



Orientation Manual

**Brampton School
Traffic Safety
Council
2022-2026**



BRAMPTON
Flower City

Date: June 1, 2023

To: Brampton School Traffic Safety Council Members

From: Charlotte Gravlev, Deputy City Clerk

Re: **General Information – Committee Appointment**

Congratulations on your appointment as a member of the Brampton School Traffic Safety Council for the term ending November 14, 2026, or until a successor is appointed.

The purpose of this memo is to provide you with additional details regarding your appointment.

Committee Meetings

Attendance

- Attendance at meetings is important so that Brampton School Traffic Safety Council business is completed.
- If you are unable to attend, need to leave early or expect to arrive late, you are requested to notify the Legislative Coordinator, as soon as you know your schedule. This assists staff to determine if quorum will be achieved and maintained and provides the opportunity to contact the other committee members, if necessary, to confirm their attendance.
- If it is realized prior to the meeting that the committee will not have quorum, the Chair will be advised and the meeting may be cancelled.
- If quorum is not achieved within ½ hour after the scheduled start time, the meeting will be deemed as “failed for quorum” and the names of members who are in attendance will be recorded and the meeting will not proceed.
- As outlined in the Procedure By-law, if citizen members are absent for **three consecutive meetings, without cause, or approval from Council**, the member will be deemed to have resigned and the vacancy will be filled in accordance with the Citizen Appointment Procedures.

Meeting Procedures

- The appointment of the Chair and Vice-Chair or Co-Chairs is scheduled for the first meeting of the “new” committee.
- The “Procedure By-law at a Glance” handout assists the members regarding Council-approved procedures for all meetings.
- The Legislative Coordinator is present at the meetings to record the proceedings and to assist the Chair to ensure that procedures are followed properly.

All Brampton School Traffic Safety Council business appointments are for the term ending November 14, 2026 or until successors are appointed. This means the Committee will continue with normal business after the next municipal election in 2026 until the new Council at that time appoints a new committee.

Meeting agendas and minutes are available on the City’s website for your reference at your convenience.

Some meeting materials may be available in alternate formats. If you require such materials, please advise staff.

This orientation eManual includes reference material as you begin your duties. Also, please be assured that City staff is available to assist you.

I wish you an enjoyable and fulfilling experience on the Brampton School Traffic Safety Council. If you have any questions, please contact myself or Chandra Urquhart, Legislative Coordinator, at (905) 874-2114.

Charlotte Gravlev
Deputy City Clerk
Telephone: (905) 874-2115 Fax: (905) 874-2119
charlotte.gravlev@brampton.ca

cc: Peter Fay, City Clerk
Chandra Urquhart, Legislative Coordinator

Brampton School Traffic Safety Council

Composition:	No fewer than seven and no more than ten citizen members One Member of Council One Trustee each from the Peel District School Board and the Dufferin-Peel Catholic District School Board The Committee will be supported by the following staff, agency and organizational representatives: • Peel Regional Police Regional Traffic Unit • City of Brampton Traffic Engineering Services • Student Transportation of Peel Region (STOPR), Peel District School Board/Dufferin-Peel Catholic District School Board • Brampton Fire and Emergency Services • Enforcement and By-law Services Division
Term of Office:	Concurrent with the term of Council, ending November 14, 2022, or until successors are appointed
Established by:	By-law 98-2013, (approved April 10, 2013)
Meetings:	First Thursday of each month (excluding July and August, which will be “at the call of the Chair” if required) at 9:30 a.m. at City Hall
Reports to:	Committee of Council
Supported by:	City Clerk’s Office (meeting arrangement) and Traffic and Engineering Services (subject matter expertise)

Committee Objectives and Responsibilities:

Terms of Reference of the Brampton School Traffic Safety Council (Schedule A to By-law 98-2013)

1. To consider student/pedestrian traffic safety matters at and around elementary and secondary schools and to educate the school community on these matters.
2. To consider and advise upon matters relating to school routes.
3. To develop, implement, assist and advise with respect to educational programs promoting safety awareness
4. To review existing, temporary or prospective new or relocated adult school crossing guard locations for Kindergarten to Grade 5, considering approved City criteria, and recommend additions or deletions to locations as required.
5. To report on and refer to appropriate City and Regional departments, School Boards, Police Divisions, etc. any other matters related to school safety requiring the application of engineering standards and warrants, specialized expertise or enforcement.
6. The committee will be supported by the following staff, agency and organizational representatives:
 - City of Brampton Public Works and Engineering (Traffic Engineering Services)
 - City of Brampton Corporate Services Department (Enforcement and By-law Services)
 - City of Brampton Fire and Emergency Services
 - Peel Regional Police
 - Student Transportation of Peel Region (STOPR)

Note: Citizen members are required to be available to conduct approximately three site inspections per month, in the vicinity of schools, at morning arrival and afternoon dismissal times to observe matters related to student safety (traffic volume/ congestion, recommended walking routes, school bus issues, crossing guard locations, Kiss and Ride operations).



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 98-2013

**To Establish the Brampton School Traffic Safety Council
(formerly Brampton Safety Council)
and to Repeal By-law 4-83, as amended**

The Council of the Corporation of the City of Brampton ENACTS as follows:

1. There shall be a sub-committee of the Committee of Council to be known as the Brampton School Traffic Safety Council.
2. The Brampton School Traffic Safety Council shall be composed of the following:
 - a) No fewer than seven (7) and no more than ten (10) citizen members who are not members of the City Council or Regional Council or a local board as defined in section 1 of the *Ontario Municipal Act, 2001*, all of whom shall be appointed by Resolution of City Council;
 - b) One Trustee each from the Peel District School Board and the Dufferin-Peel Catholic District School Board;
 - c) One member of City Council to be appointed by Resolution of Council;
3. Citizen Members shall be available to conduct approximately three (3) site inspections per month, in the vicinity of schools, at morning arrival and afternoon dismissal times to observe matters related to student safety. Reports from these site inspections must be submitted to the Legislative Coordinator, City Clerk's Office, once the inspection is complete.
4. The Brampton School Traffic Safety Council shall function based on terms of reference as set out in Schedule A of this by-law.
5. The Brampton School Traffic Safety Council shall meet on the first Thursday of each month at 9:30 a.m. at City Hall, unless otherwise decided (with the exception of July and August, which will be held "at the call of the Chair" if required).
6. The following by-laws are hereby repealed: 4-83, 179-86, 30-89, 107-93, 256-93, 241-95, 32-97, 60-2002, 319-2002, 8-2006 and 195-2009.

Schedule A to By-law 98-2013

Terms of Reference of the Brampton School Traffic Safety Council

1. To consider student pedestrian/traffic safety matters at and around elementary and secondary schools and to educate the school community on these matters.
2. To consider and advise upon matters relating to pedestrian school routes.
3. To develop, implement, assist and advise with respect to educational programs promoting safety awareness.
4. To review existing, temporary or prospective new or relocated adult school crossing guard locations for Kindergarten to Grade 5, considering approved City criteria, and recommend additions or deletions to locations as required.
5. To report on and refer to appropriate City and Regional departments, School Boards, Police Divisions, etc. on any matters related to school safety requiring the application of engineering standards, warrants, specialized expertise or enforcement.
6. The Committee will be supported by the following staff, agency and organizational representatives:
 - City of Brampton Works and Transportation Department (Traffic Engineering Services)
 - City of Brampton Works and Transportation Department (Crossing Guard Supervisor)
 - City of Brampton Corporate Services Department (Enforcement and By-law Services)
 - City of Brampton Community Services Department (Fire and Emergency Services)
 - Brampton Safe City Association
 - Peel Regional Police
 - Student Transportation of Peel Region (STOPR)

Brampton School Traffic Safety Council Membership List – 2022-2026

Members

Nayan Brahmhatt
Dominique Darmanin-Sturgeon
Satvir Dhaliwal
Charles Gonsalves
Janice Gordon-Daniels
Carla Green
Donald Haberer
Rohail Massy
Trustee Will Davies - Peel District School Board
Trustee Kathy McDonald - Peel District School Board (Alternate)
Trustee Shawn Xaviour - Dufferin-Peel Catholic District School Board

Agencies:

Student Transportation of Peel Region (STOPR)
Peel District School Board
Dufferin-Peel Catholic District School Board
Peel Regional Police, Regional Divisional Traffic Unit
Fire Prevention, Fire and Emergency Services
Manager of Traffic Engineering Services
Enforcement Supervisor, Enforcement and By-law Services
Crossing Guard Supervisor
Brampton Transit

Member of Council

Regional Councillor Navjit Kaur Brar – Wards 2 and 6

Staff

Shane Loftus, Public Works and Engineering
Violet Skirten, Crossing Guard Supervisor
Chandra Urquhart, Legislative Coordinator

Brampton School Traffic Safety Council

2023 Schedule of Meetings (Virtual Option)

Time: 9:30 a.m.

Council Chambers – 4th Floor City Hall

Meeting Dates
June 1, 2023
July - no meeting
August – no meeting
September 7, 2023
October 5, 2023
November 2, 2023
December 7, 2023

Members: If you are unable to attend a meeting, please contact Chandra Urquhart, Legislative Coordinator, via email at chandra.urquhart@brampton.ca at your earliest possible convenience.

Brampton School Traffic Safety Council *Orientation*

**Council Chambers
City Hall, 4th Floor**

June 1, 2023

Overview

1. Committee Process and Meetings
2. Role of Committee Members

Brampton School Traffic Safety Council

- [Brampton-School-Traffic-Safety-Council](#) established by By-law 98-13 (approved April 10, 2013)
- 2022-2026 term Committee appointed May 3, 2023 by Council Resolution C111-2023, until November 14, 2026 or until successors are appointed.

Brampton School Traffic Safety Council

Membership

- 8 members of the public, appointed until November 14, 2026, or until successors are appointed and 2 School Board Trustees:

Nayan Brahmabhatt

Dominique Darmanin-Sturgeon

Satvir Dhaliwal

Charles Gonsalves

Janice Gordon-Daniels

Carla Green

Donald Haberer

Rohail Massy

Trustee Shawn Xaviour, Dufferin-Peel Catholic School Board

Trustee Will Davies, Peel District School Board

Trustee Kathy McDonald, Peel District School Board (Alternate)

- 1 Councillor:
Regional Councillor Navjit Kaur Brar – Wards 2 and 6
- 8 City, agency and organization representatives

Peel District School Board

Dufferin-Peel Catholic School Board

Student Transportation of Peel Region (STOPR)

Peel Regional Police

Enforcement and By-law Services

Fire and Emergency Services

Traffic Services

Brampton Transit

Brampton School Traffic Safety Council

Attendance and Quorum

- **Quorum** = 6 citizen/agency appointed members
a majority of the 15 citizen/agency members to be present to convene a meeting
- If a member is absent for three consecutive meetings, that position may be declared vacant and an alternate member is appointed
- *Please contact Chandra Urquhart if unable to attend a meeting*

Meeting dates and location

- Monthly (**First Thursday at 9:30 a.m.**)
- Meetings held at City Hall (Council Chambers)

Brampton School Traffic Safety Council

Responsibility

- Consider and advise on matters related to school routes, bus and cycle safety
- Develop, implement and assist with programs to promote school safety awareness

Scope

- Report on matters related to school safety
- Conduct site inspections in the vicinity of schools and make recommendations to improve student safety such as the need for crossing guards

Meeting Procedures, Agendas and Minutes



Meeting Procedures

- Council Procedure By-law 160-2004, as amended
<http://www.brampton.ca/EN/City-Hall/Bylaws/All%20Bylaws/ProcedureBy-law-160-2004.pdf>

Agendas

- digitally published the Thursday before the scheduled meeting date
- available on the City website

<http://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Minutes-Agendas-Archive.aspx>

- meeting information available in alternate formats, upon request

Minutes

- Committee recommendations/proceedings recorded in Committee Minutes
- Minutes presented to Committee of Council for approval
- Committee of Council Minutes approved by Council

Agenda Sections

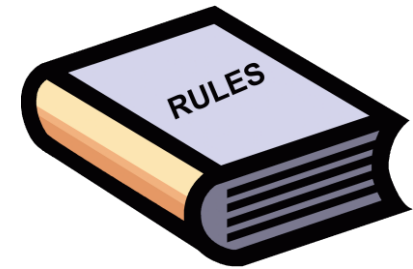


Committee Agenda:

1. Approval of the Agenda
2. Declarations of Interest under the Municipal Conflict of Interest Act
3. Previous Minutes
4. Delegations/Presentations
5. Reports/Updates
6. Other/New Business/Information Items
7. Correspondence
8. Question Period
9. Public Question Period
10. Adjournment

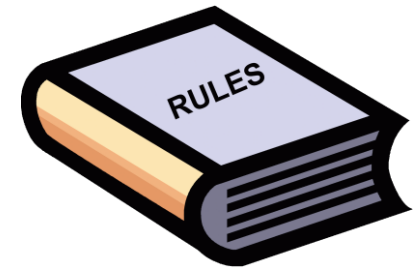
Municipal Conflict of Interest Act

- The *Act* applies where a **direct or indirect pecuniary (financial benefit) relationship** may exist for a member as a result of a matter before the Committee
 - “relationship” includes parent, spouse, child
- The member must declare a conflict of interest at the beginning of the meeting and excuse themselves from the proceedings and involvement in the decision relating to the item
- Declaring a conflict is up to the individual member
- New requirement, for declaration to also be provided in writing (form available)
- Can seek advice regarding conflict of interest from Integrity Commissioner



Rules of Debate and Decision-Making

- Considering an agenda item:
 - Chair calls the item
 - May be introduction of item by Chair, member, staff
 - Committee considers the item
 - May ask questions of staff/proponent
 - May speak in favor/against the item/issue/proposal
 - Speaking and debate must be relevant to item under consideration



Rules of Debate and Decision-Making

- Making a decision
 - Consensus-based decision-making
 - Committee member introduces a motion to do something
 - Verbal or in writing
 - Does not require a seconder
 - Motion debated and may be amended, referred, deferred
 - After debate, Chair puts motion to a vote
 - Majority vote to pass Motion (does not carry on tie vote)

City By-laws and Policy

- **Procedure By-law**
- **Code of Conduct**
- **Lobbyist Registry**

Role of Committee Members

- Be familiar with Committee responsibilities
- Review agenda materials
- Attend meetings
- Listen to the presentations and debate; be respectful of everyone
- Contribute to discussions and ask questions for clarification
- **Work on sub-committees and participate at Committee events**
- Avoid emotional attachment
- If delegating to a Council or other Committee meeting, qualify your role (an interested citizen or Committee representative – if authorized)
- Support the Committee decision once approved
- Avoid criticizing Council decisions
- Refer media inquiries to the Chair or City staff
- Remember staff is available to help
- Enjoy the experience!

Brampton School Traffic Safety Council

Orientation – June 1, 2023

***Discussion
Questions?
Group Photo***

Committee Contact

**Chandra Urquhart, Legislative Coordinator, City Clerk's
Office, Legislative Services, 905-874-2114**

chandra.urquhart@brampton.ca

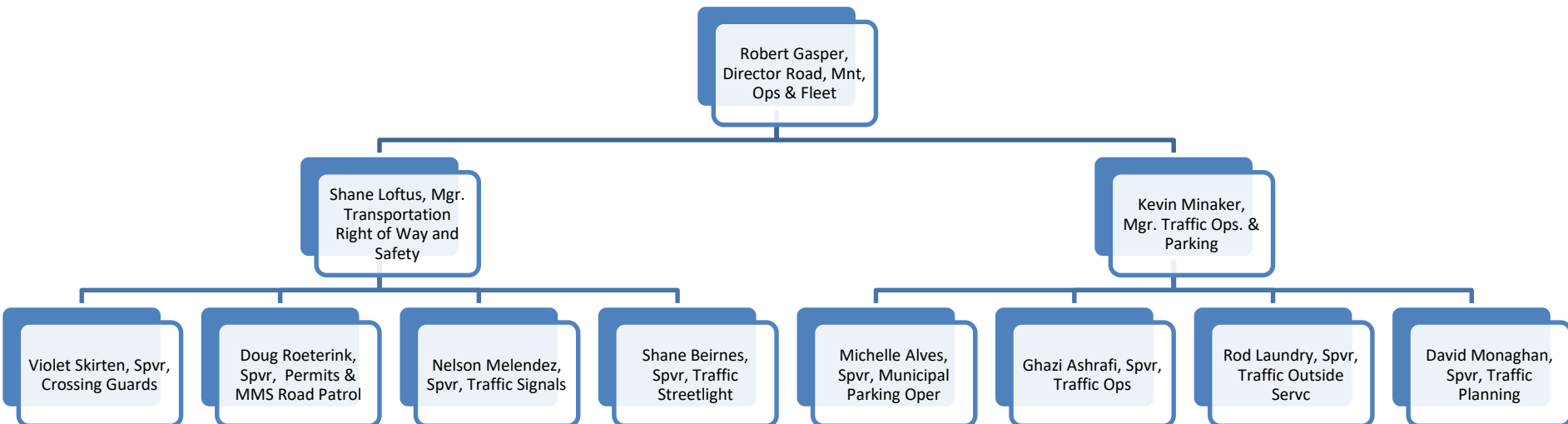
BRAMPTON SCHOOL TRAFFIC SAFETY COUNCIL PRESENTATION

June 1, 2023

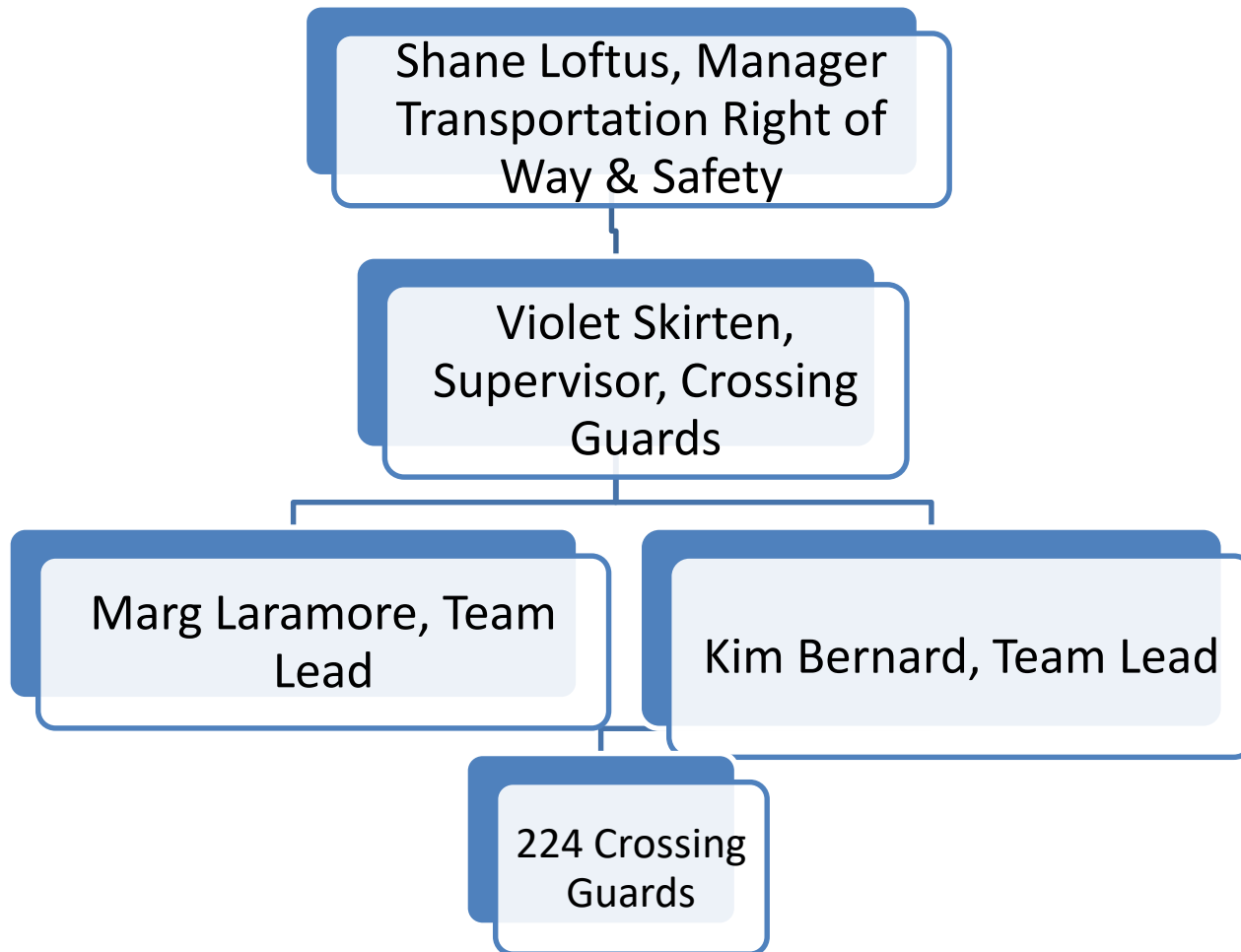


Brampton  BRAMPTON
School Traffic
Safety
Council

ORGANIZATION CHART FOR ROAD MAINTENANCE, OPERATIONS, AND FLEET- Traffic Services



Organization Chart for Crossing Guard Section



SITE INSPECTION

Types of Requests:

- Student and traffic concerns at or around schools
- Pedestrian school routes and education
- Review existing, temporary or prospective new crossing guard locations for Kindergarten to Grade 5 using City criteria

SITE INSPECTION REQUEST FORM

Brampton School Traffic Safety Council Site Inspection Request



Request for site inspection by:

☐ Resident ☐ School Administrator ☐ Other (please specify) _____

Name: _____ Date of request: _____

Address: _____

Email: _____ Phone: _____ Fax: _____

Name of school/intersection: _____

Reason(s) for request – check all that apply:

☐ Park and Ride ☐ Traffic congestion on school property ☐ Traffic congestion on school street
☐ Parking issues ☐ Crossing guard inquiry ☐ Other (please specify) _____

Observations:

Note: be specific – include date, time, location, etc. If you need more space, or would like to include photos, drawings, diagrams, etc., please attach another sheet.

Have you told anyone at the school about of this issue? ☐ Yes ☐ No

Who did you tell? _____ When? _____

Verbally or in writing? ☐ Verbally ☐ In writing

What was the response? _____

Send completed form to:

City Clerk's Office, City of Brampton.

2 Wellington Street West, Brampton, ON L6Y 4R2

Fax: 905.874-2119 Email: cityclerksoffice@brampton.ca

Privacy Statement

Personal information is being collected under the authority of the Municipal Act. The information will only be used to communicate with you regarding your inquiry. Questions about this collection may be directed to our Call Centre by calling 311 (within Brampton city limits) or 905.874.2000 (outside city limits). Please review the City's Privacy statement for more information.

For Official Use Only

Date of last site inspection: _____ **if less than two years ago, attach copy of site visit report

Was this issue addressed in that visit? Yes ☐ No ☐

Have the recommendations from the site visit been addressed? Yes ☐ No ☐

Date of committee meeting where this information will be presented: _____

Response to Inquiry: Date: _____ By (name): _____

14-0003

Last updated Feb 10/15

SITE INSPECTION

- Sign up for site inspections at meeting
- Staff Support- normally Crossing Guard Staff attend all site inspections
- Citizen Members keep track of your mileage
- Wear Identification
- Committee members meet at location and if at a school advise office
- Committee citizen members complete site inspection reports (template) based on discussion and observations at the site inspection

SITE INSPECTION REPORT



Brampton Safety Council Site Inspection Report

Date: _____ Ward: _____

School/Location: _____

Principal: _____

Time(s): _____

Phone: _____

Weather: _____

Requested By: _____

Nature of Problem: _____

Observers Present: _____

Observations:

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Recommendations:

1. That the Site Inspection report be received; and _____

2. That, in an effort to encourage Active Transportation to and from school, the Principal contact their designated Peel Health Nurse to participate in the School Travel Plan Program in Peel; _____

3. _____

4. _____

SITE INSPECTION

- Reports are forwarded to Chandra and Crossing Guard staff in a timely manner for review and changes if necessary
- Completed Site Inspection listed on the next agenda for discussion at the meeting
- Committee approves or changes and then recommendations are forwarded to Council for approval



SCHOOL CROSSING GUARDS

- Provide School Crossings for Kindergarten to Grade 5 children for Dufferin Peel Catholic School Board and Peel District School Board in the City of Brampton



CROSSING GUARDS

- The Brampton School Traffic Safety Council recommends the use of crossing guard based on warrant criteria as determined by a site inspection, judgment and experience.

CROSSING GUARD WARRANTED:

- Where there are five or more eligible students crossing (k-5)
- More than 50% of the five minute intervals surveyed had less than four safe gaps
- speed limit is 60 km/hr or lower





GAP STUDIES



- **Safe Gap Time is the time required in a break with the traffic flow that permits students to cross the road safely.**
- **CALCULATION OF ADEQUATE (SAFE) GAPS:**
 - Formula-width of road(m) divided by 1 (walking speed in m/seconds) plus 4 seconds= safe gap time.
 - Four seconds is added to perception and reaction time of students



GAP STUDIES

Conducting a Gap Study :

- Measure width of the roadway
- Calculate safe gap time using formula
- Number of safe gaps is determined by measuring with a stop watch the amount of time between vehicles arriving at the crossing location
- The stop watch is started and continues to run until such time that a vehicle travels across the designated crossing point
- The time is noted and recorded only if it equal or exceeds the safe gap time. Any number less than the safe gap is recorded by a slash.
- The stop watch is reset and restarted and continues to run until the next vehicle arrives.

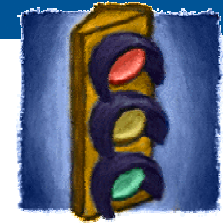
Calculation for Warrant

- Total number of 5 minute intervals surveyed. Typically 6 in the am and 5 in the pm. (11)
- Number of 5 minute intervals that were less than 4 surveyed gaps. For example if this was a total of 4 during the morning and evening observations.

If more than 50% of the five minute intervals surveyed had less than four Safe Gaps, then a crossing guard is warranted.

Example above $4/11=36\%$ therefore not warranted.

GAP STUDIES-SIGNALS



- Pedestrians crossing at a signalized intersection will only be subject to vehicular turning traffic, right and left turns on a green signal, and right turns on a red signal. The timing of gaps is irrelevant.
- All traffic turning across the pedestrian crossing lines and any pedestrian/vehicle conflicts during each walk signal are recorded.
- Recommendations are based on pedestrian volume, amount of turning traffic and amount of pedestrian/vehicle conflict.



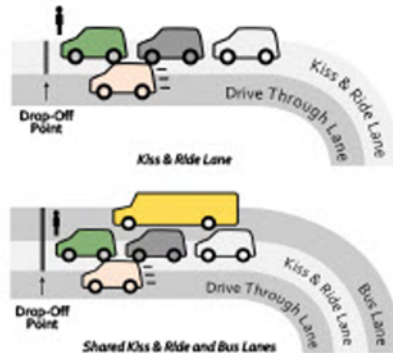
KISS & RIDE-



What is the Kiss & Ride Program?

The Kiss & Ride Program is a program designed to manage vehicular traffic through school sites in a planned and supervised manner. It also helps to reduce traffic congestion around schools.

The program uses school driveways or parking lots to allow for safe drop-off of children. Participating schools have on-site pavement markings and signage. School staff or volunteers will supervise and assist the student activity.



How does it work?

- Drive to the **drop-off point**.
- Drop your children off **through the passenger side of the vehicle only**.
- **Do not leave your vehicle.** An adult supervisor will be on-site to help your children safely enter the school grounds.
- Exit the school property.



WHY?

- **The number of parents driving their children to school has increased the number of traffic safety problems. These include:**
- Double parking
- Traffic congestion
- U-turns
- Blocked driveways
- Interference with school buses
- Children crossing between parked cars
- Impediment of emergency vehicles

HOW?

- On the front driveway of the school, “one way” lanes are identified. One lane is designated for bus use and the other lane is for Kiss & Ride. Parents enter the school driveway, remain in the car, stop where indicated and allow school staff or parent volunteers to assist the children getting out of the car and safely to the sidewalk. The staff or volunteers will also monitor the traffic flow as the parents exit the driveway.
- The Kiss & Ride can also be implemented in the school parking lot.
- Parent cooperation is desired to make this program successful.

BENEFITS!!!

- SAFER TRAFFIC CONDITIONS
- BETTER UTILIZATION OF SCHOOL DRIVEWAY
- IMPROVED TRAFFIC FLOW
- THE SUCCESS OF THE KISS & RIDE PROGRAM IS DEPENDENT ON THE SCHOOL PRINCIPAL, STAFF AND/OR PARENT VOLUNTEERS



Procedure By-law - At a Glance For Council Committees and Citizen Advisory Committees	
Additions to an Agenda	Additions to the agenda for a Committee meeting are permitted by a two-thirds majority vote.
Amendments	If an amendment is not contrary, it is voted on before the main motion. The last amendment made is voted on first.
Attendance	If any member of a Committee fails to attend three consecutive regular meetings of that Committee without authorization by Council resolution, that citizen's membership on the Committee is terminated and Council will appoint a new person to fill the vacancy.
Call the Question	The vote will be taken after any member who has not already spoken and wishes to, has spoken. If a member speaks to the motion, he/she may not then immediately call the question.
Chair Not Present	If the Committee Chair does not attend within 15 minutes of the meeting start time, the Co-Chair, Vice-Chair, or other member, will assume the Chair for the meeting, until the arrival of the Chair.
Conflict of Interest	A member is required to declare a conflict of interest prior to any consideration of the matter and to disclose the general nature of the conflict. The conflict must relate to a direct or indirect pecuniary interest, eg. positive or negative financial interest, affecting the member or the member's spouse, child or parent. The member shall not participate in the discussion, vote on any motion regarding the matter, or attempt in any way to influence the voting before, during or after the meeting. Please refer to the <i>Municipal Conflict of Interest Act</i> .
Defer (to a Future Meeting)	To postpone consideration of a matter to a future meeting, the vote on a deferral is taken immediately, that is, there is no discussion or debate on the motion to defer.
Delegations	A delegation is limited to speaking for a maximum of five minutes, unless an extension is agreed upon. If the subject of the delegation is not a matter on the agenda, it will be received without comment and referred to staff for a report, unless there is a majority vote to simply receive the delegation. Delegation requests are directed by the City Clerk's Office to the appropriate Committee.
Interrupt a Speaker	A member is prohibited from interrupting a speaker except on a point of order or point of privilege.
Last Speaker to a Motion	The mover has the right to be the last speaker unless the question is called and then those rules apply (see above).
Minutes	The minutes of each Committee meeting will be presented at the next regular meeting of the appropriate Standing Committee or Council for approval of the recommendations and receipt of the minutes. The Standing Committee or Council may debate and amend any matter contained within the Committee minutes.

Order of Speakers	The order of speakers is as announced by the Chair. Only a speaker may make a motion.
Point of Order	A point of order may be raised at any time, eg. for a breach of the rules.
Point of Privilege	A point of privilege may be raised at any time, eg. for a challenge to the Council's or member's integrity, statements naming a member, rights / privileges of Council, eg. incorrect minutes, conduct of staff/visitors, comfort of members, eg. noise, heat.
Public Question Period	A member of the public in attendance may ask a question regarding any decision made at a meeting. A maximum of 15 minutes is allowed for all public questions.
* Quorum *	A majority of Committee members is required to be present and seated in order to constitute a quorum, unless a Committee terms of reference specify different quorum provisions. If a quorum is not achieved within 30 minutes of the meeting start time, the Legislative Co-ordinator will record the name of the members present and the meeting will not be called to order. If quorum is lost during a meeting, the meeting is recessed and will reconvene when quorum is regained. If quorum is not regained within 30 minutes, the Legislative Co-ordinator will record in the minutes the names of those present and the meeting will end without formal adjournment. The items that were not considered will be placed on the agenda of the next meeting.
Recorded Vote	Any Committee member may request a recorded vote at a Committee meeting.
Recount Vote	A recount may be requested only immediately after the declaration of the vote by the Chair.
Refer (to a Committee or Person Named in the Motion)	A motion to refer will send or direct a matter to another Committee, staff or official named in the motion, for further work or consideration. This motion is debatable, but only the merits of the referral, not the subject. In order to continue to discuss the subject, the motion to refer must be defeated.
Reopen the Question	To discuss a matter already voted on at a meeting, a two-thirds majority is required to reopen the question. To discuss a matter from a previous meeting, a two-thirds majority is required by Council Resolution. If a motion to reopen is lost, it cannot be raised again during the current term of Council.
Speaking – Number of Times a Member may Speak	A Committee member may speak initially for five minutes. He/she may not speak again until everyone else who wants to, has spoken. A member may then speak a second time for five minutes. There is no restriction on the number of times a member may speak.

The above are selected extracts from [Procedure By-law 160-2004](#), as amended. For further information, please refer to the Procedure By-law and/or contact the City Clerk's Office.

August 2017

Municipal Conflict of Interest Act

R.S.O. 1990, CHAPTER M.50

Consolidation Period: From November 23, 2022 to the [e-Laws currency date](#).

Last amendment: 2022, c. 18, Sched. 3.

Legislative History: 1994, c. 23, s. 2; 1996, c. 32, s. 76; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156; 1999, c. 6, s. 41; 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45; 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. C, s. 33; 2006, c. 32, Sched. D, s. 10; 2007, c. 7, Sched. 27; 2007, c. 8, s. 219; 2009, c. 33, Sched. 21, s. 7; 2016, c. 23, s. 58; 2017, c. 10, Sched. 3; 2018, c. 3, Sched. 5, s. 37 (see: 2019, c. 1, Sched. 3, s. 5); 2019, c. 1, Sched. 4, s. 35; 2021, c. 4, Sched. 11, s. 23; 2022, c. 18, Sched. 3.

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		EXCEPTIONS
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		DUTY OF MEMBER
5.	When present at meeting at which matter considered	
5.1	Written statement re disclosure	
5.2	Influence	
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Definitions

1 In this Act,

“child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family; (“enfant”)

“controlling interest” means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; (“intérêts majoritaires”)

“council” means the council of a municipality; (“conseil”)

“elector” means,

- (a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; (“électeur”)

“interest in common with electors generally” means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; (“intérêt commun à tous les électeurs”)

“judge” means a judge of the Superior Court of Justice; (“juge”)

“local board” means a school board, board of directors of a children’s aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; (“conseil local”)

Note: On a day to be named by proclamation of the Lieutenant Governor, the definition of “local board” in section 1 of the Act is amended by striking out “police services board” and substituting “police service board”. (See: 2019, c. 1, Sched. 4, s. 35)

“meeting” includes any regular, special, committee or other meeting of a council or local board, as the case may be; (“réunion”)

“member” means a member of a council or of a local board; (“membre”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; (“municipalité”)

“parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family; (“parent”)

“school board” means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; (“conseil scolaire”)

“senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; (“dirigeant”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219; 2016, c. 23, s. 58; 2021, c. 4, Sched. 11, s. 23 (1-3).

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 156 (1) - 01/01/1998; 1999, c. 6, s. 41 (1) - 01/03/2000

2002, c. 17, Sched. F, Table - 01/01/2003

2005, c. 5, s. 45 (1, 2) - 13/06/2005

2006, c. 19, Sched. C, s. 1 (1) - 22/06/2006; 2006, c. 32, Sched. D, s. 10 - 01/01/2007

2007, c. 8, s. 219 - 01/07/2010

2016, c. 23, s. 58 - 01/01/2017

2018, c. 3, Sched. 5, s. 37 - no effect - see 2019, c. 1, Sched. 3, s. 5 - 26/03/2019

2019, c. 1, Sched. 4, s. 35 - not in force

2021, c. 4, Sched. 11, s. 23 (1-3) - 19/04/2021

Principles

1.1 The Province of Ontario endorses the following principles in relation to the duties of members of councils and of local boards under this Act:

1. The importance of integrity, independence and accountability in local government decision-making.

2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise. 2017, c. 10, Sched. 3, s. 1.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 1 - 01/03/2019

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 - (iii) is a member of a body,

that has a pecuniary interest in the matter; or

- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3); 2021, c. 4, Sched. 11, s. 23 (4).

Section Amendments with date in force (d/m/y)

1999, c. 6, s. 41 (2) - 01/03/2000

2005, c. 5, s. 45 (3) - 13/06/2005

2021, c. 4, Sched. 11, s. 23 (4) - 19/04/2021

EXCEPTIONS

Where ss. 5, 5.2 and 5.3 do not apply

4 Sections 5, 5.2 and 5.3 do not apply to a pecuniary interest in any matter that a member may have,

- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
- (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
- (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
- (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
- (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
- (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
- (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;

- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
- (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
- (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1); 2017, c. 10, Sched. 3, s. 2; 2022, c. 18, Sched. 3, s. 1.

Section Amendments with date in force (d/m/y)

2002, c. 17, Sched. F, Table - 01/01/2003

2006, c. 32, Sched. C, s. 33 (1) - 01/01/2007

2017, c. 10, Sched. 3, s. 2 - 01/03/2019

2022, c. 18, Sched. 3, s. 1 - 23/11/2022

DUTY OF MEMBER

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Exception, consideration of penalty

(2.1) The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*:

1. Despite clauses (1) (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. 2017, c. 10, Sched. 3, s. 3.

When absent from meeting at which matter considered

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 3 - 01/03/2019

Written statement re disclosure

5.1 At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 4 - 01/03/2019

Influence

5.2 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the municipality or local board, or by a person or body to which the municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Exception

(2) However, if a municipality delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the *Municipal Act, 2001* or subsection 160 (5) of the *City of Toronto Act, 2006* to a person or body, and the person or body is considering exercising that power with respect to a member, subsection (1) of this section does not prevent the member from attempting to influence any decision or recommendation of the person or body that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 4 - 01/03/2019

Head of council

5.3 (1) Where a head of council of a municipality either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter of the municipality and has a power or duty listed in subsection (2) with respect to the matter, the head of council,

- (a) shall, upon becoming aware of the interest in the matter, disclose the interest by filing a written statement of the interest and its general nature with the clerk of the municipality;
- (b) shall not use the power or exercise the duty with respect to the matter; and
- (c) shall not use their office in any way to attempt to influence any decision or recommendation of the municipality that results from consideration of the matter. 2022, c. 18, Sched. 3, s. 2.

Same

(2) For the purposes of subsection (1), the powers and duties are the powers and duties of a head of council in Part VI.1 of the *Municipal Act, 2001* and Part VI.1 of the *City of Toronto Act, 2006* but do not include the power to delegate in section 284.13 of the *Municipal Act, 2001* and section 226.11 of the *City of Toronto Act, 2006*. 2022, c. 18, Sched. 3, s. 2.

Section Amendments with date in force (d/m/y)

2022, c. 18, Sched. 3, s. 2 - 23/11/2022

RECORD OF DISCLOSURE

Disclosure to be recorded in minutes

6 (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Idem

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

REGISTRY

Requirement to establish registry

- 6.1** (1) Every municipality and local board shall establish and maintain a registry in which shall be kept,
- (a) a copy of each statement filed under section 5.1 or 5.3; and
 - (b) a copy of each declaration recorded under section 6. 2017, c. 10, Sched. 3, s. 5; 2022, c. 18, Sched. 3, s. 3.

Access to registry

- (2) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. 2017, c. 10, Sched. 3, s. 5.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 5 - 01/03/2019

2022, c. 18, Sched. 3, s. 3 - 23/11/2022

REMEDY FOR LACK OF QUORUM

Quorum deemed constituted

- 7** (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

Application to judge

- (2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

Power of judge to declare s. 5, 5.1 or 5.2 not to apply

- (3) The judge may, on an application brought under subsection (2), by order, declare that section 5, 5.1 or 5.2 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3); 2017, c. 10, Sched. 3, s. 6.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 6 - 01/03/2019

ACTION WHERE CONTRAVENTION ALLEGED

Application

- 8** (1) An elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest may apply to a judge for a determination of the question of whether,
- (a) a member has contravened section 5, 5.1, 5.2 or 5.3; or
 - (b) a former member contravened section 5, 5.1, 5.2 or 5.3 while he or she was a member. 2017, c. 10, Sched. 3, s. 7; 2022, c. 18, Sched. 3, s. 4.

Six-week period

- (2) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Exception

- (3) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if all of the following conditions are satisfied:

1. The applicant applied to an Integrity Commissioner for an inquiry under section 223.4.1 of the Municipal Act, 2001 or under section 160.1 of the City of Toronto Act, 2006 in accordance with those sections.

2. The Integrity Commissioner conducted an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* and the Commissioner,
 - i. has advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. has not completed the inquiry within the time limit set out in subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006*, or
 - iii. has terminated the inquiry under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*.
3. The application under this section includes a copy of the applicant's statutory declaration made under subsection 223.4.1 (6) of the *Municipal Act, 2001* or under subsection 160.1 (6) of the *City of Toronto Act, 2006*.
4. The application under this section is made within six weeks after the earlier of the following,
 - i. the day the Commissioner advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. the last day on which the Commissioner is required under subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006* to complete the inquiry referred to in paragraph 2 of this subsection, and
 - iii. the day the inquiry was terminated under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

Same, application by Integrity Commissioner

(4) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if the applicant is an Integrity Commissioner and if the application relates to an inquiry conducted by the Commissioner under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

No application by Integrity Commissioner during regular election

(5) No application shall be made by an Integrity Commissioner of a municipality during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 3, s. 7.

Limitation

(6) Despite subsections (2), (3) and (4), no application shall be made after the sixth anniversary of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Contents of notice of application

(7) The notice of application shall state the grounds for finding that the member or former member contravened section 5, 5.1, 5.2 or 5.3. 2017, c. 10, Sched. 3, s. 7; 2022, c. 18, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 7 - 01/03/2019

2022, c. 18, Sched. 3, s. 4 - 23/11/2022

Power of judge

9 (1) If the judge determines that the member or former member contravened section 5, 5.1, 5.2 or 5.3, the judge may do any or all of the following:

1. Reprimand the member or former member.
2. Suspend the remuneration paid to the member for a period of up to 90 days.
3. Declare the member's seat vacant.
4. Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order.

5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the municipality or local board, as the case may be. 2017, c. 10, Sched. 3, s. 7; 2022, c. 18, Sched. 3, s. 4.

Same

(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,

- (a) took reasonable measures to prevent the contravention;
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the *Municipal Act, 2001* or the *City of Toronto Act, 2006* and acted in accordance with the advice, if any, provided to the member by the Commissioner; or
- (c) committed the contravention through inadvertence or by reason of an error in judgment made in good faith. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 7 - 01/03/2019

2022, c. 18, Sched. 3, s. 4 - 23/11/2022

10 REPEALED: 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 156 (2) - 01/01/1998

2017, c. 10, Sched. 3, s. 7 - 01/03/2019

Appeal to Divisional Court

11 (1) An appeal lies from any order made under section 9 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1); 2017, c. 10, Sched. 3, s. 8.

Judgment or new trial

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

Appeal from order or new trial

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 8 - 01/03/2019

Proceedings not invalidated but voidable

12 (1) A member's failure to comply with section 5, 5.1, 5.2 or 5.3 does not invalidate any proceedings in respect of a matter referred to in those sections, but those proceedings are voidable in the circumstances described in subsection (2). 2017, c. 10, Sched. 3, s. 9; 2022, c. 18, Sched. 3, s. 4.

Declaring proceedings void

(2) Subject to subsection (3), if a member has failed to comply with section 5, 5.1, 5.2 or 5.3 in respect of a matter referred to in those sections, the municipality or local board, as the case may be, may declare the proceedings to be void before the second anniversary of the date of the passing of the by-law or resolution authorizing the matter. 2017, c. 10, Sched. 3, s. 9; 2022, c. 18, Sched. 3, s. 4.

Exception

(3) Subsection (2) does not apply if declaring the proceedings to be void would adversely affect the rights that any person who acted in good faith and without actual notice of the failure to comply with section 5, 5.1, 5.2 or 5.3 acquired under or by virtue of the proceedings. 2017, c. 10, Sched. 3, s. 9; 2022, c. 18, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 9 - 01/03/2019

2022, c. 18, Sched. 3, s. 4 - 23/11/2022

Other proceedings prohibited

13 (1) A proceeding that relates to a member's or former member's alleged conflict of interest and seeks a remedy described in subsection 9 (1) shall be brought only under this Act. 2017, c. 10, Sched. 3, s. 9.

Same

(2) Subsection (1) does not affect the power of a municipality or a local board to reprimand a member or suspend a member's remuneration under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 3, s. 9 - 01/03/2019

GENERAL

Insurance

14 (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, 5.1, 5.2 or 5.3 against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2); 2017, c. 10, Sched. 3, s. 10 (1); 2022, c. 18, Sched. 3, s. 4.

Insurance Act does not apply

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in accordance with subsection 279 (2) of the *Municipal Act, 2001* or subsection 218 (3) of the *City of Toronto Act, 2006*, as the case may be. 2017, c. 10, Sched. 3, s. 10 (2).

Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

Section Amendments with date in force (d/m/y)

1996, c. 32, s. 76 (1) - 06/03/1997

2002, c. 17, Sched. F, Table - 01/01/2003

2006, c. 32, Sched. C, s. 33 (2, 3) - 01/01/2007

2007, c. 7, Sched. 27, s. 1 - 05/05/2008

2009, c. 33, Sched. 21, s. 7 - 15/12/2009

2017, c. 10, Sched. 3, s. 10 (1) - 01/03/2019; 2017, c. 10, Sched. 3, s. 10 (2) - 01/03/2018

2022, c. 18, Sched. 3, s. 4 - 23/11/2022

Conflict with other Acts

15 In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

Français

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Brampton Safety Council Site Inspection Report

Date: _____ Ward: _____

School/Location:

Principal:

Time(s):

Phone:

Weather:

Requested By:

Nature of Problem:

Observers Present:

Observations:

1.

2.

3.

4.

5.

6.

Recommendations:

1. That the Site Inspection report be received; and

2. That, in an effort to encourage Active Transportation to and from school, the Principal contact their designated Peel Health Nurse to participate in the School Travel Plan Program in Peel;

3.

4.

5.

6.
