

January 26, 2026

M.P.P Steve Clark

Leeds-Grenville-Thousand Islands and Rideau Lakes

Dear Steve,

I am writing to you today as a spokesperson for the Rideau Lakes Grassroots Group (RLGG) with which I believe you are familiar.

With the Ontario municipal election coming up October 2026, the timing is right for the Provincial Government to consider much needed amendments to the Municipal Act so that they can be in place before the next term of councils are elected. We also have suggestions for the Municipal Accountability Act, Bill 9. We undertake these recommendations because of our increasing alarm with members of council testing the limits or even ignoring both the spirit and direction of the current Municipal Act and the seeming inability of the Province to insure and direct compliance with that legislation.

While the Township of Rideau Lakes has experienced the most dysfunctional council in Ontario this term, the changes we are recommending, while informed by that situation, are intended to improve legislation from a broader perspective to benefit overall municipal governance.

Suggestions and amendments are included as an attachment to this letter and address sections on Accountability and Transparency, Elections, Strong Mayor Powers and Ministerial Powers. Many municipalities across Ontario are increasingly developing confrontational and even hostile relationships within councils. These situations often develop where ambiguity in the legislation exists by leaving legislation open to differing interpretations, placing councillors in confrontational situations and/or they are misaligned with other provincial direction or guidance.

We believe tightening of rules and crafting of new rules and parameters must be legislated to prevent the further degeneration of civil discourse which in turn damages our democratic principles. Penalties of consequence must also be an integral component of effecting better local governance. The amendments we are proposing are designed to create stronger legislation to prevent adversarial discord or unintended consequences.

Both Wendy Alford and I are spokespersons for RLGG, and we would appreciate the opportunity to discuss with you the recommendations attached, in the hope that you would shepherd them to the Minister of Municipal Affairs and Housing, along perhaps with the Premier for consideration, action and implementation.

I look forward to hearing from you in the near term.

Best regards,

Howard E. French

Former Mayor and resident, Rideau Lakes Township
Spokesperson, Rideau Lakes Grassroots Group (RLGG)

Attachment: Proposed Amendments

Proposed Amendments - Ontario Municipal Act and Suggestions for the Municipal Accountability Act

Part V.1 Accountability and Transparency

Changes to the Accountability and Transparency section of the Municipal Act regarding the Integrity Commissioner legislation and process are currently under consideration. We have recommendations to inform these considerations and we urge the Provincial Government to give this item the highest priority.

Section 223.2: We recommend that a common Code of Conduct be established for all municipalities in Ontario.

- This would allow for consistency in interpretation of conduct, complaints, assessment of violations and recommended penalties.
- Include standardized process and procedures for investigation by the IC; this could be included in the Ontario municipal councillor's guide vs. the Act itself.

Section 223.3: We recommend that the Province create a pool of qualified ICs to which municipalities share access; and that IC complaints be independently assigned to ICs from within that pool. This ensures:

- Greater impartiality
- Sharing of knowledge and experience amongst ICs
- Allows for better consistency in interpretation of conduct, complaints, assessment of violations and penalties.
- Removes Councils from the hiring and firing of ICs
- Alternatively, that the selection, appointment and, if necessary, the dismissal of an IC for a municipality be conducted by an independent body (perhaps the Ombudsman), removing the role of Council from any part of the process.
- The function of pool management could fall under the Ombudsman, potentially with each municipality contributing funding to the pool.

Section 223.4: Penalties, we recommend:

- Council be removed entirely from the penalty phase in the finding of violation and be bound by the IC's judgement:
 - reducing the risk of animosity amongst colleagues
 - ensuring greater consistency in the application of penalties
- The IC be empowered, as part of the penalty phase, to suspend a Councillor from participating in Council and other municipal committees for a period of time

Rights of Councillors subject to a complaint: Currently, there is a power imbalance inherent in the existing process. Once a complaint has been filed with an IC, the IC is required to support the complainant and thus cannot provide advice to the target of the complaint. The target councillor has no access to IC or professional advice from a provincial/municipal expert without expenditure of personal resources. Also, under the current process, there is no mechanism for appeal or reconsideration of the IC report. We recommend that:

- Provincial IC advice/support is made available to councillors who are the target of complaint. This recommendation could be implemented if a Provincial pool of ICs is established; alternatively, and/or as an interim solution, a list of municipal ICs across the province could be mandated to provide advice to target councillors outside their own municipalities
- A one-time appeal or review of findings and penalties is introduced into the process. This could be a request for review by a panel of ICs or assigning this function to the Ontario Ombudsman or to the

Office of the Ontario Integrity Commission giving a more substantive role in decision making to either of those offices ensuring objectivity.

We understand these recommendations require alignment with other legislation including that governing the Ontario Ombudsman and the Ontario Municipal Councillor's Guide.

Elections Section 256

Regarding elections, we have a single recommendation. Given the proximity of the next election, this item should also be addressed as early as possible, prior to Nomination Day.

1. Current legislation is silent regarding legal spouses, whether by marriage or common law, sitting on the same council. We acknowledge that in rural municipalities it is not uncommon for relatives to be on the same Council, but a marital relationship inherently risks damage to the municipality's credibility and threatens the premise of independent voices on municipal councils. We recommend:
 - That a municipality with a population of less than 15,000 does not allow legal spouses to serve on the same municipal council.

We understand that this may require an amendment to the Elections Act (section 29); however there may be a mechanism to introduce this limitation under the Municipal Act.

Procedure By-law Section 238

Best practices and Roberts Rules recommend that procedure by-laws be enacted with a 2/3rd majority and that setting aside a by-law should only be passed by a 2/3 majority. A 2/3's majority vote enhances the need for Council members to work together to consider options, solutions and compromise as well as reducing the risk of needlessly repetitive and burdensome re-consideration. We recommend that:

1. Enactment and/or amendment of the procedure by-law must have a 2/3's majority vote, and
2. That setting aside a by-law must have a 2/3rd majority vote.

Strong Mayor Powers (SMP) Section 284

While RLG is not necessarily a proponent of Strong Mayor Powers (SMP), we understand that municipalities are creatures of the Province and that municipalities must work within that framework. With that in mind, there are some areas of ambiguity that should be resolved. More precise language or direction will provide for better governance and less need for municipalities to seek legal or Ministry advice.

1. SMP provides specific authority to the Head of Council (HofC) regarding Committees. However, this authority is limited to committees comprised **only** of members of council. Yet one of the most powerful committees in smaller municipalities is the Planning Committee/Committee of Adjustment, which usually includes some members of the public and thereby, potentially risks being able to utilize SMP in service of provincial priorities. We recommend:
 - That the HofC have the authority to determine not only the size of the committee but also the number of council members assigned to the Planning Committee/Committee of Adjustment.
2. While the veto process is described under the SMP legislation, there remains sufficient latitude in the interpretation of the process to create unintended consequences. Presuming that an override vote fails and that 21 days have passed, the legislation implies that the matter is decided and closed to future consideration. The ambiguity lies in whether the matter can be raised if presented in a different context. We recommend:

- That the veto legislation removes any ambiguity with a statement indicating that a matter previously vetoed is not permitted to be raised or reconsidered under any other motion or context within the same term of council.

Ministerial Powers: Bill 9 Municipal Accountability Act

There is no legislation that empowers the Minister to direct Municipalities to comply with legislation. This also applies to the Office of the Ombudsman. Currently municipalities are at liberty to ignore recommendations or advice from those Offices. Where a municipality fails to comply with legislation, MMAH and the Ombudsman must have the ability to direct compliance. We recommend that:

- the Accountability Act include a statement giving the Minister of Municipal Affairs and Housing the power to direct a municipality to comply with any legislation applicable to the situation;
- the Ombudsman be given the power to direct a municipality to comply in cases where that Office has a mandate to review and investigate;
- Timelines and penalties (to be determined in the drafting of this section), should be applicable where municipalities ignore direction

We have also reviewed the proposed Accountability Act concerning the process for removal of a Councillor and reviewed some of the discussions ongoing to finalize the legislation. We offer the following for consideration:

1. **Investigation:** the current proposal indicates this process would be initiated by an IC, presumably the local IC and based on Code of Conduct violations. This is a very restrictive approach, particularly since conduct and behaviour are not always reported through an IC whether for financial or other considerations. The assessments and penalties of violations are often inconsistent and there is a high risk of bias. Furthermore, this single option offers no opportunity for the voting public to request an investigation or intervention. We suggest:

- three options are available to commence an investigation, any one of which can initiate the process.
 - a recommendation by the IC;
 - a recommendation by the Ombudsman; or
 - a public petition
- The process for removal should include progressive stages of investigation and criteria for Ministerial intervention to enable remedial action. This authority would include the ability to monitor council meetings (open and closed), consider IC complaints, direct corrective action, censure of members of council and/or other actions determined appropriate in the drafting of the legislation. The final stage, where remedial action has been ineffective, would be the recommendation for Provincial Review.

2. **Provincial review:** Following the results of the investigation and stages of remediation deemed unsuccessful, the Office of the Ontario Integrity Commissioner would make the recommendation for the removal of a councillor and refer it to a judge, similar to the Conflict of Interest Act. (see Final Decision below).

3. **Final decision:** We understand options for the final decision are under consideration at committee level. We offer the following:

- **No role for Council** We do not support the proposal for a unanimous or even a super-majority (2/3rd) vote by Council for the many reasons and risks already raised: political bias, weaponization, potential

for investigative results to be ignored, lack of legal expertise; inherent conflicts, /conflicts of interest; on a failed vote councillors potentially seen as or actually become enablers to unacceptable conduct; as well as an extremely high risk for a hostile work environment going forward.

- **Decision by Judge:** we understand there is a strong consensus from AMO, municipal legal experts, other political parties and advocacy groups that an independent judge, rather than a political council, should have the final authority to remove a municipal councillor. We support this option for many of the reasons already under consideration: de-politicization of the process with an independent and impartial body; established and consistent judgement under a legal framework, standards, precedence and process; existing mechanisms already established under the Conflict of Interest Act; due process and evidence-based decisions.

We appreciate your consideration.