

Municipal Closed Session Investigator

Policy Statement

The Municipality of North Perth is committed to ensuring that any request for an investigation under Section 239 of the Municipal Act, 2001 as amended (the Act) is dealt with in a fair, open and expeditious manner.

The municipality commits to full co-operation including the provision of all information requested by the Municipal Closed Session Investigator (Investigator), either written or through interviews, to assist the Municipal Investigator in his investigations.

The municipality commits to including any report received from the Investigator related to an investigation under the Act, on a public agenda and to considering such report in an open public session of Council or a Standing Committee of Council.

This policy shall be posted on the municipal website and available from the Clerk's Department, 330 Wallace Ave. N., Listowel or by contacting the Clerk's Department at 519-292-2062 or through e-mail to PBerfelz@northperth.ca.

This policy applies to all appointed Boards and sub-committees of the municipality with the exception of the Police Services Board and the Public Library Board.

Background

Through By-law No. 9-2013 the municipality has appointed Gregory Stewart as a Municipal Closed Session Investigator and authorized him to conduct investigations upon receipt of a complaint in respect of meetings or part of meetings that are closed to the public to determine compliance with the Act or the Municipal procedure by-law and to report on the results of such investigations.

Complaints Procedures

Members of the public, including corporations, may submit complaints to the Investigator relating to compliance with the Act or the Municipal Procedure By-law for meetings or part of meetings that are closed to the public.

All complaints will be treated as confidential, unless authorization is given by the complainant to release his or her identity.

Complaint forms can be downloaded from the Municipal website and available in the Clerk's Department together with an envelope addressed to the Investigator and identified as a Complaint under Section 239 of the Act and a copy of this policy.

Complaints may be submitted on the Complaint form or otherwise in writing by delivery to the municipal Clerk in a sealed envelope clearly identified as a Complaint under Section 239 of the Municipal Act

All complaints must contain:

- Name of Municipality
- Complainant's name, mailing address, telephone number and e-mail address (if applicable)
- Date of Closed Meeting under consideration
- Nature and Background of the particular occurrence
- Any activities undertaken (if any) to resolve the concern
- Any other relevant information
- Direction with respect to release of identity
- Original signature

When complaints are submitted directly to the Clerk, the Clerk shall follow the following procedures:

1. Take all measures to ensure the envelope remains sealed and its contents remain confidential;
2. Assign a file number and record file number on the envelope;
3. Log the file number together with the date and time received;
4. Forward, forthwith to the Municipal Investigator by regular mail.

For all complaints the municipality shall supply forthwith the following or any other information or documentation as requested by the Investigator related to a complaint:

- Certified copy of Notice of Meeting
- Certified copy of Agenda
- Certified copy of Minutes of Meeting
- Relevant Resolutions
- Municipal contact list
- Other