



19 December 2024

Provincial News

The Province has introduced the [Municipal Accountability Act, 2024](#), to establish a new, standardized municipal code of conduct and integrity commissioner framework for the next term of council.

The proposed changes strengthen the municipal code of conduct and integrity commissioner framework to:

Allow for the creation of a standard code of conduct for all municipalities and require mandatory code of conduct training for members of council and certain local boards.

Create a regulation-making authority to set out the municipal integrity commissioner investigation processes, including a complaints mechanism and reporting requirements.

Provide a role for the Integrity Commissioner of Ontario to provide advice to municipalities and training to municipal integrity commissioners and review all reports from municipal integrity commissioners recommending that a member be considered for removal and disqualification, as well as conduct inquiries.

Establish a stronger penalty by establishing a mechanism for members of council and certain local boards to be removed and disqualified for four years for serious violations of the code of conduct

The member has contravened the code of conduct;

The contravention is of a serious nature;

The member's conduct that is the subject of the inquiry has resulted in harm to the health, safety or well-being of persons; and

The existing penalties are insufficient to address the contravention or ensure that the contravention is not repeated.

The Municipal Accountability Act, 2024, if passed, would establish rules so that municipal integrity commissioners and the Integrity Commissioner of Ontario would only be able to consider and recommend removal and disqualification if they determine that all four criteria are met:

The legislation would also enable the Integrity Commissioner of Ontario to consider, among other matters, whether the contravention negatively impacts public confidence in the ability of the member to discharge their duties, and, of the council or local board to fulfill its role, including by meeting its statutory obligations.

The proposed changes would also create a process to remove and disqualify members of council and local boards that would include the following steps:

Upon receipt of a complaint, the municipal integrity commissioner conducts an inquiry. If they find that the criteria for removal and disqualification are met, they can make a recommendation for removal and disqualification to the Integrity Commissioner of Ontario.

If the Integrity Commissioner of Ontario receives a recommendation from the municipal integrity commissioner, they would be required to conduct an inquiry and determine whether the criteria for removal and disqualification have been met. If so, they can provide a recommendation to municipal council that the member be removed from their seat and disqualified for four years.

If the Integrity Commissioner of Ontario recommends that a member be removed and disqualified, council must vote on the recommendation:

All members of council who are not exempt would be required to vote in favour of the Integrity Commissioner of Ontario's recommendation to remove and disqualify a member.

Only the member(s) who is/are the subject of the report, members with approved absences or members who have a conflict of interest under the Municipal Conflict of Interest Act would be exempt from the vote.

If council unanimously votes to approve the recommendation, the member is removed from their seat and is disqualified for four years.

The government intends to consult on these changes and work with the municipal sector to develop the necessary regulations to support the new framework coming into effect for the new term of councils in 2026.

OMAA remains keenly interested in working with the government to develop meaningful anti-harassment legislation that improves accountability, transparency, and overall municipal governance while creating a healthy, safe, and respectful municipal work

environment. You can read our initial response and our paper Addressing Harassment in Municipal Government: The Need for Legislative Reform from August on our advocacy page.

You can provide feedback on the bill until 10 February 2025: Proposed amendments to the Municipal Act, 2001, and the City of Toronto Act, 2006 to standardize and strengthen the municipal code of conduct and integrity commissioner framework.

Please email a copy of your organization's formal response to the registry posting to policy@omaa.on.ca to help inform OMAA's submission.