

**STAFF REPORT: ADMINISTRATION**



**REPORT TO:** Council  
**MEETING DATE:** December 10, 2007  
**REPORT NO.:** A.07.33  
**SUBJECT:** Accountability and  
Transparency of Town Actions  
to the Public  
**PREPARED BY:** Stephen Keast, Clerk

**A. Recommendations**

THAT Council receive Staff Report A.07.33, "Accountability and Transparency of Town Actions to the Public" and enact a By-law to adopt Town Policy POL.AD.07.01, Accountability and Transparency of Town Actions to the Public, and further gives direction to Town Council and Staff to implement the Policy.

**B. Background**

Revisions to the *Municipal Act, 2001* as proclaimed on January 1, 2007, include a requirement for a municipality to adopt Policies in six fields, being:

- Sale and other disposition of land
- Hiring of employees
- Procurement of goods and services
- Provision of notice to the public
- Accountability and transparency of actions to the public
- Delegation of powers and duties

The subject Report and Policy represent the first in these six fields for consideration by Council. It is noted the following Policies all relate to accountability and transparency of municipal actions and its decision-making process.

The wording in the Act notes the Policy shall show how the municipality *will try to ensure* it is accountable to the public and how the municipality *will try to ensure* its actions are transparent. Councillor Martin attended a one day workshop, sponsored by the Association of Municipalities of Ontario, on such Policy development and this requirement was presented as a continuum, with accountability at one end, i.e., who is responsible for making a decision, and transparency at the other end, i.e., how is a decision made with full public scrutiny. In between is the chain of events that led to a decision.

By-law No. 2007-29, being a By-law for governing the calling, place and proceedings of meetings of Council, Committees and Boards was enacted on April 11, 2007 and contains increased provisions for openness and transparency.

Reference to accountability and transparency in financial matters is also included, noting the annual audit and public consultation process as well as production of monthly budget variance reports.

Although not required, a commitment to develop a Code of Conduct for Council, Committee and Board appointments is included in the Policy.

A person who contravenes a code of conduct cannot be found guilty of an offence, and remedies available to Council are a reprimand or a suspension of remuneration paid for up to 90 days.

Appointment of an Integrity Commissioner to apply a Code of Conduct is an option available to Council, however, it is not recommended at this time, given the proposed six month review cycle for review of this Policy.

Council has already considered the appointment of a Closed Meeting Investigator.

### **C. The Blue Mountains' Strategic Plan**

Goal Providing a strong, well managed municipal government.

Actions Practice open and proactive communications.  
Involve the community, business sector, developers, public partners and others in the ongoing work of the municipality.

### **D. Budget Impact** (cc: Treasury if required)

Unknown.

### **E. Attached**

Policy POL.AD.07.01, Accountability and Transparency of Town Actions to the Public.

Respectfully submitted,

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Stephen Keast, Clerk