



**Regulatory Submission to
26-MMAH054 Standardized Code, Municipal Integrity
Commissioner Process, Education and Training
Requirements**

October 2, 2026

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sent via email

Hon. Rob Flack
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3
minister.mah@ontario.ca

Dear Minister Flack,

The [Association of Municipal Managers, Clerks and Treasurers of Ontario \(AMCTO\)](#) thanks you for the opportunity to comment on proposed regulations related to standard codes of conduct and related municipal integrity commissioner processes.

We also wish to express our thanks for including additional provisions within the proposed regulations with respect to protections for municipal staff and leaders.

AMCTO's members not only are responsible for implementing this new framework and supporting members of council and local boards who are bound by it, but they are also impacted by the measures proposed.

Therefore, our comments and recommendations come in two sections. The first section reflects operational and administrative considerations, and the second section considers broader recommendations for the health, safety and well-being of municipal staff and leaders.

We hope that measures stemming from Bill 9 are only a first step on a path towards continuously improving the framework and the nature of staff-council relations.

Sincerely,

[Originally signed by]

Kyle Pratt, MPA, CMIII, CHRL, CMO, Dipl.M.A.
President, AMCTO

CC: Martha Greenberg, Deputy Minister, Ministry of Municipal Affairs and Housing
Robert Dodd, Chief of Staff, Minister's Office, Ministry of Municipal Affairs and Housing
Laurie Miller, Assistant Deputy Minister, Local Government Division, Ministry of Municipal Affairs and Housing
Robin Jones, AMO President

Introduction

AMCTO appreciates the opportunity to comment on the proposed regulations. Consultation with the sector is important to ensure that processes and procedures align with operations and consider the knowledge and experience at the local level. We appreciate the ministry has provided content from which the sector can respond and provide advice.

We would note however, that the timing of the consultation and the subsequent release of any regulations comes at a time that is administratively challenging for municipal staff and leaders given post-election responsibilities, council onboarding and orientation, budget preparations and discussions among other responsibilities.

The proposed five-month timeframe during which council training will have to be completed in an election year is insufficient. Council orientation will have already been developed by the time the regulations are released, and there is significant complementary work to be completed by municipal staff to implement any new regulations and ensure policies, processes, and training are updated and aligned with new requirements especially to ensure that Integrity Commissioners (ICs) can carry out their duties set out in section 223.3 in particular paragraph 3 (COTA section 159.1 paragraph 3.)

AMCTO continues to urge the Province to avoid legislative and regulatory changes impacting the municipal sector in election years going forward.

Municipal professionals will do their best to ensure that the new framework is in place for the new term of council. However, it would have been practical to give municipalities of every size a realistic and sustainable pathway towards implementing new processes rather than a rushed approach that could require significant rework later. That is why we have a number of suggested recommendations below to improve the framework.

We reiterate our thanks for responding to some of the recommendations AMCTO has made over the last number of years through various consultations and bills. For instance, inclusion of a selection of Justice Marrocco's recommendations from the Collingwood Inquiry with respect to Council-Staff Relations and a standard IC process among others.

1. Administrative and Operational Considerations

General Comments and Recommendations

Costs:

From a survey of membership, there is significant concern that the new process will increase administrative workload, training obligations, reporting requirements, and costs associated with integrity commissioner services and legal support given when the regulations are proposed to be in place and a five-month timeline for the training which results in application of already stretched financial and people resources.

As such, the ministry should take the lead to support municipal partners by conducting training and paying for IC training. The Province should provide standardized training materials and resources. With a standardized code and processes, provincially-developed training modules or programs would support consistent implementation and avoid each municipality having to independently develop or procure training.

Moreover, it remains unclear whether municipalities will be required to cover costs associated with elevating a complaint to the Office of the Integrity Commissioner of Ontario (OICO). AMCTO would respectfully submit that given the public interest in these investigations, municipalities are not asked to cover the costs for complaints that reach the OICO level. Clarity from the ministry is needed on how this process will be operationalized and whether it will be streamlined to avoid duplicating investigations.

Guidance and Training:

Given the timing issue and that council orientation and training will already be developed and planned, ministry guidance/support for implementation will be necessary to assist municipalities in pivoting during this critical time. At minimum inserts (deck slides, briefing note, placemat, etc) that can be easily added to existing orientation training would be appreciated. In addition, templates for the code, declarations or disclosures, complaint forms, etc would be appreciated.

Smaller municipalities are concerned about the cost and operational impact of the five-month timeline for council training and for the annual refresher. If significant support is provided by ministries wherein municipalities do not have to develop their own training, this timeline may be more reasonable.

Additional guidance on how municipalities are to manage the transition between the existing framework and the new framework, including managing investigations which may have been suspended because of the election will be needed as well.

Removal Threshold

AMCTO continues to believe a 2/3rd vote would be a better threshold to ensure accountability. It also has the benefit of ensuring that the significant time and resources associated with the two-fold investigation would be respected while still ensuring that a member can be held to account by their peers as the Province intends. Without this change, it is unlikely to ever be used. Change the threshold for removing a member of council from unanimous council support to a 2/3rds majority so that the public and staff can have trust in the local accountability system and complainants access remediation.

We would note however, that the legislation specifies that a member who loses their seat through the dual investigative process and a unanimous council vote would only be barred from running for office *in their own* municipality as per subsection 223.4.0.4(6) (*City of Toronto Act* (COTA) s. 160.0.4(6))

Despite this removal being limited to only the most egregious cases, this is inconsistent with the penalties laid out for other matters such as being *in default* as per section 88.23 of the *Municipal Elections Act* which provides that the individual “is ineligible to be elected or appointed to *any office* to which this Act applies”.

What this means is that someone who through two inquiries has been found to have caused serious harm and was removed could establish residency in another municipality and become a member of council or any local board.

If removal is only for the most egregious conduct, then the removal should be for *any office* and not specific to that municipality. Ensure that provisions are consistent with those in other statutes that govern ethical conduct.

Specific Comments and Recommendations

Below are specific comments and recommendations for the sections of the proposed regulation.

The ministry’s proposed regulation covers an array of content and the provisions are, for the most part, straightforward and identify critical areas wherein a member’s conduct could be called into question. A survey of our members suggests that they generally agree with what is being proposed but there remain some gaps that need to be addressed and opportunities to provide further clarity.

STANDARDIZED CODE

Principles:

The principles articulated present a good starting point. Consider adding something to the spirit of:

- Seek to serve the public interest by upholding both the letter and spirit of the laws of the Parliament of Canada and the Legislature of Ontario, the by-laws and policies adopted by Council
- Comply with the Canadian Human Rights Act and the Ontario Human Rights Code and ensure the equitable treatment of residents, employees, and members of Council, committees and local board
- Seek to protect and build public and organizational trust

Definitions:

AMCTO recommends adding definitions for the following:

- Hospitality
- Media and social media
- Official capacity
- Respectful conduct

- Serious nature
- Include a definition of frivolous and vexatious and include elsewhere a test for what would meet these criteria.

AMCTO has noted previously that the definitions found in the *Municipal Conflict of Interest Act* (MCIA) should be expanded and clarified. This recommendation extends to the definitions in the code which are related to the MCIA.

For instance, including in the Code, and in a subsequent amendment to the MCIA that at minimum including an expanded group of family members [as recommended in part IV of the report at page 10, by Justice Marrocco](#). And include a better definition for disqualifying and non-disqualifying interests. Clarifying these definitions could limit unnecessary applications to the IC.

AMCTO has advised the ministry previously that what constitutes a local board must be explored. Current definition of local boards and what provisions of what acts apply to which local boards have caused significant frustration amongst municipal staff, members of council, members of the public and local boards. This lack of clarity will persist with the new code of conduct. A review of local boards conducted with the sector is needed.

Application:

Practically speaking, while the current provisions limit the application to committees of Council, there are other bodies that include members of council, such as those with citizen appointees, which move the business of Council and the municipality forward. These bodies already operate in similar structures and using similar rules for open meetings and procedures and should be included to ensure a consistent standard of transparency and accountability at all levels of Council business and across all committee structures.

Explicitly provide that Council members can rely on advice from the IC with respect to their interests on particular matters. This clarity could reduce what would otherwise be frivolous and/or vexatious complaints made by members of the public or other members of council given that a member could rely on advice from the local IC. This authorization may act as an incentive for members to seek out the advice of the IC.

Rules for Gifts, Benefits and Hospitality:

Adjust the circumstances related to “admission to training or educational programming related to the members duties and in the interest of the municipality” to specify “where the member has been invited” to be consistent with other bullets in the section.

Consider as noted above, defining official capacity, and referring to this phrase throughout the regulations including but not limited to adjusting circumstances to replace “where member’s attendance serves a municipal purpose”.

With respect to the limit of \$200, in a survey of our members, there was no consensus as to whether this was an appropriate threshold given the costs associated with food and beverages are increasing. The ministry may wish to reconsider the threshold.

With respect to the disclosure statement, remove references to “should” and replace with “must”.

As written, the reference to municipalities with a by-law providing a lobbyist registry suggests that if a municipality does not have a lobbyist registry, then a member could accept a gift from someone who is lobbying them. Even without a registry, no member should accept gifts from a lobbyist as it would infringe on the various provisions noted above. For those municipalities with such a registry, some provision with respect to how they are receiving communications with respect to lobbying should be included in the list provided.

Rules on Improper Influence:

Include specific guidance or rules with respect to using their office or influence for preferential treatment for member appearances at tribunals and with respect to other matters or services with an adjudicative function, for instance local Administrative Penalty System processes, Committees of Adjustment etc.

Should the regulations be approved, clarity will be required on how provisions will complement existing Council-Staff Relations policies and whether these policies will still be required in their current forms.

Rules on use of municipal property:

Within the Municipal Elections Act (MEA), municipalities are required to have a use of corporate resources policy. However, the specific provisions of this policy are undefined and are left to municipalities to draft. Similarly, there are no enforcement tools to enforce this policy.

There should be specific provisions against the use of corporate resources during election periods to strengthen the weak provision within the MEA and to establish a consistent baseline across municipalities. Consider something to the effect of: no Member shall use facilities, equipment, supplies, services, personnel, or other resources of the municipality for any election campaign or campaign-related activity from the opening of nominations until the close of election day.

While this will not assist with contraventions occurring in real-time during the campaign period as the current legislation prevents such investigations, it would provide the municipality with a mechanism to apply for a contravention later should the member be re-elected.

AMCTO's preference would be for some other explicit authority through which a municipality can deal with contraventions in real-time however to ensure that it can also hold candidates to account.

Rules for prohibiting the disclosure or misuse of confidential information:

Consistent with recommendations in Section 2 (see below) with respect to whistleblowing protection and staff protections against retaliation, AMCTO recommends that a provision be added here that no member shall prevent, interfere or intervene with an investigation into disclosure or misuse of confidential information.

Rules for respectful conduct:

Please see comments under Section 2 in addition to the following.

The regulations should specify that members must comply with terms of policies established by council and other corporate policies and by-laws of the municipality.

AMCTO appreciates the specific provisions with respect to conduct towards staff included here. However, in practice our concern remains that there are few protections for staff.

AMCTO appreciates that the regulation includes recognition for the non-partisan role of municipal administrators with respect to political neutrality. We would suggest strengthening the provision regarding compelling or coercing employees or officers to engage in partisan activities to include any activity intended to advance a member's personal, electoral or political interests.

AMCTO would further recommend that the provision regarding maliciously or falsely damaging the reputations of staff be amended to include "the ethical reputation" of staff.

AMCTO would further recommend that in the absence of an update to the *Municipal Act* itself, include a provision that only Council as a whole – and no single Council member – has the authority to direct staff to carry out a particular function unless specifically authorized by Council, except where explicitly authorized by *the Act* [as recommended by Justice Marrocco in Part IV of his report at page 9.](#)

AMCTO understands that others have identified concern with the phrase "but not personal or political activities unrelated to municipal responsibilities" as these are terms that are undefined and could be used as an exemption in many cases. This is a compelling recommendation and this provision as written should be revisited.

Rules Prohibiting actions that constitute workplace harassment:

AMCTO appreciates the specific provisions with respect to workplace harassment, discrimination and violence.

We seek to clarify that the use of municipal employee is meant to be employee as used in previous sections of the document and as defined.

Rules for respect of the code of conduct:

AMCTO appreciates the recognition that there should be no reprisal against anyone who makes a complaint as well as protection of records. However, we are concerned that in practice, this does not provide enough protection for staff should they come forward with a complaint under the process. More adequate protections such as those found in whistleblower models are needed.

AMCTO also recommends adding that in addition to not obstructing an IC that members should cooperate with the IC.

MUNICIPAL INTEGRITY COMMISSIONER PROCESS

Standard Complaint Process:

AMCTO appreciates the efforts of the ministry in defining a standardized process.

This new approach will require a significant shift in local processes and procedures, including education for the public. AMCTO requests that as part of support and resources the ministry provides to municipalities, it also provides a package of materials and assets that municipalities can easily upload to their websites, point members of the public and staff to so that there is an understanding of the new process. This would significantly reduce the operational burden on municipalities and is likely to reduce costs of educating local communities and creating public awareness.

To deal with frivolous and/or vexatious applications, clarifying definitions of terms could be helpful, but establishing a test may be more appropriate.

There does not appear to be any mention in the regulations of informal resolution or mediation. While AMCTO is concerned with costs associated with the IC process in its current and proposed forms, informal resolution for less serious but non-trivial applications between members may be beneficial to explore as long as costs are contained. Ultimately, an informal resolution process may be more cost-effective if it avoids unnecessary investigation.

There has been debate about the need to have certain complaints provided anonymously to protect legitimate complainants from reprisals. Given that the legislation will allow only the most serious and egregious complaints to move forward, at minimum, specify that the personal information of the complainant will not be made public or made available to the respondent member of council. This is especially necessary for staff who may feel that their only option is an Integrity Commissioner complaint but they fear reprisals if their name is provided, which despite being prohibited in the model code, could still be carried out covertly.

AMCTO supports an anonymous mechanism to protect applicants.

Feedback from AMCTO's clerk membership has been that the clerk should not be involved in the collection of requests with respect to complaints. However, a clerk should be notified within a reasonable time (perhaps 30 days) by the Integrity Commissioner of a request, complaint or mediation to be able to track items which may come before council and to manage the billing of the IC's time as the clerks department is often responsible for this management. Any other

requirement would require clear business processes in a municipality.

It is unclear why a request can only be made within six weeks. This may not be an appropriate timeframe, especially for situations where a contravention is of a harassing nature. As the government heard during standing committee, there needs to be appropriate remedies for a victim and it may take a victim of harassment more than six weeks to determine whether they can go through what would be a very public process, where the threat of reprisal, despite not being permitted by regulation, could still persist given the lack of effective enforcement tools currently allowed.

With respect to the suspension of investigations during elections, AMCTO members have advised that there is a problematic connection between the Municipal Act and Municipal Elections Act (MEA) with respect to IC investigations. In particular, ensuring that reports are put before council before the deadline. AMCTO called for an enforcement mechanism to ensure that a report be brought forward in a timely manner so that investigations and reporting are fulfilled so that no party can prevent public scrutiny or cause delay.

The integrity commissioner should be compelled to report the findings of, and a member of council compelled to cooperate with any, investigation. Moreover, the report must be placed before council to ensure public trust in the process. The regulations should ensure that there is no gaming of the system.

Moreover, as noted earlier, there is increasing use of corporate resources during an election period and yet there is no mechanism except through the Integrity Commissioner process (if corporate policies are included in local codes in the current framework) through which to hold a member accountable for contravention of this policy. Yet, investigations cannot be held until after an election where the penalties for contravention remain minimal. This is a policy required under the *Municipal Elections Act* and yet there is no enforcement mechanism to ensure members of council comply.

The intent of this policy was to ensure that an incumbent candidate is not provided with an advantage, that the municipality as an institution is protected from claims of favoritism and partiality which would result in reputational harm, damage to public trust and call into question electoral integrity. This remains problematic and is not solved for in the investigative process in its current form.

There is a similar issue with other corporate policies. A resolution through the regulation is needed.

With respect to notification to a *municipality* upon suspension of an inquiry, resumption of inquiry or termination, as written, would suggest that this notification is to council. Is it the ministry's intent that these notifications also be made to council and therefore appear as agenda items or reports on the agenda of Council or a board? This could potentially open the matter to debate regardless of the status of the investigation. If that is not the intent, then the ministry should distinguish the notification requirement here from the reporting requirement in the proposed regulation.

Inquiry timelines:

For larger municipalities with significant volumes of complaints and investigations, the timeline as proposed could result in significant pressure on Commissioner's offices to comply. Alignment with timelines noted elsewhere in the MA may be more appropriate and relieve pressure on ICs. AMCTO does agree that a limit must be placed to ensure that investigations eventually come to a close.

Standardized Reporting:

With respect to reporting, the draft indicates the report is to *a municipality* about non-contravention, which would suggest that this notification is to council. Is it the ministry's intent that these notifications also be made to council? As we noted above with respect to suspension or termination of an inquiry, this could potentially open the matter to debate regardless of finding. If that is not the intent, then the ministry should distinguish this from the notification requirement here from the reporting requirement in the proposed regulation.

EDUCATION AND TRAINING

See AMCTO's general comments at the beginning of this submission with respect to the impacts of a five-month timeframe. We would recommend that as a transitional measure, the timeframe be extended at least an additional five months to allow for more time to update policies, procedures, and provincial support to be in place.

Clarity is required in a few areas.

For instance, it is unclear whether an IC who does not complete the training with the Integrity Commissioner of Ontario (OIC) would be disqualified from providing IC services and/or voids their current contracts with municipalities. Smaller and rural municipalities are anxious to understand how this will impact their ability to retain local IC services and understand the impact to operating budgets. Will this new process result in a roster of qualified ICs from which municipalities must select their IC?

Moreover, will this new training result in more consistent precedent setting decisions across municipalities and if so, how will these be shared?

It is similarly unclear what are the consequences for a member of council who fails to complete the initial training or subsequent annual training. The consistent message AMCTO has received from our members is that the people who need the training the most, who disrupt the most will not show up and there is no penalty or effective remedy in the current proposed regulations.

The sector continues to see disruption from members of council and members of local boards acting inappropriately and there is concern that the lack of enforcement tools and progressive penalties within *the Act* and the accompanying proposed regulations will continue to allow the types of behaviours that prevent municipal business from moving forward.

None of the provisions compel those members of council who need the training the most and who in bad faith disrupt the business or operations of the municipality or local board to comply or to change their behaviour.

Such behaviours will continue the worrying trends of harassment, incivility and declining public trust in local government rather than encouraging relationships built on respect which are essential to effective and productive workplaces for members of council and staff.

2. Health, Safety and Well-Being of Municipal Staff and Leaders

While AMCTO hopes that this framework will incent better behaviours and improve accountability for inappropriate actions, there is still significant room to ensure that those who contravene the code, especially in the most egregious circumstances are held accountable as they would in any other workplace.

AMCTO is on record, along with several other municipal staff associations who have already submitted or are planning to submit comments to this consultation, that more needs to be done to ensure the safety and well-being of municipal staff regardless of whether they work at the municipal town or city hall, or are on municipal roads and streets.

AMCTO's harassment and incivility survey found that 66% of respondents reported experiencing or witnessing harassment from members of council; 78% of those with common frequency. 77% of respondents reported experiencing or witnessed incivility with 86% of those with common frequency.

This is not an insignificant issue.

We cannot forget that the need for new measures in the first place came because a female staff member was sexually harassed by a member of council. Council, as the board of the municipal corporation, has a duty of care for the welfare and well-being of employees of the municipality, including fostering a welcoming, supportive and civil culture. The increasing incivility, harassment and political interference in the duties and responsibilities of municipal administrators is problematic from a physical, mental and emotional well-being perspective. This well-being ultimately impacts the ability of staff to be effective and productive.

Toxic municipal environments fueled by unchecked incivility can significantly affect recruitment and retention.

While AMCTO appreciates the additional provisions related to staff, our concern is that these may not be effective in practice. As noted previously, there needs to be effective mechanisms to protect staff from coercion and reprisals.

As AMCTO's presentation during Standing Committee hearings on Bill 9 indicated, there are those staff who will not utilize the IC process for fear of reprisal. This situation is exacerbated as strong mayors and perhaps strong chairs in the future wade deeper into the organization to hire and remove staff.

In our latest Strong Mayor Authorities scan, almost 7% of mayors with authority over employment matters go down to the Supervisor/Team Lead level, almost 19% to manager level, and 12% to General Manager level.

Recommendations

- a) The Code should recognize that there are policies and procedures for workplace harassment under the *Occupational Health and Safety Act* (OHSA). These are not currently referenced in the proposed standard code. Ultimately, a complainant should be able to utilize whatever avenue is available to them to pursue remedy. These two processes should complement each other rather than work against each other.

It must be clear that for *OHSA* matters, the high threshold set for removal of a member should not be the basis from which workplace harassment protections are deployed.

The model code should specify harmony between these processes. MMAH should engage with officials at the Ministry of Labour with respect to how these could align.

- b) Related, the proposed Code uses the phrase respectful conduct, but it remains undefined. While there may be an implied assumption that what follows are what constitutes respectful conduct, and the “must nots” specified constitute what is not, it is only implied.

Consider a definition and additional guidance for the code to include that specifies that respectful conduct promotes dignity, integrity, inclusivity, civility, fairness, and consideration for all individuals in the workplace.

- c) The rules address behaviour towards staff however it must go beyond the current list. The codes should explicitly include that a member must not harass staff in any form (online, in print, in person, etc). Below are some statements that should be included:

- misrepresentation of the statements or actions of others
- bullying, aggressive or offensive behaviour
- discrimination
- harassment, including
 - violent threats or language directed against another person
 - discriminatory jokes and language
 - Using sexually explicit or violent language
 - posting sexually explicit or violent material
 - posting (or threatening to post) other people's personally identifying information
 - personal insults
 - unwelcome sexual attention
 - advocating for, or encouraging, any of the above behaviour
- Revealing or threatening to reveal other people's personal information
- Publicly criticizing staff or calling into question their professionalism or integrity.

Of course, these additional statements would benefit staff, other members of council, and members of the public.

- d) A code of conduct should require that members of council or boards comply with various corporate policies. There are few if any enforcement mechanisms otherwise to ensure members of council comply with policies. These include use of corporate resources, council-staff relations (which should also be standardized and strengthened) to name a few.
- e) Outline behaviours that ensure that members of council abide by their own roles and responsibilities and respect the role of staff as responsible for day-to-day administration and operations of the municipality to avoid conflicts of interest and interference.
- f) We note that the proposed complaint process requires information about the individual which suggests that a complaint cannot be provided anonymously. Given the significant fear that municipal staff have for their jobs, the absence of a confidential complaint mechanism is problematic.

There needs to be explicit protection of confidentiality within the complaint process such as whistleblower protection for staff who report misconduct with protection from reprisals.

Conclusions: Continuing to Improve the Code through Legislative Updates

As we noted, we hope that this updated framework will bring improvements to local accountability. However, the absence of critical changes to the legislation mean that it is likely some of the same challenges the sector has faced in the past decade will remain.

AMCTO continues to advocate for other protections that can improve this framework:

- Independence of the local integrity commissioner so that they are not responsible to council;
- More effective and progressive penalties for those that break the code;
- Automatic leave for officials charged with or convicted of assault

A Note on Strong Mayor/Chair Powers

Special consideration should be provided for strong mayors and chairs and how they have specific legislated authorities in certain areas. As noted above, some mayors are exercising their authorities deeper into operational matters with hiring and removal of staff even at the manager and supervisor levels which is inappropriate and likely not as intended by legislation. The lack of definitions within the Act as identified by AMCTO and others have exacerbated this situation.

With continued inconsistent interpretation of provisions related to employment matters and organizational structure which has led to blurring of authorities within municipal organizations and how deep into an organization a strong mayor can wade, it is expected to create complications for the Code of Conduct and complaint process. At minimum, guidance will be needed on how to manage such a scenario. AMCTO continues to call for clarity in legislation.

Moreover, it is unclear whether a strong chair appointed by the Province is bound by the Code in the same way as other members. Similarly, it is unclear whether such an appointee could have their seat declared vacant if criteria and investigations warrant. Guidance and clarity on whether strong chairs are bound by the same accountability framework as other heads of council is needed.

By addressing the noted operational and administrative pressures, bringing additional clarity and consistency and adding additional provisions for the protection of staff, the new framework could begin to address some of the concerns raised by the sector. We would encourage the ministry to continue to work with AMCTO and others to continuously improve the framework to ensure accountability and the safety, welfare and well-being of all municipal partners: members of councils and local board, municipal staff and leaders and the public.

Thank you once again on behalf of AMCTO for the opportunity to participate in this consultation.

Appendix: List of Recommendations

1. Administrative and Operational Considerations	
Costs	1. Ministry should take the lead to support municipal partners by conducting training or paying for IC training. Provincially-developed training modules or programs would support consistent implementation and avoid each municipality having to independently develop or procure training. 2. Municipalities should not be required to cover the costs for complaints that reach the OICO level.
Guidance and Training	3. Provide guidance and supports for implementation including inserts that municipalities can easily add to their existing orientation packages as well as templates for such items as the code, declarations or disclosures, complaint forms etc. 4. Provide guidance for the transition between the existing framework and the new framework, including managing investigations which may have been suspended because of the election.
Removal Threshold	5. Change the threshold for removing a member of council to a 2/3rds majority so that the public and staff can have trust in the local accountability system and complainants access remediation. 6. Ensure that provisions for declaring a seat vacant are consistent with those in other statutes that govern ethical conduct such that a removed member is ineligible to be elected or appointed to <i>any office</i> to which the Act applies.
Part I: Standardized Code	
Principles	7. Add additional principles to the spirit of : • Seeking to serve the public interest by upholding the letter and spirit of the laws, the by-laws and policies adopted by Council • Compliance with Human Rights Act and Code and ensure equitable treatment of residents, employees, members of Council, committees and local boards • Seek to protect and build public and organizational trust
Definitions	8. Additional definitions:

	• Hospitality • Media and social media • Official capacity • Respectful conduct • Serious nature • Frivolous and vexatious including a test 9. Extend the definitions of indirect interest and disqualifying and non-disqualifying interests 10. Expand the list within the code and subsequently amend the MCIA to include minimum the expanded group of family members as recommended by Justice Marrocco.
Application	11. Include in the scope of the Code other bodies or committees operating under same structures as committees of council and advance the business of Council 12. Explicitly provide that Council members can rely on advice from the IC as to whether these interests exist for a particular matter to incentivize seeking input from the IC.
Gifts, Benefits and Hospitality	13. Amend the proposed circumstance related to training or educational program to specify “where the member has been invited” 14. As noted in the definitions section, define official capacity 15. Reconsider the \$200 gift threshold given the rising costs associated with goods and beverages 16. Replace should with must regarding disclosure statements 17. Clarify that the final regulations will be written so as not to suggest that only municipalities with by-laws providing a lobbyist registry should not take gifts from lobbyists. 18. Include a provision with respect to those municipalities with lobbyist registries a requirement that a member must address how the lobbyist is communicating with them.
Improper Influence	19. Include a provision that using an office or influence for preferential treatment includes guidance for appearances at tribunals and with respect to other matters with adjudicative functions. 20. Clarify how the Code is to work with existing Council-Staff Relations policies and whether these policies will still be required.

Use of Municipal Property	21. Include a provision against the use of corporate resources during election periods with suggested language from AMCTO.
Confidential Information	22. Include a provision that no member shall prevent, interfere or intervene with an investigation into disclosure or misuse of confidential information
Respectful Conduct	23. Include a more substantial definition of respectful conduct (see the next section) 24. Specify that members must comply with terms of policies established by council and other corporate policies and by-laws of the municipality. 25. Strengthen the provision regarding compelling or coercing employees or officers to engage in partisan activities to include any activity intended to advance a member's personal, electoral or political interests. 26. Amend proposed provision regarding maliciously or falsely damage the reputations of staff to include "the ethical reputation" of staff. 27. In the absence of an update to the <i>Municipal Act</i> itself, include a provision that only Council as a whole – and no single Council member – has the authority to direct staff to carry out a particular function unless specifically authorized by Council, except where explicitly authorized by <i>the Act</i> also as recommended by Justice Marrocco in Part IV of his report at page 9. 28. AMCTO understand that others have identified concern with the phrase "but not personal or political activities unrelated to municipal responsibilities" as these are terms that are undefined and could be used as an exemption in many cases. This is a compelling recommendation and this provision as written should be revisited.
Workplace Harassment	29. Clarify in this section that the use of municipal employee is meant to be employee as used elsewhere. See also 247 in the next section.
Respect for Code	30. In addition to not obstructing an IC, members should cooperate with IC
Part II: Integrity Commissioner Process	
Complaint Process	31. To support public education on the new processes and code, the Province provide materials and assets that municipalities can readily share on their websites to reduce municipal costs and create public awareness.

	32. Clarify the definitions of frivolous and vexatious and add a test 33. Consider adding explicit mention of information resolution or mediation 34. At minimum, specify that a complainants information not be made public or made available to the respondent member. However, AMCTO supports an anonymous mechanism to protect applicants. 35. Clerks should not be involved in the collection of requests with respect to complaints. However, they should be notified by the IC of a request, complaint or mediation to track items which may come before council and to manage the billing of the IC. 36. Reconsider the 6 week timeline during which requests or complaints can be filed. 37. Ensure there is an enforcement mechanism to ensure that a report is brought forward to council in a timely manner to avoid delay. 38. The IC should be compelled to report and a member of council compelled to cooperate with an investigation 39. Clarify who is a municipality with regard to notification of suspension, resumption or termination of an inquiry. As read currently, it means council which means it should appear on a council agenda and therefore could be open to debate.
Inquiry Timelines	40. Align inquiry timelines noted elsewhere in the MA to relieve pressure on ICs with significant complaints and investigations.
Reporting	41. Similar to item 39, clarify what is meant by municipality in this section.
Part III: Education and Training	
2026 timelines	42. Include transitional period for 2026/27 with an additional five months to allow more time to update policies, procedures to align with new code and new processes and ensure provincial supports can be put into place.
IC Training	43. Clarify whether an IC who does not complete training is disqualified from providing their services and/or voids their current municipal contracts 44. Clarify whether the new process will establish a roster of ICs 45. Clarify if there will be a mechanism for more consistent precedent setting decisions across the province and if so how will these be shared.

Member training	46. Clarify what are the consequences if a member fails to complete initial or subsequent training.
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2. Health, Safety and Well-Being of Municipal Staff and Leaders

50. Clearer connectivity and complementary processes for contraventions of workplace harassment and violence policies: There should also be recognition that while there are policies and procedures for workplace harassment under the Occupational Health and Safety Act, these are not currently referenced in the proposed standard code. The IC and HR led processes should complement each other rather than work against each other. It must be clear that for OHSa matters, the high threshold set for removal of a member should not be the basis from which workplace harassment protections are deployed.
51. On defining respectful conduct: Consider a definition, or additional guidance for the code that specifies that respectful conduct promotes dignity, integrity, inclusivity, civility, fairness, and consideration for all individuals in the workplace.
52. Additional behaviours that members of council should not engage in with respect to staff and others: The codes should explicitly include that a member must not harass staff as well in any form (online, in print, in person, etc) from a member of council or the public. Below are some statements that should be included:
- a. misrepresentation of the statements or actions of others
 - b. bullying, aggressive or offensive behaviour
 - c. discrimination
 - d. harassment, including
 - e. violent threats or language directed against another person
 - f. discriminatory jokes and language
 - g. Using sexually explicit or violent language
 - h. posting sexually explicit or violent material
 - i. posting (or threatening to post) other people's personally identifying information
 - j. personal insults
 - k. unwelcome sexual attention
 - l. advocating for, or encouraging, any of the above behaviour
 - m. Revealing or threatening to reveal other people's personal information

53. Ensure connectivity to corporate policy: A code of conduct should require that members of council or boards comply with various corporate policies. There are few enforcement mechanisms to ensure members of council comply with policies. These include use of corporate resources, council-staff relations to name a few.
54. Outline behaviours that ensure that members of council abide by their own roles and responsibilities and respect the role of staff as responsible for day-to-day administration and operations of the municipality to avoid conflicts of interest and interference.
55. Requirement for explicit protection of confidentiality in the complain processes such as whistleblower protection and an anonymous complaint process.
56. With respect to strong mayor powers, AMCTO continues to call for clarity in legislation in several areas and removal of these powers from organizational structure and employment matters. At minimum, guidance will be needed on how to manage such a scenario.
57. Clarity is needed with respect to whether the Code of Conduct and subsequent inquiry process would apply to strong chairs appointed by the province. It is unclear whether such an appointee could be removed from their position in the current process.