenna System;

3) The name and contact information of a contact person for the Proponent;

4) The name and contact information for the Designated Municipal Staff;

5) An attestation that the Antenna System will respect health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devises;

6) The date, time and location of the public information session where required; and

7) The deadline date for receipt by the Proponent of public responses to the proposal.
   a. Where a public information session is required, the deadline date must be no more than five days before the date of the session.

   b. Where a public information session is not required, the deadline date must be at least 30 days after the notices are mailed.

The notification shall be sent out in an envelope addressed to the Property Owner and shall clearly show in bold type on the face of the envelope the statement:

"NOTICE FOR RESIDENTS WITHIN (INSERT PRESECRIBED DISTANCE) OF A NEW PROPOSED CELL TOWER, INFORMATION IS ENCLOSED".

8.3 Written Consultation Process

Following the delivery of the notification, the Proponent will allow the public to submit written comments or concerns about the proposal.

The Proponent will:

1) Provide the public at least 30 days to submit questions, comments or concerns about the proposal;

2) Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt); and

3) Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).

4) Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.

5) Provide a copy of all written correspondence to the Township and the regional Industry Canada office.

8.4 Public Information Session

The Proponent will chair a public information session. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

- An appropriate date, time and location for the public information session will be determined in consultation with the Designated Municipal Officer.
- The Proponent will make available at the public information session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.

The Proponent will provide the Township with package summarizing the results of the public information session containing at a minimum, the following:

1) List of attendees, including names, addresses and phone numbers (where provided voluntarily);

2) Copies of all letters and other written communications received; and

3) A letter of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.

8.5 Post Consultation Review

The Township and the Proponent will communicate following completion of the public consultation process (and arrange a meeting at the Township's request) to discuss the results and next steps in the process.

SECTION 9 - STATEMENT OF CONCURRENCE OR NON-CONCURRENCE

9.1 Concurrence and Concurrence With Conditions

The Township will provide a letter of concurrence to Industry Canada (copying the Proponent) where the proposal addresses the requirements as set out within this Protocol and the Township's technical requirements, to the satisfaction of the Township and will include conditions of concurrence, if required.

The Township will issue the letter of concurrence within the timeframe established in Section 10, Consultation Process Timeframe.

9.2 Non-Concurrence

The Township will provide a letter of non-concurrence to Industry Canada (copying the Proponent if the proposal does not conform to Township requirements as set out within this Protocol. The Township will also forward to Industry Canada any comments on outstanding issues, including those raised during the public consultation process.

The Township will issue the letter of non-concurrence within the timeframe established in Section 10.

9.3 Rescinding a Concurrence

The Township may rescind its concurrence if, following the issuance of a concurrence, it is determined by the Township that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue.

In such cases, the Township will provide notification in writing to the Proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

9.4 Duration of Concurrence

A concurrence remains in effect for a maximum period of three years from the date it was issued by the Township. If construction has not commenced within

this time period the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after two years from the date the concurrence was issued, the Township requests, that the Proponent send a written notification of an intent to construct to the Township once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

9.5 Transfer of Concurrence

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the "current Proponent") without the need for further consultation provide that:

1) All information gathered by the original Proponent in support of obtaining the concurrence from the Township is transferred to the current Proponent;

2) The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and

3) Construction of the structure is commenced within the Duration of Concurrence period.

SECTION 10 - CONSULTATION PROCESS TIMEFRAME

Consultation with the Township is to be completed within 60 days of the proposal being accepted as completed by the Township as set out in Section 7 of this Protocol.

Where public consultation is required, consultation with the Township and public consultation are both to be completed within 120 days of the proposal being accepted as complete by the Township.

The Township or Proponent may request an extension to the consultation process timeline. This extension must be mutually agreed on by both parties.

In the event that the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the Township or reinitiating the consultation process to the extent requested by the Township.

SECTION 11 - LETTTER OF UNDERTAKING

The Proponent may be required, if requested by the Township, to provide a Letter of Undertaking, which may include the following requirements:

1) A commitment to accommodate other communications providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (CPC-2-0-17); and

2) All conditions identified in the letter of concurrence.

SECTION 12 - REDUNDANT ANTENNA SYSTEMS

Municipalities can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request, and will provide any available information on the future status or planned decommissioning of the Antenna System.

Where the network operators concur that an Antenna System is redundant, the network operator and Township will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from when the Antenna System was deemed redundant.

APPENDIX A

ANTENNA SYSTEM SITING PROTOCOL FEE

Section 7 Proposal Submission

7.2 Fees

The Proponent must pay $240.00 application fee to the Township.

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 16- 30

BEING a By-law to Regulate or Prohibit the Removal of Topsoil in the Township of Elizabethtown-Kitley and to Repeal By-law Nos. 11-86 (former Kitley Township) and 83-31 (former Township of Elizabethtown)

****

Whereas Section 142 (1) of the *Municipal Act 2001*, as amended, provides that Councils of municipalities may pass by-law to regulate or prohibit the removal of topsoil in the municipality or in any area or areas defined in the by-law;

And Whereas the Council of the Corporation of the Township of Elizabethtown-Kitley deems it desirable to regulate or prohibit the removal of topsoil within the Township of Elizabethtown-Kitley;

Now Therefore the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. **Definitions**
For the purposes of this By-law, the following definitions and interpretations shall govern.

1.1 "Agricultural Practices" means an activity consisting of animal husbandry, horticulture, beekeeping, dairying, field crops, fruit farming, fur farming, market gardening, pasturage, poultry keeping, mushroom farming or any other farming activity and may include growing, raising, small scale packing and storage of produce, feeds, seeds in a building, structure or part thereof and other similar related activities.

1.2 "Alteration" means a change, variation or modification to existing grades.

1.3 "Applicant" shall mean the owner, where such owner is an individual, or means any individual authorized in writing, by the owner to apply for a permit on the owner's behalf.

1.4 "Body of Water" includes any brook, creek, stream, river, lake, pond, waterway, water course, canal, municipal drain, award ditch or other flowing or standing water.

1.5 "Corporation" or "Township" means the Corporation of the Township of Elizabethtown-Kitley.

1.6 "Council" means the Council of the Corporation of the Township of Elizabethtown-Kitley.

1.7 "Drainage" means the movement of water to a place of disposal, whether by way of the natural characteristics of the ground surface or by an artificial method.

1.8 "Drainage Ditch" means an open channel which is used to carry ground and surface water.

1.9 "Dumping" means the depositing of fill in a location other than where the fill was obtained and includes the movement and depositing of fill from one location on a property to another location on the same property.

1.10 "Environmentally Protected Lands" means lands zoned environmental protection or flood plain in accordance with the Approved Corporation Zoning By-law, as amended.

1.11 "Erosion" means the detachment and movement of soil, sediment or rock fragments by water, wind, ice or gravity.

1.12 "Fill" means any type of material deposited or placed on lands and includes soil, topsoil, stone, concrete, asphalt, sod or turf either singly or in combination.

1.13 "Good Agricultural Lands" means those lands classified as Classes 1 through 3 inclusive of the Canada Land Inventory and which exhibit characteristics of on-going agriculture or potential for agriculture. These lands are generally shown as an agricultural overlay on schedules to the approved Official Plan of the Corporation.

1.14 "Grade" means the elevation of the ground surface of the land; and

a) "Existing Grade" means the grade as it existed prior to any site alteration;
b) "Finished Grade" means the actual grade after a site alteration; and
c) "Proposed Grade" means the grade proposed by an application for a site alteration permit.

1.15 "Inspector" means a person designated as a Municipal Law Enforcement Officer for the Corporation for the purpose of enforcing by-laws.

"Land Disturbance" means any man-made change of the land surface including removing vegetative cover, excavating, filling, grading and construction of buildings, roads, parking lots and other such similar items.

1.16 "Lot" means a parcel of land described in a deed or other document legally capable of conveying lands, or shown as a lot or block or a registered plan of subdivision.

1.17 "Permit" means permission or authorization given in writing by the Corporation to perform work regulated by the By-law or part thereof.

1.18 "Permit Holder" means the owner as defined in this By-law or the person, firm or corporation in possession of the lands including a lessee, a mortgagee in possession or a person, firm or corporation managing or controlling such lands.

1.19 "Placing" means the distribution of fill on lands to establish a finished grade higher or lower than the existing grade.

1.20 "Removal" shall mean excavation or extraction of any fill which lowers the existing grade, which includes soil stripping.

1.21 "The Act" means the Municipal Act, 2001.

1.22 "Topsoil" means that horizon in a soil profile known as the "O" and "A" horizons, containing organic material.

1.23 "Wetlands" includes any designated Class 1, 2 or 3 wetland as defined and identified as a Provincially Significant Wetland by the Ministry of Natural Resources and Forestry.

2. **Areas to Which By-law Applies and Exclusions**

2.1 This By-law shall apply to all lands witinh the Township of Elizabethtown-Kitley.

2.2 The By-law does not apply to the exemptions contained in Sections 142 of the Municipal Act, 2001.

3. **Prohibitions**

3.1 No person shall remove or permit the removal of any topsoil from the following categories of lands within the Corporation:

a) Good agricultural land
b) Lots or portions thereof within 30 metres of any body of water
c) Lots or portions thereof within120 metres of a wetland
d) Lands designated Settlement Area, Natural Heritage – Provincially Significant Wetlands, Natural Heritage and Natural Hazard under the Official Plan for the Corporation

3.2 No person shall remove or permit the removal of any topsoil from any land within the Corporation unless the removal is in accordance with a valid Topsoil Removal Permit issued by the Corporation pursuant to this By-law.

4. **Topsoil Removal Permits**

4.1 All applications for Topsoil Removal Permits shall be made by the owner of the lot, or his/her authorized agent, in writing to the Corporation during normal business hours, together will all fees and supporting documents as may be required.

4.2 The fee for a permit, or to renew a permit, to remove topsoil shall be established by Council.

4.3 All applications, attached as Schedule 'A' to this by-law, for topsoil removal permits and renewal permits shall be on a form established by the Corporation from time to time and shall be filed complete together with all supporting documentation and fees prior to the Corporation considering the application.

4.3.1 The application supporting documentation shall include, at a minimum, the following:

a) Detailed site plan to scale showing all buildings, structures, physical features, area of land disturbance, property boundaries, water bodies, dimensions and setbacks.

b) A description and notation of soil type, vegetation cover and site topography.

c) A site construction plan showing: locations and dimensions of all proposed land disturbing activities; location and dimension of all temporary soil and dirt stockpiles; a schedule of anticipated starting and completion dates of each land disturbing activity, including the installation of site control measures; a description of provisions for the maintenance of the construction site control measures during construction.

d) A plan of final site conditions showing: site conditions after the completion of land disturbing activities and rehabilitation measures; a detailed description of rehabilitation measures to be carried out to restore the site to a condition acceptable to the Corporation including time tables and estimated costs.

4.3.2 In addition to the application document submission requirements of subsection 4.3.1, the applicant may be required to additionally submit the following items:

a) Irrevocable letter of credit, in a form acceptable to the Corporation in an amount of 100% of the estimated costs of site control and rehabilitative measures deemed necessary by the Corporation.

b) Site and control plans stamped by a certified professional engineer.

c) Detailed descriptions and costs of all or any of the following items: site dewatering; drain inlet protection; site erosion control; sediment control and other measures as may be required by the Corporation.

4.4 Public input will be sought prior to final approval of the application. Notification of a proposed application will be provided to all property owners within 60 metres of the subject property boundaries stating that anyone objecting to or supportive of the application will have a 21 day period to submit written comments to the Corporation. All submissions received will be summarized and provided to Council prior to final approval.

4.5 Permits shall be valid for a period of 1 year from the date of issuance. Permits may be renewed for one or more additional 1 year periods upon application to the Corporation.

4.6 All existing permits issued prior to the enactment date of this By-law shall be given a period of three years to comply with all provisions contained herein.

4.7 Permits may be issued or renewed subject to specific conditions previous deemed necessary by the Corporation to ensure site control compliance, site rehabilitation and other such similar requirements.

4.8 Council may refuse to grant a permit or may grant a permit for a lesser area than that applied for and may impose such conditions as it considers reasonable and in the public interest.

5. Administration

5.1 This By-law shall be administered by the Clerk of the Corporation, or his/her designate or deputy and shall be delegated the powers of Council under the Act for the purpose of this By-law.

5.2 For the purpose of the administration of the By-law, the By-law Enforcement Officer has the right, under protection of identification, to enter upon the lot for the purpose of inspection for compliance with the provisions of a Topsoil Removal Permit and associated plans and schedules, or for performing any work necessary to bring the site into compliance with the provisions of the permit and associated plans and schedules.

5.3 Upon the failure of the owner to carry out, repair or maintain a specific part of the work as requested or required by the Corporation within a time period as may be specified by the Corporation, the Corporation may at any time hereafter authorize the use of all or part of any securities held to pay the cost of any part of the works the Corporation may in its or their absolute discretion deem necessary.

5.4 Upon the failure of the owner to carry out, repair or maintain a specific part of the works as requested or required by the Corporation within a time period as may be specified by the Corporation, the Corporation may at any time thereafter authorize the carry out of, repair or maintenance of such works at the owner's expense, and the Corporation may recover the expense incurred in doing it by action, or the same may be recovered in like manner as municipal taxes.

6. Offences and Enforcement

6.1 Part XIV of the Municipal Act, 2001 as amended, applies with necessary modifications to this By-law.

6.2 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

6.3 Any person who provides misleading or false information in an application for Topsoil Removal permit pursuant to this By-law or fails to rehabilitate as provided for in the application, shall be guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

6.4 When it is revealed or discovered that an applicant for a Topsoil Removal Permit pursuant to this By-law has provided misleading or false information on an application, the Topsoil Removal Permit issued under this By-law shall become null and void and the Corporation may order or direct that any person or corporation removing topsoil pursuant to the Topsoil Removal Permit issued on this misleading or false information, to forthwith cease and desist all operations.

6.5 Any person or corporation who contravenes any provision of this by-law may by order of the Corporation be directed to forthwith cease and desist all operations.

7. Effective Date

7.1 This By-law shall be in force and effect upon final passing by Council of the Corporation of the Township of Elizabethtown-Kitley.

7.2 By-laws 11-86 (former geographic Kitley Township) and 83-31 (former geographic Elizabethtown Township) are hereby repealed in their entirety.

7.3 By-law No. 95-27 (topsoil removal agreement) shall remain in force and effect and are subject to the renewal fees as set out under By-law 16-30.

Read a **First** and **Second** time this 24th day of May, 2016.

Read a **Third** time and finally **Passed** this 13th day of June **2016.**

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 16-30
passed by the council of the said Corporation
the 13 day of June, 2016

Jim Pickard
MAYOR

Yvonne L. Robert
CLERK

Schedule 'A' to By-law No. 16-30
The Corporation of the Township of Elizabethtown-Kitley
Application For Permit To Remove Topsoil

Please Print or Type All Information

1 Name of Land Owner _____

Address _____
_____
_____

Phone Number _____

Email _____

2 Name of Contractor _____

Address _____
_____
_____

Phone Number _____

Email _____

3 Applicable Lot Lot: _____ Concession: _____

4 Number of Acres _____

5 Depth of Topsoil to be Removed _____

6 Quantity of Topsoil to be Removed _____

7 Date of Start of Removal _____

8 Date for Completion of Removal _____

9 Hours/Days of Removal/Operation _____
Hours Days

10 Will Screening Equipment Be Used on Site Yes: _____ No: _____

Schedule 'A' to By-law No. 16-30
The Corporation of the Township of Elizabethtown-Kitley
Application For Permit To Remove Topsoil

11 Will Topsoil Be Stored On Site? Yes: No:

12 Location for Storage of Topsoil

13 Current Use of Land

14 Outline Effect on Land and Drainage During the Subsequent Topsoil Removal

15 Proximity to:
Provincially Significant Wetland Yes: No:
Water Body Yes: No:

Specify

16 Outline Township/County Roads to be used by vehilces removing topsoil

17 Outline in detail proposed rehabilitation provedures for site after completion of topsoil removal

Leveling

Drainage

Seeding

18 Estimated cost of rehabilitation

19 Date for complrtion of rehabilitation

20 Location of topsoil removal — To scale site plan to be attached

Schedule 'A' to By-law No. 16-30
The Corporation of the Township of Elizabethtown-Kitley
Application For Permit To Remove Topsoil

21 Outline procedures for dust control during topsoil removal _____

_____

_____

_____

_____

I certify that I am the Owner named in the application and the information in the said information in the said application, site plan and specifications submitted herein is true and correct in every respect and no relevant information has been withheld.

I make this solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under Oath, and by virture of the Canada Evidence Act.

Declared before me at the

_____ To be signed by Owner(s) or Authorized Agent

of _____ of the Owner or Owners

in the County of Leeds, this

_____ day of

_____

_____

Office Use Only

Official Plan Designation _____

Prohibitions:

Agricultural Land (Class 1, 2, 3)	Yes:	No:
Removal within 30m of a waterbody	Yes:	No:
Removal within 120m of wetland (PSW)	Yes:	No:
Lands Designated settlement area in OP	Yes:	No:
Lands designated Natural Heritage-PSW	Yes:	No:
Lands designated Natural Heritage in OP	Yes:	No:
Lands designated Nautral Hazard in OP	Yes:	No:

Schedule 'A' to By-law No. 16-30
The Corporation of the Township of Elizabethtown-Kitley
Application For Permit To Remove Topsoil

Application Received _____
(Date)

Application Approved by Council _____
(Date)

Amount of Letter of Credit/Performance Bond _____

Council Conditions

_____

_____

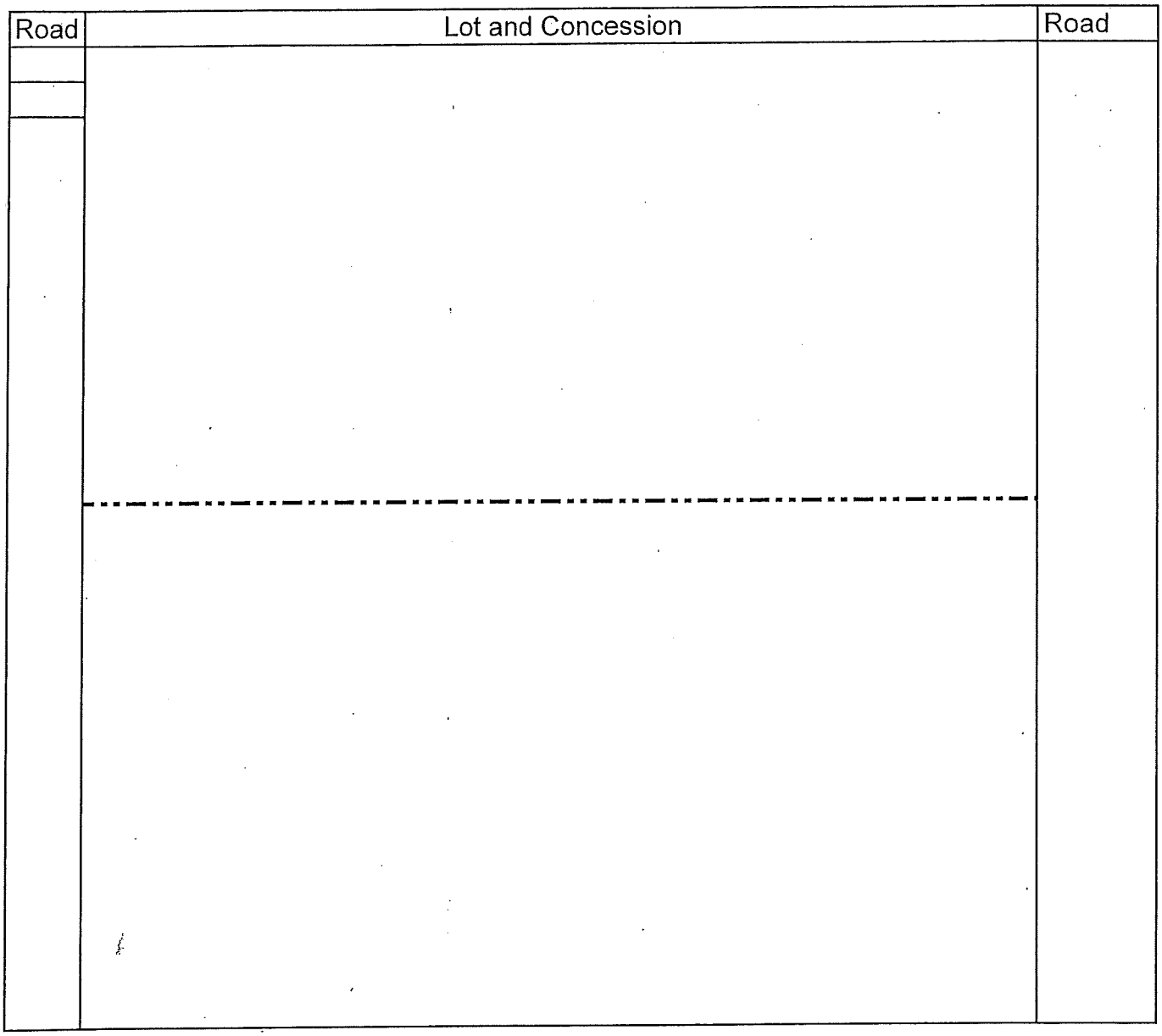
_____

_____

_____

Schedule 'A' to By-law No. 16-30
The Corporation of the Township of Elizabethtown-Kitley
Application For Permit To Remove Topsoil

Location of Topsoil Removal



Township of Elizabethtown-Kitley

Source Water Protection Communications Plan

As part of the Township of Elizabethtown-Kitley's Strategic Plan, Council's vision statement is to 'promote unique rural and urban environments while encouraging sound growth and development in a fiscally responsible manner. Stemming from this vision, the mission statement includes the need to 'ensure a resilient, safe community'.

Source water protection speaks directly to both the Township's vision and mission statements by working toward the protection of the Township's sensitive groundwater and to the City of Brockville's intake protection zone which is located within the Township's boundaries. The City's municipal drinking water system provides municipally piped water to the residents of the City as well as to select properties within the Township, east and west of the City limits.

The following communications plan sets out the manner in which the Township will disseminate information to property owners, residents and the general public regarding source water protection. All efforts will be made to partner with area municipalities, the Cataraqui Region Conservation Authority, the Cataraqui Source Protection Authority and businesses/individuals.

OBJECTIVES

The objective of the Communications Plan is to inform property owners, residents and the general public about the Source Water Plan, bringing to their attention the sensitive groundwater issues as this impacts private well users and the Brockville Intake Protection Zone which impacts municipal waterline users, by raising public awareness about the importance of drinking water source protection. Developing and following the plan will provide a consistent message, encouraging consideration for our groundwater with the goal of overall lifestyle changes which will benefit future property owners and residents.

It is also the goal of the Communications Plan to inform and educate business owners within the Brockville Intake Protection Zone on what they can do to contribute to the protection of drinking water.

The Plan will also provide information on the Township's participation and role within the Source Water Protection Plan (SWP) as set out by the Cataraqui Source Water Protection Authority.

Finally, the Communications Plan will fulfill the Township's obligations for education and outreach under the SWP Plan.

BACKGROUND

The Ontario Clean Water Act, 2006 established local source protection committees responsible for developing source protection plans. The Cataraqui Source Protection Authority is one of three Authorities established covering the Township of Elizabethtown-Kitley (Rideau Valley/Mississippi and South Nation). The Act set out the guidelines for the source water

protection plans which could include education and outreach policies that municipalities and other bodies must implement to assist in the protection of drinking water sources.

An approved source protection plan comes into effect on the date set by the Minister of the Environment and Climate Change. This date can be found in the source protection plan or on the notice of approval on the Environment Bills of Rights Registry.

CONTEXT

The Cataraqui Source Protection Plan was approved on November 26, 2014, coming into effect on April 1, 2015. In accordance with section 5.2, Education and Outreach Programs, the Township of Elizabethtown-Kitley has education and outreach policies to implement on the following threats:

- Hazardous waste spills/accidents
- Septic
- Salt
- Well testing
- Storage of hazardous and liquid wastes

Prior to the approval of the Cataraqui Source Protection Plan the Source Protection Committee consulted on the draft policies with various parties, including area municipal staff and members of Council. The draft Plan was posted on the internet requesting written comments. Notices were sent to the various implementation bodies and to landowners that are engaged in activities that are significant drinking water threats requesting comments. Public open houses were held in various locations with a total of 130 people attending. Media also provided positive coverage which helped raise the profile of the Plan.

As noted in the opening paragraph, source water protection also falls within the Townships vision and mission statements by encouraging sound growth and development and ensuring a resilient, safe community.

TARGET AUDIENCES

Internally, members of Council and staff will need to be aware of drinking water source protection to answer questions from the public. They require knowledge of the sensitive groundwater location and the Brockville Intake Protection Zone as well as the requirements that must be met when considering potential development including contact with the Township's risk management official (RMO) at the Cataraqui Region Conservation Authority (CRCA).

Externally the primary audiences will be property owners, business owners and residents. Secondary to this are the general public within and outside of the sensitive groundwater location. Agricultural operations, due to their effect on drinking water, will also be a focus.

Township of Elizabethtown-Kitley

Source Water Protection Communications Plan

Methods of communication will be varied including but not limited to tax bill inserts, informational material, website, social media, "Spotlight" (a monthly Township posting of critical information), newsletters, media, etc.

STRATEGIC APPROACH

Contact with industrial, commercial or agricultural landowners within the Brockville Intake Protection Zone have been made through risk contact and visits by the RMO. Information regarding potential risks was distributed through the initial RMO contact and there will be ongoing communication through other various methods of communication.

Township property owners and residents will be provided information, again using the various mass communication methods previously mentioned. A schedule will be developed outlining when and what type of information will be provided, based on the time of year and the various environmental dates such as World Water Day, Earth Day, Canada Health Day, etc. (Appendix 1)

Partnerships should be sought wherever possible. The Township and the City of Brockville should be partnering on its communication strategy regarding the Brockville Intake Protection Zone. By working with the Cataraqui Region Conservation Authority, contact with the public can be enhanced.

Working with area municipalities will expand the Township's communication venues by pooling resources and provide a consistent message throughout the area.

As with other Township information, social media will play an important role in educating the public on the benefits of protecting drinking water.

KEY MESSAGES

The Clean Water Act, 2006 assists municipalities to protect municipal drinking water by empowering communities to better protect their local municipal drinking water sources. In order to keep drinking water safe, it is important to protect natural water sources from contamination. By being proactive, it reduces the future costs associated with decontamination of water sources. Drinking water source protection understanding is a crucial step in doing so.

Significant drinking water threats can come from the following sources.

1. Road Salt and Snow
    - application of road salt
    - handling and storage of road salt

2. Establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
    - combined sewer discharge from a storm water outlet to surface water,
    - discharge of storm water from a storm water retention pond,
    - industrial effluent discharges,
    - sanitary sewers and related pipes,
    - septic systems,
    - holding tanks,
    - sewage treatment plant bypass discharge to surface water,
    - sewage treatment plant effluent discharge's including lagoons, and
    - storage of sewage (e.g. treatment plant tanks).

3. Nutrients
    - application of agricultural source material to land,
    - application of commercial fertilizer to land,
    - application of non-agricultural source material to land,
    - use of land as livestock grazing or pasturing land,
    - an outdoor confinement area or a farm-animal yard,
    - storage of agricultural source material,
    - handling of storage of commercial fertilizer,
    - handling and storage of non-agricultural source material, and
    - management of agricultural source material- aquaculture

4. Pesticides
    - application of pesticides to land
    - handling and storage of pesticides
    - transportation of pesticides

5. Snow Storage
    - Large area storage of snow removed from roadways/parking lots (road salt implications)

6. Aircraft de-icing chemicals
    - management of runoff that contains chemicals used in the de-icing of aircraft

7. Fuels and chemicals
    - handling and storage of dense non-aqueous phase liquid (DNAPL),
    - handling and storage of an organic solvent
    - handling and storage of fuel
    - transportation of liquid fuel, DNAPLs and organic solvents.

8. Water softener discharge
    - Backwash discharge from water softeners

Township of Elizabethtown-Kitley

Source Water Protection Communications Plan

TACTICS

Item	Staff/Council Workshops/Meetings
Timing	Before implementation of the Communications Plan
Audience	Council members, internal staff
Threats	All threats
Purpose	To educate internal staff on the practices of drinking water source protection and submitted policies To provide staff with information to answer public questions
Options	Inform Council/staff of the source protection plan approvals process Inform Council/staff about specific source protection threats and best management practices Tell Council/staff where to find further information and prepare them to answer public questions
Resources	Source protection plan(s) Education and Outreach Resource Catalogue

Item	Webinars
Timing	When practical or before a seasonal activity takes place
Audience	Specific to the workshop
Threats	Specific to the workshop
Purpose	To inform specific audiences about source protection threats that may affect their activities and provide them with best management practices
Options	Inform people about legislation, regulations, best management practices, and discuss specific concerns For example, hold an agriculture best management practices workshop specifically for agricultural owners and operators to learn about drinking water source protection, nutrient management strategies/plans and potential risk management plan approaches.
Resources	Education and Outreach Resource Catalogue

Item	Key Messaging in Tax Bill Newsletters
Timing	June
Audience	General public and specific audiences
Threats	All threats
Purpose	To inform the general public and specific audiences about source protection policies that may affect their daily practices.
Options	Include general source protection messaging in tax bills to make residents aware of the approved source protection plan(s) Develop a leaflet to mail to rural residents containing information on septic systems, fuel tanks, wells and best management practices in agricultural operations
Resources	Education and Outreach Resource Catalogue

Township of Elizabethtown-Kitley

Source Water Protection Communications Plan

Item	Seasonal Threat Campaign
Timing	Begin campaign for spring/summer threats in March Begin campaign for winter threats in October
Audience	General public, homeowners, residents
Threats	Late fall/early winter: Salt storage and application, snow storage Early spring: septic systems, agriculture operations best practices, pesticides best practices
Purpose	To inform the general public and specific audiences about source protection threats that may be more likely during certain times of the year and provide best management practices for mitigating those threats
Options	Town hall meetings Articles in local news sources Coordinated threat-specific workshops Create an educational leaflet to mail to residents
Resources	Toolkit Graphics Education and Outreach Resource Catalogue

Item	Local Newspaper and Website Postings
Timing	On a regular basis
Audience	General public, homeowners, residents
Threats	All threats common to the general public
Purpose	To raise the general knowledge of specific source protection threats and best management practices.
Options	A series of newspaper articles, each one focusing on a different threat, offering best practices and including quotes from local leaders Work with neighbouring municipalities to make best use of resources
Resources	Toolkit Graphics Education and Outreach Resource Catalogue

Item	Letter/Leaflet Targeted to Businesses
Timing	Annual
Audience	Business owners
Threats	Threats that may result from common business practices (road salt, snow storage, application of pesticides, storage of hazardous liquids)
Purpose	To inform business owners of practices that may be affecting water quality and provide best management practices
Options	Reach businesses whose practices may affect water quality, such as golf cources Provide information directly to businesses on best management practices for snow removal and road salt application
Resources	Toolkit Graphics Education and Outreach Resource Catalogue

Township of Elizabethtown-Kitley

Source Water Protection Communications Plan

Item	Social Media
Timing	Postings to correspond with major achievements toward implementation policies Postings prior to the threat timeline similar to seasonal threat campaign
Audience	General public, homeowners, residents
Threats	All threats
Purpose	To raise awareness about source water protection threats and best management practices
Options	Use social media to reach the general public (Twitter and Facebook) Post infographics or engaging articles on how to protect drinking water sources and why it is important Posts should be short, concise,useful and include visuals Use #SourceWaterON to categorize all posts and allow for tracking the number of people reached Use Google URL shortener to shorten website addresses to include in tweets and blogs
Resources	Source Protection Threat Resource Catalogue Infographics included in toolkit Sample Tweets: • How can you help reduce risks to drinking water? New info @ConOnt #SourceWaterON • If it's below -18° salt won't work. Apply sand for traction instead #SourceWaterON. Find out more @ConOnt • Think before you pour! Don't pour those left-over oils, paints or degreasers down the drain. #SourceWaterON

EVALUATION

A yearly report outlining the education and outreach policy implementation is required. The outcome of the proposed communications plan campaign is to be compared to the policy objectives.

Various evaluation tactics can be used such as:

- Number of retweets or hits to a webpage
- Surveying attendees at the beginning and end of workshops to determine if knowledge of source protection has increased
- Assess qualitative feedback from risk management officials on behavioural change
- Number of site visits, inspections or notices issued
- Open house summaries including the number of people who attended and the responses from those in attendance
- Social media/website summary including the number of hits on the web page, downloads of resources, likes/shares/retweets/views

- Number of articles in local media
- Number of pamphlets distributed, newsletters released
- Number of residents visited by the Risk Management Official
- Number of telephone calls/emails concerning source water protection

Township of Elizabethtown-Kitley

Source Water Protection Communications Plan

Appendix 1

Environmental Dates to Remember

March 22 – World Water Day
World Water Day is held annually on March 22 by the United Nations to focus attention on the importance of freshwater and resource management. Each year, World Water Day highlights a specific aspect of freshwater.

Late March – Earth Hour
Earth Hour is a worldwide grassroots movement uniting people to protect the planet. The World Wildlife Federation organizes it to engage the mainstream community on a broad range of environmental issues. It is popular for people to turn the lights off during this hour. Link Earth Hour to water quality by promoting "taps off" during this hour. Check www.earthhour.org to lean more.

April – Earth Month
Earth Day has evolved into Earth Month. Earth Month was established by the Earth Month Network to create awareness for environmental issues. Earth Month can be a great opportunity to link source protection awareness campaigns to environmental protection. Visit www.earth-month.org for more information.

April 7 – World Health Day
World Health Day is celebrated on April 7, and is an opportunity to highlight the link between safe drinking water sources and health. The World Health organization established this day and chooses different themes each year. This is an opportunity to make the connection between protecting drinking water sources and health. Visit www.who.int/campaigns/world-health-day .

April 22 – Earth Day
Every year on April 22, Earth Day is celebrated and is the largest environmental event in the world. According to Earth Day Canada, more than six million Canadians participate in Earth Day activities in their communities. Visit www.earthday.ca to learn more about Earth Day Canada.

Late April – Pitch-In Canada Week
Pitch-In Canada is Canada's oldest not-for-profit environmental organization. In late April every year, Pitch-In Canada encourages people to "pitch-in' and help clean up litter from areas such as shorelines. Visit www.pitch-in.ca to view campaign tips and resources.

May 12 – Canada Health Day
Canada Health Day has been sponsored by the Canadian Healthcare Association and the Canadian Public Health Association for over 30 years to highlight the importance of public health in the wellbeing of all Canadians. This is an opportunity to highlight the importance of drinking water source protection and the health of Ontarians.

First Week of June – Canadian Environment Week

Source Water Protection Communications Plan

In 1971, the government of Canada announced that the first week of June would be Canadian National Environmental Week. The theme for Canadian Environment Week changes each year. Visit www.ec.gc.ca/sce-cew.

June 5 – World Environmental Day
World Environmental Day is the United Nation's main medium for encouraging awareness and action for the environment. People are encouraged to use the day to do something positive for the environment. World Environment Day is an opportunity to encourage people to take action for drinking water source protection. For the yearly theme visit www.unep.org/wed.

Second Sunday of June – Canadian Rivers Day
Canadian River Day is a national day to celebrate and preserve Canada's rivers.

Late September – SepticSmart Week
The American Environmental Protection agency hosts this annual event to encourage homeowners to maintain their septic systems to reduce risks to water quality. Visit the SepticSmart website at www.epa.gov/septicsmart for more information and resources. For a toolkit of resources visit www.water.epa.gov/infrastructure/septic/local-outreach-toolkit.cfm.

Third Weekend in September – Clean Up the World Weekend
Clean Up the World Weekend is associated with the United Nations to inspire and empower communities to clean up, fix up and conserve the environment. This includes water sources. For more information visit: www.cleanuptheworld.org/en.

Last Sunday of September – World Rivers Day
World Rivers Day is a United Nations approved event, originating in British Columbia, to celebrate the world's waterways and encourage improved stewardship of rivers around the world. Visit www.Worldriversday.com/get-involved.

News Release Template

News Release
For immediate release *or* for release on _____
For more information, please contact _____
Month, day, year

Headline
City, province

Content

End ###

Township of Elizabethtown-Kitley

Source Water Protection Communications Plan

Public Service Announcement Template (Live-Copy for Radio Station)

This is a template for a PSA that will be submitted to a radio broadcast station for their announcer to read.

For Use: *(Insert start date)* to *(Insert end date)*
Length: *(Insert time)*
Name of Organization: *(Insert name of your municipality)*
Title: *(Insert title)*

Directions	Announcer messages
• *Insert any specific directions (e.g., sound effects, graphics)*	• *Insert script for announcer*

End ###

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 11-35

A BY-LAW TO REGULATE THE USE OF PUBLIC HIGHWAYS, THE INSTALLATION OF ENTRANCEWAYS AND TO PROHIBIT THE OBSTRUCTION OF ANY DRAIN, DITCH OR WATERCOURSE WITHIN OR PROVIDING OUTLET TO ANY PUBLIC HIGHWAY

****

Whereas Section 308(3), Chapter M.45, of the Municipal Act, R.S.O. 1990, as amended, provides that Councils of all municipalities may pass by-laws regulating the use of highways;

and Section 207(17) and Section 308(3) of said Act provide that Councils of all municipalities may pass by-laws permitting and regulating the size and mode of construction of culverts and bridges that cross any drain or watercourse situated on a highway under its jurisdiction; and Section 207(14), 207(16) and Section 314(1)(6) of said Act provide that Councils of all municipalities may pass by-laws prohibiting the obstruction of any drain or watercourse within or providing outlet to any public highway;

And Whereas it is deemed expedient to regulate the use of highways under the jurisdiction of the Corporation of the Township of Elizabethtown-Kitley, to regulate the installation of entranceways and to regulate and prohibit the obstruction of any drain or any watercourse within or providing outlet to any public highway under the jurisdiction of the Corporation of the Township of Elizabethtown-Kitley;

Now Therefore the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1.00 DEFINITIONS

1.01 **THAT**, in this by-law:

(i) "Entranceway" shall mean any driveway, lane, private road, entrance or other structure or facility constructed or used as a means of access to a township road, and includes the tiling and covering or filling in of a roadside ditch for the purpose of improving a lawn or other frontage.

(ii) "Township" shall mean the Corporation of the Township of Elizabethtown-Kitley and its appointed representatives designated to act on behalf of the Corporation.

(iii) "Director of Public Works" shall mean the Roads/Landfill Supervisor(s) or other designated official(s).

2.00 REGULATIONS

2.01 **THAT** no person shall use any portion of any highway under the jurisdiction of the Township, except in accordance with this By-law.

2.02 **THAT** no person shall construct, alter or change the use of an entranceway or any other area of the road allowance without obtaining a permit from the Township to do so.

2.03 **THAT** all entranceways shall be constructed/completed to the satisfaction of the Township.

THE diameter, gauge, length, type of culvert, number of catch basins and type of catch basins to be used shall be determined by the Director of Public Works, but in no case shall the culvert be less than 300 mm (12 in) in diameter and 8 m (26 ft) in length, unless authorized by the Director of Public Works.

....2/

REGULATIONS, CONTINUED

2.04 **THAT** the location of the entrance way must be approved by the Director of Public Works to ensure maximum safety, free flow of traffic and compliance with municipal by-laws and to minimize the possibility of interference with the road or the creation of a maintenance problem.

2.05 **THAT** no person shall apply asphalt or other hard surface to that portion of an entrance way on the road allowance of a township road except under a permit issued by the Director of Public Works. The work shall be carried out by a contractor approved by the Township and in accordance with Township specifications at the expense of the owner.

2.06 **THAT** no person shall obstruct any culvert, drain, drainage or watercourse either situated on a Township road allowance or providing an outlet for any culvert, drain, drainage or watercourse on a Township road allowance.

2.07 **THAT** where a culvert in excess of 15 m (49 ft) in length is required, as determined by the Director of Public Works, the owner shall be required to pay the entire cost of constructing as many catch basins as may be necessary in the opinion of the Director of Public Works to facilitate surface drainage from the roadway.

2.08 **THAT,** where the required culvert pipe, as determined by the Director of Public Works, is larger in diameter than 600 mm (23.6 in), or more than 9 metres (30 ft) in length, or is located where more than the usual amount of fill is required or where a culvert in excess of 15 m (49 ft) in length is requested, a deposit, as determined by the Director of Public Works, shall be paid in advance to the Corporation.

2.09 **THAT,** for any entranceway, the Township may require/specify any special features to be provided. Special features may include width, gradient, curbing, paving, sidewalk provision, islands and pavement tapers. Special features shall be provided in accordance with the Township's requirements and specifications and shall be paid for by the applicant.

3.00 WORKS

3.01 **THAT** the construction of all entrance ways shall:

(i) be carried out by the Township under the direction of the Director of Public Works; *or*

(ii) be carried out by a qualified contractor, approved by the Director of Public Works.

3.02 **WHERE** an entrance way is being constructed by a private contractor:

(i) the Director of Public Works shall be permitted to oversee said work, as desired

(ii) the Director of Public Works shall be notified of completion of said work so that an inspection can be carried out by the Director of Public Works. The contractor shall, upon request of the Township, attend said inspection. Notice for said inspection shall be provided to the Director of Public Works at least two business days in advance and shall not be considered effective until written or oral notice is personally received by the Director of Public Works. Any costs associated with such inspections shall be the responsibility of the applicant.

...3/

WORKS, CONTINUED

3.03 **THAT**, where the entrance way is being constructed by the Township, deposits, as determined by the Director of Public Works, shall be paid in advance to the Township.

4.00 MAINTENANCE

4.01 **WHERE** an existing entranceway is affected by the reconstruction of a Township road, the Township will reinstate the entranceway at its cost including the gravel, asphalt or any other hard surface on the entrance way. The reinstatement will conform to this policy.

REINSTATEMENT will not include any embellishments constructed on or near the headwall, other than those approved by the Director of Public Works. Reinstatement of embellishments on or near the headwall will be the responsibility of the property owner.

ANY salvaged materials of construction, shall remain the property of the Corporation.

4.02 **THAT** the Township shall maintain and replace from time to time, as deemed to be required by the Director of Public Works, all culverts installed under the provisions of and meeting the provisions of this by-law.

During maintenance and replacement work, the Township is under no obligation to reinstate any embellishments constructed on or near the headwalls of the entrance. This will be the responsibility of the property owner.

4.03 **THE** maintenance of the driving surface of all entrance ways shall be the responsibility of the owner.

5.00 COSTS AND FEES

5.01 **THAT** an entrance permit will not be issued until the owner pays the minimum application fee, as outlined in Schedule A to By-law 11-35, to the Township.

5.02 **THAT** the owner of lands from which access is being requested shall be responsible for all costs associated with the proper installation of the entrance way, as outlined in this By-law and Schedule A attached hereto.

6.00 DEFAULT OF OWNER

6.01 **THAT** any owner who fails to provide or maintain all matters and things required to be done by this by-law shall, upon written request by the Township Director of Public Works, remedy the default thereof.

6.02 **THAT** where such remedy is not forthcoming as requested by the Township, the Township may, at the *cost* and *expense of the Owner*, do all such matters and things as
are in default.

"Cost" and "expense of the Owner" in this clause shall be actual cost incurred by the Township plus twenty percent (20%) of such cost as a charge for overhead. Any costs incurred by the Township pursuant to this clause shall be paid by the Owner to the Township within thirty (30) days of the mailing of an invoice by the Township addressed to the Owner at his last known address as taken from the most recent Tax Assessment Roll, and any costs referred to in this section may be recovered by the Township in like manner as municipal taxes pursuant to the provisions of Section 326, Chapter M.45, of the Municipal Act, R.S.O. 1990, as amended. In such manner, interest shall be payable by the Owner to the Township on all sums of money payable to the Township herein which are not paid on the due dates, calculated from such due dates. Rate of interest shall be as determined by resolution of Council from time to time.

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DEFAULT BY OWNER, CONTINUED

6.02 **THAT** every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, shall be liable to a fine up to two thousand dollars ($2,000).

PRIOR BY-LAWS

7.00 **THAT** By-law Number 01-16 is hereby repealed in its entirety.

Read a **First** and **Second** time this 26th day of April, 2011.

Read a **Third** time and finally **Passed** this 9th day of May, 2011.

MAYOR

CLERK

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 11-35
passed by the council of the said Corporation
the 9 day of May, 2011

ENTRANCEWAY FEES AND COSTS

Fee
Entrance Permit Application Fee: $100.00 (minimum)

Costs
The owner of lands from which access is being requested shall be responsible for all costs associated with the proper installation of the entrance way. Said costs shall include, but are not limited to, cost of material, time and work involved, and service/administration charges.

Terms
All costs/fees/deposits payable under this By-law shall be made in advance to the Township, as requested by the Township.

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 05-63

BEING A BY-LAW TO ESTABLISH A REDUCED SPEED ZONE POLICY

****

WHEREAS Section 11 of the Municipal Act provides that municipalities have the right to pass by-laws respecting matters with regard to highways, including parking and traffic on highways;

And Whereas it is deemed desirable that a policy for the process and requirements for the establishment of reduced speed zones;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows;

1. THAT all policy as outlined in Schedule "A" attached to and made part of this By-law constitute the policy for reduced speed zones for the Corporation of the Township of Elizabethtown-Kitley and shall form the basis for general administration for all requests for reduced speed zones.

2. THAT this By-law shall come into force and take effect on the date of its passing.

Read a **First** and **Second** time this 14th day of **November**, 2005.

Read a **Third** time and finally **Passed** this 28 day of November, 2005.

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 05-63
passed by the council of the said Corporation
the 28 day of November, 2005

By-law No. 05-63 **Schedule A** *A By-law to Establish a Reduced Speed Zone Policy*

TOWNSHIP OF ELIZABETHTOWN-KITLEY

PUBLIC WORKS DEPARTMENT
POLICY STATEMENT

1. **SUBJECT:** Reduced Speed Zones on Township Roads

2. **BACKGROUND**

Section 128 of the Highway Traffic Act, provides that a municipality may by by-law prescribe a rate of speed of 40, 50, 60,70,80,90, or 100 kilometres per hour. The Township road system is a mainly rural, arterial road system that is intended to move vehicular traffic over relatively long distances at a reasonable rate of speed. The normal speed limit on Township roads is 80 km/h except where it is reduced through built up areas such as settlement and residential areas.

In addition to recognition of posted speed limits, driver behaviours is conditioned by perceptions of the prevailing roadway environment (pavement width and quality, topography, traffic type and volume, climatic conditions, encroaching development). Where, for example, severe topographic or surrounding development conditions are encountered, drivers expect to travel at lower speeds and are likely to adjust accordingly. Similarly, in heavy traffic or poor weather, drivers tend to proceed more slowly than when they perceive the driving conditions to be ideal. Thus, drivers recognize sense and accept a "natural" speed limit as determined by their own appraisal of these types of factors, somewhat in isolation from the posted speed limit.

In order to balance the need for safety of road users and pedestrians with the desire to maintain the Township road system as a rural highway network, reduced speed zones are necessary at some locations. Reduced speed zones that are not supported by the driver's perception of the roadway environment, however, tend to result in a low compliance level and may actually have a negative effect on safety for this reason. Therefore, guidelines for the establishment of reduced speed zones should recognize the types of factors that affect drivers' perception of the "natural" speed limit in order to avoid establishing artificially low speed limits.

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3. DEFINITIONS

Built up Area - the territory contiguous to a township road that is not within a city, town, village or police village where;

a. not less that 50 percent of the frontage upon one side of the road for a distance of not less than 200 metres is occupied by residential, commercial, industrial or institutional buildings,

b. not less than 50 percent of the frontage upon both sides of the road for a distance of not less than 100 metres is occupied by residential, commercial, industrial or institutional building.

c. not more than 200 metres of roadway separates any territory described in clause a or b above from any other territory described in clause a or b above.

Hamlet/Hamlet Area - An area, normally a built-up area, fronting on a Township road where groupings of properties have been designated as a settlement or residential area in the Township's official plan.

Reduced Speed Zone – A section of the Township road where a speed limit of less than 80 km/h has been approved and implemented by the Township of Elizabethtown-Kitley.

Traffic Volume – The average annual daily traffic (A.A.D.T.) is the average number of vehicles per day at a particular location. This number is based on the latest traffic counts carried out by the Township Public Works department, normally consisting of the average of three one-day counts taken in the spring, summer and fall.

Urban Area – An extended built-up area (at least 500 metres) where there are also some or all of the following:

- on-street parking
- sidewalks
- cub, gutter and storm sewers
- lighting
- heavy pedestrian and vehicle turning activity
- speed limit of 50 km/h or less

4. POLICY

It is the policy of the Township of Elizabethtown-Kitley to provide reduced speed zones where deemed advisable for safety reasons, while still maintaining the rural highway function of the Township road system as much as possible.

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Urban areas shall have a speed limit of 50 km/h. Where an urban area is approached by a stretch of rural, relatively high speed roadway, a speed transition zone may be provided with a speed limit of 70 km/h in order to allow vehicles to slow gradually before entering the urban area.

Hamlets may have a speed limit of 50 km/h or 60 km/h, as determined by the Public Works Committee.

Where a reduced speed zone has been requested, a two-step approach will be followed:

First, the physical characteristics are referenced in order to establish the normal, unrestricted operating speed for the road. This determination will normally be made with reference to the Ontario Good Roads Association publication Geometric Guidelines for Municipal Roads.

Physical characteristics -
- Vertical and Horizontal Alignment
- Pavement Width
- Shoulder Width
- Surface Type
- Traffic Volume

Secondly, the Roadway Use Characteristics are considered in order to assess the appropriateness of the proposed reduced speed zone.

Roadway Use Characteristics -
- % of Commercial (large trucks)
- Entrance Activity (turning movements)
- Accident Experience
- Agricultural Traffic
- Pedestrian/Schools
- Seasonal Fluctuations

Sample Roadway Use considerations:

10-15% Commercial Traffic is considered normal on the Township road system. Commercial traffic higher than 15% through a hamlet area, combined with high turning activity, higher than average accident experience, high agricultural traffic or a school area, warrants consideration of a reduced speed zone.

A high level of turning movements alone does not warrant a reduced speed zone. Adequate sight lines, auxiliary lines or ramps, signalized intersections and proper entrance design all reduce the impact of turning movements on the through traffic

function of a road. Problems related to turning movements will normally be indicated by higher than average "rear-end" and avoidance-type accidents and may warrant consideration of a reduced speed zone.

Accident experience, when considered as support for a reduced speed zone proposal, must be analysed for accident type, frequency, speed, etc. in order to assess the appropriateness of the proposal. If, for example, accidents are a result of excessive speed then additional enforcement may be more effective than implementing a reduced speed zone.

A school area may warrant a reduced speed zone if a significant number of students normally walk along the Township road to and/or from school, without the benefit of a separate sidewalk.

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 05-62

A BY-LAW TO ESTABLISH HIGHWAYS AND TO PROVIDE FOR ROAD CLASSIFICATIONS

****

WHEREAS Section 25 of the Municipal Act 2001 provides for the definition of the "highway;

AND WHEREAS the Township of Elizabethtown-Kitley is desirous to establish, by by-law, all highways within its municipal boundaries that are maintained by the municipality;

AND WHEREAS Ontario Regulation 239/02 provides for minimum maintenance standards for municipal highways;

AND WHEREAS the Township of Elizabethtown-Kitley is desirous to adopt the minimum maintenance standards for its highways and provide for their classification;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley ENACTS AS FOLLOWS:-

1. **THAT** Schedule "A" sets out all highways of the Township of Elizabethtown-Kitley that exist as of January 1st, 2005.
2. **THAT** Schedule "A" sets out Road Classification for maintenance standards in accordance with Schedule "A".
3. **THAT** Schedule "A"shall form part of this bylaw.

Read a First and **Second** time this 14 day of November, 2005.

Read a Third time and finally **Passed** this 28 day of November, 2005.

MAYOR

CLERK

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 05-62
passed by the council of the said Corporation
the 28 day of November 2005

Road Name	Geographical Township	Class	AADT (Count or Estimate)		SPEED (Posted or Unposted)		Rd Sect No	Length (Kms)	Surface Type
Ackerman Road	Elizabethtown	6	0-49	E		U		0.02	GR A
Addison/Greenbush Road	Elizabethtown	4	469	C		U		3.9	Ashph
Airport Road - Tincap/Airport	Elizabethtown	4	834	E	var	U		2	Ashph
Airport Road - Fairfield/Glazier	Elizabethtown	4	581	E	var	U		2.1	Ashph
Applewood Circle	Elizabethtown	6	0-49	E		U		2	GRAV
Atkins Lake Road	Kitley	4	50	E		U		2.8	GRAV
Avondale Farm Road	Elizabethtown	6	0-49	E		U		0.1	GRAV
Bains Road	Elizabethtown	4	220	E		U		3.4	GRAV
Baker Road	Kitley	4	50	E		U		2.1	GRAV
Bay Street	Elizabethtown	6	0-49	E		pp		0.2	Ashph
Bellamy Road	Elizabethtown	4	50	E		pp		1.3	GRAV
Bennett Road	Kitley	6	0-49	E		pp		0.8	GRAV
Bethel Road	Elizabethtown	4	691	E		pp		0.9	Ashph
Billings Crescent	Elizabethtown	6	0-49	E		pp		0.2	Ashph
Blair Road	Elizabethtown	5	144	E	var	pp		0.5	Ashph
Blanchard Road	Kitley	4	50	E		pp		0.8	GRAV
Botham Road	Kitley	6	0-49	E		pp		0.5	GRAV
Bowery Street	Elizabethtown	6	0-49	E		pp		0.2	Ashph
Brayton-Miller Road	Elizabethtown	6	0-49	E		pp		0.7	GRAV
Brockmere Cliff Road	Elizabethtown	4	839	E	50	pp		3.3	Ashph
Bronze Avenue	Elizabethtown	6	0-49	E		pp		0.1	Ashph
Burnbrae Road	Elizabethtown	4	120	E		U		3.3	GRAV
Butternut Bay Road	Elizabethtown	5	126	E		U		0.4	Ashph
Calico Place	Elizabethtown	6	0-49	E		pp		0.1	Ashph
Campbell Drive	Kitley	6	0-49	E		U		0.4	BOTH
Center Street	Kitley	6	0-49	E				0.1	GRAV
Chant Road	Kitley	4	50	E		pp		3.2	GRAV
Chemical	Elizabethtown	4	2307	C	50	pp		1.9	Ashph
Church Street	Elizabethtown	6	0-49	E		pp		0.2	Ashph
Church Street	Kitley	6	0-49	E		pp		0.2	Ashph
Cole Road	Kitley	6	0-49	E		pp		0.1	GRAV
Coon's Industrial Park	Elizabethtown	5	500	E		pp		0.1	Ashph
Cornel Crescent	Elizabethtown	5	50	E		pp		0.4	Ashph
Cross Road	Elizabethtown	6	0-49	E		pp		0.7	GRAV
Crystal Road	Kitley	4	50	E		pp		1.8	BOTH
Cummings Road	Elizabethtown	5	50	E		pp		0.8	Ashph
Curson Avenue	Elizabethtown	6	0-49	E		U		0.5	GRAV
David Drive	Elizabethtown	6	0-49	E		pp		0.3	Ashph
Davis Road	Elizabethtown	6	0-49	E		pp		0.6	GRAV
Debruge Road	Elizabethtown	4	625	E	var	P		4.2	BOTH
Dixie Road East	Elizabethtown	4	50	E		pp		5.1	GRAV
Driver Road	Kitley		64					0.3	GRAV
Driver Road	Kitley							0.2	Ashph
Drummond Road	Kitley	6	0-49	E		U		4.6	GRAV
Drummond Road	Kitley	6	0-49	E		U		0.5	Ashph
Dunham Road	Kitley	6	0-49	E		U		0.2	GRAV
Edith Road	Elizabethtown	5	50	C		P		0.3	Ashph
Edwards Road	Kitley	6	0-49	C		pp		0.3	GRAV
Eighth Concession Road	Elizabethtown	6	0-49	E		pp		0.6	GRAV

By-law to Establish Highways And to Provide for Road Classifications

BY-LAW 05-62

SCHEDULE A

Road Name	Geographical Township	Class	AADT (Count or Estimate)		SPEED (Posted or Unposted)		Rd Sect No	Length (Kms)	Surface Type
Eldridge Road	Elizabethtown	6	0-49	E		U		0.2	GRAV
Eleanor Fulford Crescent	Elizabethtown	5	168	E		pp		0.8	Ashph
Elgin Street	Elizabethtown	6	0-49	E		U		0.01	Ashph
Elgh Road	Elizabethtown	6	0-49	E		pp		0.5	GRAV
Harper Drive	Elizabethtown	5	900	E		pp		1.3	Ashph
Rowesome Road East (Harper)	Elizabethtown	5	900	E		U		0.4	Ashph
Elizabethtown/ Kitley Townline	Joint	4	190	E		U		3.9	GRAV
Ellis Road	Elizabethtown	6	0-49	E		pp		0.2	GRAV
Fairfield Road	Elizabethtown	4	630	E		pp		2.7	Ashph
Ferguson Drive	Elizabethtown	4	1000	C		P		0.5	Ashph
Fernbank/Curzon Ave	Elizabethtown	5	348	C		P		1.1	GRAV
Fly Creek Road	Elizabethtown	4	50	E		pp		3.1	GRAV
Foster-Hall Road	Elizabethtown	5	68	E	60	pp		1.2	GRAV
Frank Road	Kitley	6	0-49	E		pp		0.1	GRAV
Fulford Point	Elizabethtown	5	156	E		U		0.5	Ashph
Gilbert Road	Elizabethtown	6	0-49	E		U		0.1	Ashph
Gilroy Crescent	Elizabethtown	5	120	E		U		0.5	Ashph
Glazier road	Elizabethtown	4	143	E		U		2.2	GRAV
Gosford Road	Elizabethtown	4	50	E		U		2.3	GRAV
Graham Lake Road	Elizabethtown	4	442	E		U		3.7	GRAV
Grandview Terrace	Elizabethtown	6	0-49	E		U		0.3	Ashph
Greenbush Lane	Elizabethtown	6	0-49	E		U		0.3	GRAV
Haggart Lane - Scott	Elizabethtown	6	0-49	E		U		0.1	Ashph
Haggart Side Road	Elizabethtown	6	0-49	E		U		0.7	GRAV
Hall Road	Elizabethtown	6	0-49	E		U		0.9	GRAV
Hallecks Road East	Elizabethtown	4	255	E		U		2.3	GRAV
Hallecks Road North	Elizabethtown							2.2	Ashph
Hallecks Road South	Elizabethtown	4	802	E	50	U		2.1	Ashph
Halleck's Road West	Elizabethtown	4	307	E		U		1.8	Ashph
Halleck's Road West	Elizabethtown	4						2.3	GRAV
Hayes Drive	Elizabethtown	5	50	E		U		0.4	Ashph
Healey Road	Kitley	4	195	E		U		0.4	Ashph
Healey Road	Kitley							0.8	GRAV
Heather Crescent	Elizabethtown	5	102	E		U		0.5	Ashph
Hillcrest Road/Observatory Ave	Elizabethtown	5	168	E		U		0.4	COMB
Hillcrest Road/Observatory Ave	Elizabethtown							0.9	GRAV
Howe Road	Elizabethtown	4	206	E		U		5.7	Ashph
Hudson Point Road South	Elizabethtown	6	0-49	E		U		0.3	Ashph
Hudson Point Road North	Elizabethtown	6	0-49	E		U		0.3	GRAV
Hughes Road	Kitley	6	0-49	E		U		1.9	GRAV
Hutton Road	Kitley	6	0-49	E		U		0.6	GRAV
Irish Lake Road	Kitley	6	0-49	E		U		1	GRAV
Island Road	Elizabethtown	6	0-49	E		U		1.1	GRAV
James Street	Elizabethtown	6	0-49	E		U		0.2	Ashph
James Street	Kitley	6	0-49	E		U		0.2	Ashph
Jasper Street	Kitley	6	0-49	E		U		0.1	Ashph
Jellyby Road	Elizabethtown	4	230	E		U		8.6	Ashph
Jessie Street	Elizabethtown	6	0-49	E		U		0.03	Ashph
Anderson Road	Elizabethtown	6	0-49	E		U		0.2	GRAV

By-law to Establish Highways And to Provide for Road Classifications

BY-LAW 05-62

SCHEDULE A

Road Name	Geographical Township	Class	AADT (Count or Estimate)		SPEED (Posted or Unposted)		Rd Sect No	Length (Kms)	Surface Type
Johnston Road	Kitley	6	0-49	E		U		1.6	GRAV
Josey McLean Road	Elizabethtown	6	0-49	E		U		0.2	GRAV
[illegible]avanagh road	Elizabethtown	6	0-49	E		U		0.4	GRAV
[illegible]ally Road	Elizabethtown	5	384	E		U		2.2	GRAV
Kilkenny Road	Elizabethtown	3	1950	E		U		5.1	Ashph
Kitley Line 1	Kitley	4	200	E	60	U		9.7	GRAV
Kitley Line 2	Kitley	4	200	E	50	U		4.5	GRAV
Kitley Line 3 Road	Kitley	4	310	E		U		5.4	GRAV
Kitley Line 3 Road	Kitley							9	Ashph
Kitley Line 4 East	Kitley	6	0-49	E		U		1.2	GRAV
Kitley Line 4 West Newbliss	Kitley	4	200	E		U		3.7	GRAV
Kitley Line 5 Road/Kinch St	Kitley	4	200	E		U		7.9	GRAV
Kitley Line 5 Road/Kinch St	Kitley							4.9	Ashph
Kitley Line 7	Kitley	4	50	E		U		1.6	GRAV
Kitley Line 8 Road East	Kitley	4	408	E	var	U		3	Ashph
Kitley Line 8 Road West	Kitley	4	580	E	var	U		5	Ashph
Kitley Line 9	Kitley	4	190	E		U		6.8	GRAV
Kitley Line 9	Kitley							1.5	Ashph
Kitley/South Elmsley	Kitley	4	50	E		U		2.4	GRAV
Knightswood Bd	Elizabethtown	6	0-49	E		U		0.1	Ashph
Lake Eloida Road	Kitley	4	579	E		U		7.1	Ashph
Lake Street	Elizabethtown		0-49	E		U		0.9	Ashph
Lambton Lane	Elizabethtown	6	0-49	E		U		0.2	Ashph
Latimer Road	Elizabethtown	6	0-49	E		U		1.2	GRAV
Laura Street	Elizabethtown	5	50	E		U		0.2	Ashph
Leacock Road	Kitley	6	380	E		U		6.3	Ashph
Lily Bay Drive South	Elizabethtown	5	50	E		U		0.2	Ashph
Lily Bay Drive N	Elizabethtown	5	168	E		U		1.6	Ashph
K[illegible] Line 5 Road/Arnold Road	Kitley	4	200	E		U		2.5	GRAV
Kitley Line 5 Road/Riley Road	Kitley	6	0-49	E		U		1.6	GRAV
Kitley Line 8Road/Morrison Road	Kitley	4	50	E		U		6.8	GRAV
Lockwood Road	Kitley	4	50	E		U		1	Ashph
Long Beach Drive	Elizabethtown	5	72	E		U		0.4	Ashph
Lyn Heights Drive	Elizabethtown	5	84	E		U		0.4	Ashph
Lyn Valley Road	Elizabethtown	5	370	E		U		0.8	Ashph
Lyons Road	Kitley	6	0-49	E		U		0.2	GRAV
MacMillan Road	Elizabethtown	6	0-49	E		U		0.6	GRAV
Maplewood Drive	Elizabethtown	5	150	E		U		1.1	Ashph
McDonald Road	Elizabethtown	5	102	E	60	U		0.8	Ashph
McDougall Road	Elizabethtown	5	219	E		U		0.8	Ashph
McKay Road	Elizabethtown	6	0-49	E		U		1.5	GRAV
McManus Road	Elizabethtown	4	50	E		U		2	GRAV
Meg Avenue	Elizabethtown	6	0-49	E		U		0.1	Ashph
Mill Street	Elizabethtown	6	0-49	E		U		0.02	Ashph
Miller Road	Elizabethtown	4	50	E		U		2.5	GRAV
Mills Road	Elizabethtown	4	50	E		U		2.5	GRAV
Montgomery Road	Kitley	6	0-49	E		U		0.5	GRAV
Mother Barnes Road	Joint	4	265	E		U		1.7	GRAV
Motts Mills	Kitley	4	50	E		U		2.1	GRAV

By-law to Establish Highways And to Provide for Road Classifications

BY-LAW 05-62

SCHEDULE A

Road Name	Geographical Township	Class	AADT (Count or Estimate)		SPEED (Posted or Unposted)		Rd Sect No	Length (Kms)	Surface Type
Mud Creek Road	Elizabethtown	6	0-49	E		U		2.2	GRAV
Mulvaugh Road	Kitley	4	50	E		U		3.2	GRAV
Murphy Road	Elizabethtown	4	611	E		U		1.6	GRAV
Murphy Road	Elizabethtown							0.4	Ashph
Murray Road	Elizabethtown	5	309	E	60	U		1.4	COMB
Mustard Road	Elizabethtown	6	0-49	E		U		0.5	GRAV
Myrtle Place	Elizabethtown	6	0-49	E		U		0.1	Ashph
Nash Side Road	Elizabethtown	6	0-49	E		U		2.2	GRAV
New Dublin	Elizabethtown	4	200	E	Var	U		4.7	Ashph
Old Sharpe's Lane	Elizabethtown	6	0-49	E		U		0.3	GRAV
Orchard Street	Elizabethtown	4	220	E		U		0.2	Ashph
Parslow Road	Elizabethtown	4	200	E		U		2.2	GRAV
Paul Road	Elizabethtown	6	0-49	E		U		0.3	Ashph
Paul Foster Road	Elizabethtown	6	0-49	E		U		0.6	GRAV
Pearl Street	Elizabethtown	6	0-49	E		U		0.1	Ashph
Peterson Road	Elizabethtown	6	0-49	E		U		0.7	GRAV
Pettem Road	Elizabethtown	6	0-49	E		U		0.8	GRAV
Pleasant Lane	Elizabethtown	4	118	E		U		1.6	GRAV
Polk Road	Kitley	6	0-49	E		U		0.2	GRAV
Queensgrove Road	Elizabethtown	6	0-49	E		U		0.2	Ashph
Redan Road	Elizabethtown	4	150	E		U		2.8	GRAV
Reynolds Road	Kitley	6	0-49	E		U		0.6	GRAV
Rice Road	Kitley	6	0-49	E		U		0.1	GRAV
River Acres Drive	Elizabethtown	6	0-49	E		U		0.3	Ashph
Riverview Lane	Elizabethtown	6	0-49	E		U		0.2	Ashph
Rock Lane	Elizabethtown	6	0-49	E		U		0.1	Ashph
Rocksprings Road	Elizabethtown	4	200	E		U		9.3	GRAV
Rowsome Road	Elizabethtown	6	0-49	E		U		0.5	GRAV
Rowsome Road East	Elizabethtown	5	900	E		U		0.3	Ashph
Rudl Road	Elizabethtown	4	200	E		U		3.6	GRAV
Second Concession Road	Elizabethtown	4	2813	E		U		2.6	Ashph
Seeker Road	Elizabethtown	6	0-49	E		U		0.8	GRAV
Seeley Road	Elizabethtown	3	1460	E	var	U		2.5	Ashph
Seventh Concession Road	Elizabethtown	4	250	E		U		5.3	GRAV
Sharpe's Lane	Elizabethtown	3	1312	E		U		2	Ashph
Shaw Road	Elizabethtown	4	0-49	E		U		1.4	GRAV
Sherwood Bay	Elizabethtown	5	50	E		U		0.2	GRAV
Shiloh Church Road	Elizabethtown	6	50	E		U		1.5	GRAV
Sixth Concession Road	Elizabethtown	4	300	E		U		8.9	GRAV
Soper Road	Kitley	6	0-49	E		U		0.1	GRAV
South Avenue	Elizabethtown	5	900	E		U		0.1	Ashph
South Howard		6	0-49	E		U		0.2	GRAV
Spicer road	Elizabethtown	4	105	E		U		2.5	GRAV
St. George Street	Elizabethtown	5	120	E		U		0.7	Ashph
Stanley Hall Road	Elizabethtown	6	0-49	E		U		0.9	GRAV
Stevenson Road	Elizabethtown	6	0-49	E		U		0.4	GRAV
Street Road	Elizabethtown	6	0-49	E		U		1.1	GRAV
Susan Drive	Elizabethtown	5	50	E		U		0.3	Ashph
Temperance Lake Road	Elizabethtown	4	828	E		U		3.1	Ashph

SCHEDULE A

Road Name	Geographical Township	Class	AADT (Count or Estimate)		SPEED (Posted or Unposted)		Rd Sect No	Length (Kms)	Surface Type
Victoria Road	Elizabethtown	5	406	E		U		0.7	Ashph
Victoria Street	Elizabethtown	6	0-49	E		U		0.2	Ashph
Wanda Drive	Elizabethtown	6	0-49	E		U		0.9	Ashph
Willis Road	Kitley	6	0-49	E		U		0.4	GRAV
Willows Road	Kitley	6	0-49	E		U		1.1	GRAV
Woods Road	Elizabethtown	6	0-49	E		U		0.8	GRAV
Cecil's Road	Kitley	6	0-49	E		U		3.8	GRAV
Worden's Lane	Elizabethtown	6	0-49	E		U		0.1	GRAV
Yole Crescent	Elizabethtown	6	0-49	E		U		0.2	Ashph

Township of Elizabethtown-Kitley

POLICY: Naming Of Roadways

POLICY STATEMENT:

The Township of Elizabethtown-Kitley receives requests for changes to and establishment of road names periodically. In order to facilitate consideration of these requests in a fair and equitable manner, this policy has been established and will be applied in every case.

PROCEDURE:

A - NEW ROADS

In a subdivision the Subdivider will submit proposed names for the roads which must be approved by Council. Under normal conditions Council will approve the subdivider's recommendation unless there is duplication with an existing road name.
Note: costs incurred i.e. signs, posts, installation, map changes, etc may be included within the subdividers agreement.

New Township roads will be named by the Council after consultation with the public.

B - BUSINESS PARK

All roadways within the business park will be named in honour of previous heads of Council or members of Council, where appropriate.

C - RENAMING OF ROADS

Council may initiate the renaming of a road and will have consultation with the public before a name is changed.

If a name change is requested by any person or group other than Council, it should be supported by 80% of the abutting property owners based on one vote per property. Council may, at its discretion change the name.

Road names assigned by Council or the Council of former municipalities prior to restructuring, shall be considered final and shall not be considered for change for a period of ten years after the name was established.

Naming Of Roadways, continued

All cost in connection with a road name change will be paid by the applicant(s). An initial fee of $500.00 shall accompany the application for name change. This fee is non-refundable if the request is denied, and is credited to the total cost if the request is approved.

OTHER COSTS (minimum)	
Notice of Proposed By-law	$500.00
Staff time for:	
- Advising property owners	
- Advising Assessment Office	
- Advising Bell Canada	
- Advising Emergency Response	300.00
Mapping revisions (if mapping completed)	520.00
Road Name Signs	350.00
Minimum Cost per Road Name	**$1,670.00***

* This Minimum Cost per Road Name does not include the personal cost for property owners residing on the roadway including change of address notification, driver's license changes, etc.. Such costs are the sole responsibility of the property owner.

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

BY-LAW NUMBER 12-16

BEING A BY-LAW TO ADOPT A TEMPORARY ROAD CLOSURES – SPECIAL EVENT POLICY

WHEREAS by Section 5(1) of the *Municipal Act 2001*, as amended, the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS by Section 5(3) of the Municipal Act 2001, as amended, a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Corporation of the Township of Elizabethtown-Kitley deems it expedient to establish policy on the temporary road closures – special event;

NOW THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. That Schedule A attached, be adopted as the Township's Temporary Road Closures – Special Event policy.

2. That this By-law shall come into force and effect on the date of passing.

Read a **First and Second** time this 10th day of April, 2012.

Read a **Third** time and finally **Passed** this 23rd day of April, 2012

MAYOR

CLERK (Deputy)

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley in the County of Leeds, do hereby certify that the foregoing is a true copy of
By-law 12-16
passed by the council of the said Corporation the 23 day of April, 2012

POLICY: **TEMPORARY ROAD CLOSURES – SPECIAL EVENT**

POLICY STATEMENT:

It is the purpose of this policy to regulate the application and procedure of special event temporary road closure requests within the Township of Elizabethtown-Kitley.

PROCEDURE:

Any event, public or private, which requires land closures on a public roadway in the Township, requires approval. The procedure is as follows:

1. The applicant must provide a written request to the Clerk for the closure 60 days in advance of the proposed closure. A site plan must be submitted with the request indicating the following (if applicable):
    a. Concession Stands,
    b. Temporary Fencing,
    c. Trailers or any additions to location property,
    d. Exits, fire extinguishers, number of chairs, tables, people,
    e. Mobile Food Vehicles(must be compliant with By-law Number 11-54),
    f. Required fee which will cover the cost of administrative work and will include a deposit to be refunded after the event if the applicant has completed all necessary clean up as set out in Schedule A attached hereto.

2. The applicant will be required to provide proof of special event liability insurance of not less than two million dollars ($2,000,000) a copy of which must be provided to the Township prior to the event.

3. Where there will be a Special Occasion Permit issued by the Province of Ontario, or like event is to be held, a copy of the permit must be filed with the written request.

4. If tents or temporary structures are to be used and are 2,255 square feet or larger a building permit will be required from the Township Chief Building Official, in accordance with the Ontario Building Code.

5. In the event fireworks are to be used, a written request for approval shall be submitted to the Township Fire Chief at least 30 days prior to the event. The permitted use will be regulated by the Ontario Fire Code, Explosives Act and the Explosives Regulations Division.

6. Where open burning is requested as part of an event, approval by the Township Fire Chief is required. The applicant will abide to all areas of the Ontario Fire Code and to municipal open burning criteria and guidelines.

7. The Clerk will review the request, circulating it to the Fire Department and Public Works Department for comment. The application may also be circulated to neighbouring municipalities if the request is to temporarily close a boundary road between the Township of Elizabethtown-Kitley and any of its neighbouring municipalities.

8. Once comments are received by the Clerk's office from the Fire Department, Public Works Department or any other commenting body, the Applicant will receive written instructions as to any material changes to the request for temporary closing.

9. The Application is responsible for coordinating with the Ontario Provincial Police (OPP) for any additional needs.

10. The Clerk's Office will notify all necessary departments and emergency service providers of the date and time of road closure.

11. The applicant will be responsible for all clean up of the portion of the temporarily closed road allowance and for any damage to property resulting from the event.

12. A pre-event inspection will be required. At that time, the Fire Chief and Director of Public Works will review the site and confirm the conditions of the site.

Fourth Draft January 9, 2012

SCHEDULE A

TEMPORARY ROAD CLOSURES – SPECIAL EVENTS

FEES

DESCRIPTION	FEE
Administrative Costs	$100.00
Clean Up Deposit (refundable is work completed by Applicant)	$85.00
TOTAL FEE REQUIRED	**$185.00**

Township of Elizabethtown-Kitley

POLICY: Road Stopping Up And/Or Closing Procedures

POLICY STATEMENT:

The Township of Elizabethtown-Kitley receives requests to stop up and close unopened road allowances periodically. In order to facilitate consideration of these requests in a fair and equitable manner, this policy has been established and will be applied in every case.

PROCEDURE:

STEP 1 – Letter of Request

A letter of request is to be received from the proponent which will include the following information:

- A map of the proposed unopened road allowance to be stopped up and/or closed including identification of adjoining properties
- Supporting documentation from adjoining owners supporting the stopping up and/or closure of the road allowance
- If the road is to be sold to the adjoining property owners, a diagram of how the property is to be divided
- Payment by the application to cover the costs as established by Council from time to time

STEP 2 - Clerk's Office Review

Upon receipt of the letter of request and all necessary documentation, the Clerk will:

- Notify all utilities of the proposal, including but not limited to hydro, gas, telephone and cable (Attachment 1)
- Notify the United Counties of Leeds and Grenville
- Collect comments and recommendations from all department heads
- Prepare a preliminary report for the Public Works Committee's consideration including all comments and recommendations received from utility companies, the United Counties of Leeds and Grenville and Township department heads

STEP 3 – Council Direction

The Public Works Committee will review the information provided via the Clerk's report and make its recommendation to Council.

Road Stopping Up And/Or Closing Procedures, continued:

If Council offers no objection to proceeding, staff will proceed in accordance with the *Municipal Act, 2001*, as amended.

If Council declines to proceed, the applicant(s) will be notified of Council's decision, including the basis for such decision.

COSTS

Costs associated with the road stopping up and/or closing procedures include but may not be limited to:

- Preliminary Map
- Listing of abutting property owners
- Clerk's letters to all utilities
- Clerk's letter to the United Counties of Leeds and Grenville
- Clerk's communication with department heads
- Clerk's report to the Public Works Committee
- Clerk's report to Council
- Clerk's letters to immediate neighbourhood
- Preparation of draft by-law
- Advertising costs, if necessary
- Registration of by-law
- Clerk's correspondence with applicant(s)

DISPOSAL OF PROPERTY

The Township may agree to the disposal of the property to abutting landowners. Disposal will be as set out in the *Municipal Act, 2001* or as agreed upon by the abutting landowners. Costs associated with the following, will be the responsibility of the parties involved:

- Surveyor
- Appraiser
- Purchase price, if applicable.

ATTACHMENT 1

UNITED COUNTIES OF LEEDS AND GRENVILLE

Clerk
United Counties of Leeds & Grenville
25 Central Avenue West
Suite 100
Brockville, Ontario
K6V 4N6

UTILITIES (where applicable)

Endbrige Gas Distribution Inc.
Land Services
P.O. Box 650
Toronto, Ontario
M1K 5E3
Attn: Wm. J. Coldicott, Manager Land Services

Executive Vice President
Law and Development
Ontario Power Generation Inc.
700 University Avenue
Toronto, Ontario
M5G 1X6

Land Use Planning Section
Real Estate Services
Hydro One Networks Inc.
P.O. Box 4300
Markham, Ontario
L3R 5Z5

TransCanada Pipelines
c/o Lehman & Associates
97 Collier Street
Barrie, Ontario
L4M 1H2

Trans Northern Pipeline Inc.
Suite 310
45 Vogell Road
Richmond Hill, Ontario
L4B 3P6

Bell Canada Engineering Department
P.O. Box 40
Brockville, Ontario
K6V 5T7

Enbridge Pipelines Inc.
1086 Modeland Road, Blgd.1050
Sarnia, Ontario
N7S 6L2
Attn: A. Vandendool-ROW Administrator
email:amy.vandendool@enbridge.com

Addresses updated: August 10, 2018

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 05-10

BEING A BY-LAW TO PROVIDE FOR THE PLACING AND MAINTAINING OF A MUNICIPAL ADDRESSING SYSTEM IN THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

****

WHEREAS the former Township's of Elizabethtown and Kitley enacted by-laws to establish and maintain a municipal addressing system;

AND WHEREAS the two municipalities amalgamated on January 1st, 2001 with the amalgamation order stipulating that all by-laws of the former municipalities remain in force and effect for a period of five years or when a replacement by-law is enacted, whichever comes first;

AND WHEREAS it is deemed expedient that the municipal addressing system by-laws numbered B93-22 and 93-59 be merged for use in the amalgamated municipality;

NOW THEREFORE the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. This By-law may be referred to as the "Municipal Addressing System By-law" which provides an agreed upon system of property identification that will assist emergency and delivery services and outlines a system that is capable of accommodating growth.

2. (a) "Municipal Address" shall mean the road or street name and the number(s) as assigned by the Township of Elizabethtown-Kitley as per the guidelines of Section 3 below.

   (b) "Municipal Address" shall mean the road or street name and the number(s) as assigned by the Township of Elizabethtown-Kitley as per the guidelines of Section 3 below.

   (c) "Number/Number(s)" shall mean the single or multiple digit number(s) designated by the Township of Elizabethtown-Kitley to identify individual properties/structures on properties, and (with the street name) may be used in conjunction with a rural route mailing address, but not to replace the present mailing address designated by Canada Post, unless otherwise authorized by Canada Post. The number(s) shall conform to the requirements contained within this By-law.

   (d) "Sub-number(s)" shall mean any added unit or building number(s)/alphabetic character(s) attached to the property number(s) assigned by the Township of Elizabethtown-Kitley to identify units of multiple structures on one lot. Sub numbers, where assigned, shall be referenced in conjunction with assigned number.

   (e) "Number Blade(s)" shall mean the plate(s) on which the number is affixed to each side.

   (f) "Sign Post" shall mean the support upon which the number blade shall be placed and shall conform to the requirements contained within this By-law.

   (g) "Height" shall mean the distance above existing grade at which the number is placed and shall conform to the requirements of this By-law.

   (h) "Street" shall mean any public or private highway, road, street, lane, alley or thoroughfare within the municipality

... 2/

(i) "Owner" shall mean a person or persons who is in legal possession of a property and also includes a person for the time being who manages the property or receives rent for it, or who pays municipal taxes on the property, whether on his/her account or as an agent or trustee of any other person, who would carry out the aforementioned duties if the property were let.

(j) "Property" means a parcel of land, described in a Deed or other document legally capable of conveying land or shown as a lot or block on a registered plan of subdivision but excludes vacant property, unless the owner of a vacant property identifies a need to have a number posted.

(k) "Corporation" shall mean the Corporation of the Township of Elizabethtown-Kitley and its administrators.

3. The Corporation shall assign each municipal address, number (s) and sub-number(s) where required and corresponding street name, to every property in accordance with the following standards:

- One number shall generally be allocated for every 46 metres (150 feet) of property street frontage, or in the case of properties abutting a body of water such as the St. Lawrence River; one number shall generally be assigned for every 46 metres (150 feet) of river frontage.
- Number(s) assignment shall correspond to the location of the driveway access off the street.
- Number(s) within the Township shall be assigned by staff.
- Multiple number(s) or sub-number(s) shall be assigned where deemed necessary to identify multiple structures/units.
- Numbers shall generally be assigned beginning at the south and west limit of a street.
- Even numbers shall be assigned to the north and west sides of the street, while odd numbers shall be assigned to the south and east sides. Exceptions to this number assignment may exists along streets which fork into two directions
- In the case of crescents and U-looped streets, or when a street changes direction, the predominant direction determines which side of the street received odd or even numbers. Odd and even numbers are never transposed because of a change in street direction.
- On cul-de-sacs and small courts, the change from odd to even numbering occurs at a point as close as possible to the centre line of the street, at the limit of the turning circle.
- For curved streets or streets with sharp turns, allowances are to be made in the numbering sequence to compensate for the greater number of allocated numbers around the outside of the curve.
- Street numbering shall be based upon the extension of any existing numbering.
- Existing numbering in adjacent jurisdictions shall be given due regard.

4. Every person who is an owner of a property in the Township of Elizabethtown-Kitley shall post the number blade(s), sign post and sub-number(s) assigned to the said property within 10 working days of being advised to do so by the Corporation and shall maintain it to the standards of this By-law. The owner shall advise any occupant(s) of their property of the municipal address and of their responsibility under Section 12 herein to ensure that the number blade(s) and any sub-number(s) are maintained and visible.

... 3/

5. The assigned number blade(s) shall be affixed to a sign post and shall be installed by the owner to display the number blade at a height of generally not less than 1.2 metres (4 feet) and not greater than 1.9 metres (6 feet) above grade.

6. The number blade shall be placed on the sign post and erected perpendicular to the street to face oncoming traffic and so as to be clearly visible from both directions on the travelled portion of the street, clear from any obstructions including, but not limited to, foliage, snow or other obstructions that could block visibility.

7. The sign post shall be located at the driveway entrance, placed at a distance not to exceed 1 metre (3 feet) from the property line of the street and placed at a distance not to exceed 1 metre (3 feet) from the driveway to the property or as otherwise approved. Where there is more than one driveway, the owner must consult with the Township to ensure that the sign post and assigned number (s) are located at the appropriate driveway entrance. Appendix 'A' attached hereto provides a checklist for the posting of street number blades and forms part of this By-law.

8. Notwithstanding Sections 5, 6 and 7 above, where a structure on the lot is sited 4.5 metres (15 feet) or closer to the street, the number blade(s) may be affixed to the structure, at a height of generally not less than 1.2 metres (4 feet) and not greater than 1.9 metres (6 feet) above grade. Where possible, the number blade(s) shall be affixed to face oncoming traffic so as to be clearly visible from both directions on the travelled portion of the street.

9. The number blade(s) and sign post shall be available only through the office of the Township of Elizabethtown-Kitley or their appointed agents and shall be consistent with the requirements of this By-law, at a cost to be determined from time-to-time by the Corporation.

10. Where more than one number blade is posted on a sign post at the driveway access, thereby identifying more than one structure at that location, the owner must provide and visibly post each number at the appropriate location near/on the structure in consultation with the Township of Elizabethtown-Kitley. Such numbers shall have a minimum digit size of 3 inches in height, be affixed to a contrasting background and posted at a height of generally not less than 1.2 metres (4 feet) and not greater than 1.9 metres (6 feet).

11. Where a sub-number(s) is assigned, the owner must provide and visibly post such numbers at the appropriate location on the unit/structure in consultation with the Township of Elizabethtown-Kitley. Such numbers shall have a minimum size of 3 inches in height and be affixed to a contrasting background to be clearly visible.

12. The owner is responsible for ensuring that the number blade(s) and any additional numbers(s) and/or sub-number(s) requiring posting, as outlined in Section 10 and 11 above, are maintained and visible at all times and clear of any snow, foliage, or other obstructions that may block visibility of the numbers.

13. Notwithstanding Section 4, above, where vacant land is proposed for development, as part of the building approval process, the Township shall assign the municipal address and the owner or their agent shall erect the number blade(s) and sign post (where required) in accordance with this By-law within five (5) working days of being advised by the Township of their availability.

14. In addition to the penalty prescribed in Section 17, if the owner fails to comply with the provisions of this By-law, within the specified time as set out in Section 4, the Corporation of the Township of Elizabethtown-Kitley shall have the right to enter onto the property and affix the number to the building or property and charge the owner with the expense of the same.

... 4/

15. That the Treasurer be authorized to apply any uncollected costs associated with the provision of number blade(s) and a sign post and/or the installation of such to the corresponding property listed in the current tax roll for collection at the discretion of the Treasurer.

16. The municipal address is entirely independent of and separate from both the assessment of buildings for tax purposes and the legal description of lands upon which buildings are located.

17. Any person who contravenes any provision of this By-law is guilty of an offence as provided for in Section 61 of the Provincial Offences Act, R.S.O., 1990, as amended.

18. That any other By-laws or part of any By-law or By-laws that is inconsistent with this By-law is hereby deemed not applicable.

Read a **First** and **Second** time this 14 day of February, 2005.

Read a **Third** time and finally **Passed** this 28 day of February, 2005.

Mayor

Clerk

I, Yvonne L. Robert, Clerk
Corporation of the Township of Elizabethown-Kitley
in the County of Leeds, do hereby certify that
the foregoing is a true copy of
By-law 05-10
passed by the council of the said Corporation
the 28th day of February, 2005

BY-LAW 05-10

APPENDIX A

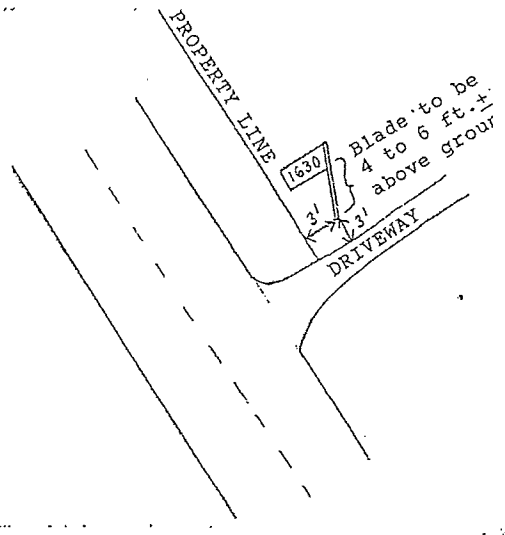
CHECKLIST FOR POSTING YOUR STREET NUMBER BLADE

(please review before beginning your installation)

[ ] the number blade shall be attached to the post with two bolts/nuts.

[ ] the number blade shall be perpendicular to the applicable street, to be clearly visible from both directions of travel on the street.

[ ] the post/blade shall be placed at the end of your driveway, at a maximum distance of:
3 ft. ± from your street property line;
3 ft. + fro the edge of your driveway.
(if your structure is 15 ft. or closer to the street the number blade may be placed on the structure at a height of 4 to 6 ft. above grade. If possible the blade should be placed perpendicular to the street to be visible from both directions of travel on the street.)



[ ] ensure that all numbers are visible at all times, clear of any snow, foliage or other obstructions.

[ ] please advise all occupants of the new street address.

The new street address and reference to Elizabethtown-Kitley Township will result in improved property identification for emergency service (fire, ambulance, police) and other delivery services. Once your number is posted please use it.

Should you have any questions
call the Township of Elizabethtown-Kitley at 345-7480 or 1-800-492-3175.