

THE CORPORATION OF THE TOWNSHIP OF PERTH SOUTH

BY-LAW NO. 13-2019

Retain and Appoint Aird & Berlis LLP as Integrity Commissioner for the Corporation of the Township of Perth South;

Whereas Section 5 of the Municipal Act 2001, as amended, provides that a municipal power shall be exercised by by-law unless the Municipality is specifically authorized to do otherwise; and

Whereas Section 9 of the *Municipal Act 2001, S.O. 2001*, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority; and

Whereas Section 223.3 of the Act, authorizes a Municipality to appoint an Integrity Commissioner who reports to Council to investigate in an independent manner the functions assigned by the municipality with respect to the application of the code of conduct and of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards or either of them and to exercise such powers and perform such duties as may be assigned to him/her by the municipality; and

Whereas as of March 1, 2019, a council must assign all of the functions under amended s. 223.3(1) of the *Municipal Act, 2001* to its Integrity Commissioner to perform the following functions:

1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.
7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*; and

Whereas By-law 65-2017 appointed Aird & Berlis LLP as Integrity Commissioner; and

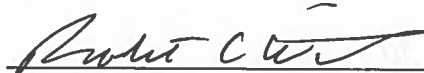
Whereas the Council of the Township of Perth South deems it desirable to retain and appoint Aird & Berlis LLP, as the Township of Perth South's Integrity Commissioner;

Now therefore be it resolved that the Council of the Corporation of the Township of Perth South enacts as follows:

1. That Aird & Berlis LLP be appointed as the Integrity Commissioner for the Township of Perth South.
2. That upon appointment the Integrity Commissioner will have all the functions, powers and duties of an integrity commissioner as assigned under subsections 223.3(1), (1.1) and (1.2) of the Municipal Act, 2001, as amended
3. That the Mayor and the Clerk are hereby authorized and instructed to sign and execute, on behalf of the Township of Perth South, all actions taken and required to complete this matter including the execution of the Agreement and any other associated documentation are hereby authorized, confirmed and ratified.
4. That By-law 65-2017 is hereby repealed.
3. That this By-law shall come into full force and effect on the date of its passing.

READ a **FIRST** and **SECOND** time this 19th day of February 2019.

READ a **THIRD** time and **FINALLY PASSED** this 19th day of February 2019.



Mayor, Robert Wilhelm



Clerk, Lizet Scott