

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
COMMITTEE OF THE WHOLE MEETING  
WEDNESDAY, SEPTEMBER 3, 2025  
6:00 p.m.**

**AGENDA**

Members of the public wishing to attend can do so by attending in person to the Council Chambers in the Administration Centre located at 5786 County Road 21, Utopia.

**1. OPENING OF MEETING BY THE MAYOR**

The Township of Essa acknowledges that we are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Metis and Inuit People.

**2. DISCLOSURE OF PECUNIARY INTEREST**

**3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**

**a. Presentation**

**Stevenson Memorial Hospital Foundation - Frank Cerisano and Ted Vandervis**  
Re: Donation from Essa Golf Tournament

**STAFF REPORTS**

**4. PLANNING AND DEVELOPMENT / BUILDING**

- p. 1      **a. Staff Report PD013-25 submitted by the Planning and Development Coordinator, re: 128 Cecil Street – OLT Hearing**

Recommendation: **BE IT RESOLVED THAT** Staff Report PD013-25 be received;

- p. 3      **b. Staff Report PD014-25 submitted by the Planning and Development Coordinator, re: Construction of Additional Residential Units (ARUs).**

Recommendation: **BE IT RESOLVED THAT** Staff Report PD014-25 be received; and **THAT** Council authorize Staff to apply a strict application of Section 4.38 of the Township Zoning By-law, which by virtue of being secondary units, intends for the construction of ARUs to occur only concurrently or after construction of a primary dwelling on any permitted lot.

- p. 6 c. **Staff Report PD015-25 submitted by Manager of Planning, re: Application for Funding – Economic Development Strategic Plan.**

Recommendation: **BE IT RESOLVED THAT** Staff Report PD015-25 be received; and **THAT** Council consider directing Staff to:

1. Apply for funding to the Rural Ontario Development Program to prepare an Economic Development Strategic Plan and to commit to a 50% cost-sharing if granted; and
2. Apply for funding to the Rural Ontario Development Program to hire economic development staff to implement the Economic Development Strategic Plan and to commit to a 50% cost-sharing if granted.

5. **PARKS AND RECREATION / COMMUNITY SERVICES**

6. **FIRE AND EMERGENCY SERVICES**

7. **PUBLIC WORKS**

8. **FINANCE**

9. **CLERKS / BY-LAW ENFORCEMENT / IT**

- p. 17 a. **Staff Report A002-25 submitted by the Manager of Automated Speed Enforcement, re: ASE Administrative Penalty System (APS) Policies.**

Recommendation: **BE IT RESOLVED THAT** Staff Report A002-25 be received; and **THAT** Council approve the ASE AP Draft Policies as attached.

- p. 39 b. **Staff Report C010-25 submitted by the Acting Clerk, re: Amendment to Essa Procedural By-law 2017-77 - Reduction of Council Meeting Dates.**

Recommendation: **BE IT RESOLVED THAT** Staff Report C010-25 be received; and **THAT** Council approve the proposed amendment to section 3.2.1 of Essa's Procedural By-law 2017-77; and **THAT** Council direct Staff to prepare a By-law Amendment to reflect this change at a future meeting.

- p. 72 c. **Staff Report C011-25 submitted by the Acting Clerk, re: Public Participation During Council Meeting.**

Recommendation: **BE IT RESOLVED THAT** Staff Report C011-25 be received.

- p. 76 d. **Staff Report C012-25 submitted by the Acting Clerk, re: Draft Multi-Year Accessibility Plan 2024-2030.**

Recommendation: **BE IT RESOLVED THAT** Staff Report C012-25 be received; and **THAT** Council approve the Multi-Year Accessibility Plan 2025-2030.

10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

11. OTHER BUSINESS

12. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** *this meeting of Committee of the Whole of the Township of Essa adjourn at \_\_\_\_\_p.m., to meet again on the 17<sup>th</sup> day of September, 2025 at 6:00 p.m.*



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PD013-25  
**DATE:** September 3<sup>rd</sup>, 2025  
**TO:** Committee of the Whole  
**FROM:** Samuel Haniff, Manager of Planning  
**RELATED STAFF REPORT:** PD008-25  
**SUBJECT:** 128 Cecil Street – OLT Hearing

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### RECOMMENDATION

That Staff Report PD013-25 be received for information purposes.

### BACKGROUND

Reference is made to Staff Report PD008-25 on Site Plan Control Application SP2-21 for the development of eleven (11) townhouse units on the approximately 1-hectare property municipally known as 128 Cecil Street. On March 7<sup>th</sup>, 2025, a letter was sent to the applicant outlining that the Township was not able to support the third submission due to engineering concerns and limited servicing capacity/allocation.

Further to the aforementioned letter, on March 19<sup>th</sup>, 2025, the Township was informed that an appeal had been made to the Ontario Land Tribunal (OLT) for non-decision on the application.

### COMMENTS AND CONSIDERATIONS

Through a mediation process in May-June 2025, the applicant submitted revised drawings to the Township to address outstanding parking and sufficient snow removal area concerns. However, entrance road width, emergency access and limited servicing capacity/allocation remained concerns for the Township at that time. As such, on August 18<sup>th</sup> and 19<sup>th</sup>, 2025, the Township and Applicant engaged in a hearing with the OLT.

After two of the three scheduled hearing dates, Township Counsel recommended that the Township enter into a settlement of the case. See Confidential attachment.

As of the preparation of this Staff Report, an official settlement is pending. A Settlement meeting is scheduled with the OLT for August 27, 2025.

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## FINANCIAL IMPACT

All associated legal fees will be captured in the relevant General Ledger of the Planning Department Budget, approved by Council for 2025-2026.

  
Manager of Finance

## SUMMARY/OPTIONS

Council may:

1. **Receive Staff Report PD013-25 for information purposes.**
2. Direct staff in another manner.


## CONCLUSION

Option #1 is recommended.

Respectfully submitted by:

Reviewed by:

  
Samuel Haniff, Manager of Planning

  
Michael Mikael, CAO

Attachments:

1. Confidential attachment



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PD014-25

**DATE:** September 3<sup>rd</sup>, 2025

**TO:** Committee of the Whole

**FROM:** Anmol Burmy, Planning and Development Coordinator

**SUBJECT:** Construction of Additional Residential Units (ARUs)

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### RECOMMENDATION

That Staff Report PD014-25 be received; and

That Council authorize Staff to apply a strict application of Section 4.38 of the Township Zoning By-law, which by virtue of being secondary units, intends for the construction of ARUs to occur only concurrently or after construction of a primary dwelling on any permitted lot.

### BACKGROUND

The Planning Act and its associated regulations, including *Ontario Regulation 299/19*, establish the legislative framework that enables municipalities across Ontario to permit Additional Residential Units (ARUs) within residential zones. These regulations are part of the province's broader strategy to increase housing supply, improve affordability, and support more diverse housing options in established communities. ARUs take the form of self-contained secondary units such as basement apartments or detached units like coach houses, and are intended to provide flexible, lower-cost housing choices for residents.

In 2022, the Township of Essa implemented ARU provisions into the Zoning By-law 2003-50. As such, the implementation of ARUs is guided not only by provincial policy but also by local planning documents such as the Zoning By-law.

Essa Township's policies align with the intent of provincial legislation by permitting ARUs as accessory uses to a primary residential dwelling. This approach supports gradual residential intensification while maintaining the character of existing neighbourhoods. The Township's zoning regulations outline specific criteria related to unit size, parking, access, and location to ensure that ARUs are integrated in a way that is compatible with surrounding land uses.

## COMMENTS AND CONSIDERATIONS

There have been an increasing number of inquiries and challenges into *flexible* timing and sequencing for the construction of ARUs. In particular, there have been many requests and proposals for ARUs to be constructed on vacant lots before a primary dwelling has been established or where property owners wish to convert the existing primary dwelling into an ARU and construct a new, larger primary dwelling elsewhere on the same lot.

### Staff wish to clarify that:

1. ARUs are defined and treated as accessory/secondary residential uses under current planning legislation (Ontario Regulation 299/19) and the municipal zoning by-law (Section 4.38).
2. As accessory/secondary uses, ARUs are, by definition, not permitted to be the sole or primary structure on a residential lot at any given time.
3. The establishment of an ARU must occur concurrently or after the construction of a primary dwelling on the lot.

Allowing an ARU to precede a principal dwelling would effectively result in the ARU becoming the primary structure, which contradicts the legislative intent and creates extra costs for the municipality in the form of legal consultation, extra enforcement and servicing challenges.

Furthermore, the recommended approach aligns with planning best practices and ensures the orderly development of residential areas, with proper access and servicing.

## FINANCIAL IMPACT

No perceived Financial Impact.

  
Manager of Finance

## SUMMARY/OPTIONS

Council may consider:

1. Receive this report and authorize Staff to permit the construction of any ARU only concurrently or after construction of its primary dwelling on permitted lots.
2. Direct staff in another manner Council deems appropriate.

## CONCLUSION

Option #1 is recommended.

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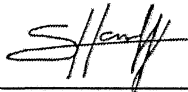
Respectfully submitted by:



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Anmol Burmy,  
Planning and Development  
Coordinator

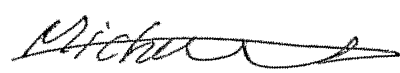
Reviewed by:



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Samuel Haniff,  
Manger of Planning

Reviewed by:



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Michael Mikael,  
Chief Administrative Officer



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PD015-25

**DATE:** September 3<sup>rd</sup>, 2025

**TO:** Committee of the Whole

**FROM:** Samuel Haniff, Manager of Planning

**SUBJECT:** Application for Funding – Economic Development Strategic Plan

### RECOMMENDATION

That Staff Report PD015-25 be received; and

That Council consider directing Staff to:

1. Apply for funding to the Rural Ontario Development Program to prepare an Economic Development Strategic Plan and to commit to a 50% cost-sharing if granted; and
2. Apply for funding to the Rural Ontario Development Program to hire economic development staff to implement the Economic Development Strategic Plan and to commit to a 50% cost-sharing if granted.

### BACKGROUND

Planning Staff intends to submit an application for funding for an Economic Development Strategic Plan under the Economic Diversification, Competitiveness and Capacity Building Stream of the Government of Ontario's Rural Ontario Development (ROD) Program.

The ROD Program provides cost-share funding for projects that help rural communities:

- Address barriers and build capacity for economic development;
- Attract, retain and expand businesses;
- Attract and retain investment opportunities and jobs;
- Strengthen regional partnerships and economic resilience;
- Address workforce development challenges; and
- Transform community assets to drive economic development.

Further, the Economic Diversification, Competitiveness and Capacity Building Stream of the ROD Program funds projects that support communities to build economic development capacity and implement strategies that increase competitiveness to retain businesses, attract investment and enhance growth.

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## COMMENTS AND CONSIDERATIONS

Unlike some of our municipal counterparts in South Simcoe, the Township of Essa does not have direct access to Highway 400, the GO Transit corridor, lakefront properties, or a large manufacturing plant like Honda. Assets such as these, that are obvious and clear for direct and indirect scalable investment, are very limited in the Township. As such, investment in Essa Township requires more input and direction than it would in neighbouring municipalities, where investors might be more independently drawn to the aforementioned assets.

The ROD Program was recently expanded to include the development of strategies and plans (up to 50% cost-share, up to \$50,000), as well as workforce development, attraction and retention (up to 50% cost-share, up to \$150,000).

As such, under the recently expanded ROD Program, the Township intends to apply for funding for the development of an Economic Development Strategic Plan for Essa in September 2025 and, if successful, subsequently apply for funding for economic development staff to implement the projects and programs outlined in the Strategic Plan.

The deadline for submission under the current intake is September 24, 2025, with award of funding expected in January 2026. Council commitment towards 50% cost-sharing up to \$50,000 is required as part of the application process.

## FINANCIAL IMPACT

The Planning Department will be reaching out to municipal partners for more information regarding budgets and timelines for the development of their respective Economic Development Strategic Plans. This requested data will be used towards a financial estimate in the Township's application to the ROD Program.

Staff is requesting a commitment by Council for 50% cost-sharing up to \$50,000 for an Economic Development Strategic Plan, if granted. Additionally, Staff is requesting commitment by Council for 50% cost-sharing up to \$150,000 for the hiring of economic development staff for the eventual implementation of the Economic Development Strategic Plan, if granted.

All financial impacts to be presented to Council for approval during the 2026 Budget deliberation.

  
Manager of Finance

## SUMMARY/OPTIONS

Council may:

**1. Direct Staff to:**

- a. Apply for funding to the Rural Ontario Development Program to prepare an Economic Development Strategic Plan and to commit to a 50% cost-sharing if granted; and
- b. Apply for funding to the Rural Ontario Development Program to hire economic development staff to implement the Economic Development Strategic Plan and to commit to a 50% cost-sharing if granted.

**2. Direct staff in another manner.**

## CONCLUSION


Option #1 is recommended.

Reviewed by:



Samuel Haniff  
Manager of Planning

Reviewed by:



Michael Mikael, CAO

Attachments:

1. Rural Ontario Development Program Information Sheet

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# ATTACHMENT NO.1

*Rural Ontario Development Program Information Sheet*

## Rural Ontario Development Program

Get funding to help create strong businesses, boost economic growth, protect jobs and improve infrastructure in small communities.

### Information

The application period for Rural Ontario Development Program is now open.

You have until **September 24, 2025, at 5 p.m. ET** to apply.

## Overview

The Rural Ontario Development (ROD) Program replaces the Rural Economic Development (RED) Program. We modernized and expanded the program to offer \$20 million in funding over 2 years. This program supports the objectives of Enabling Opportunity: Ontario's Rural Economic Development Strategy (<https://www.ontario.ca/page/enabling-opportunity-ontarios-rural-economic-development-strategy>).

The ROD Program provides cost-share funding for projects that help rural communities:

- address barriers and build capacity for economic development
- to attract, retain and expand businesses
- attract and retain investment and jobs
- strengthen regional partnerships and economic resilience
- address workforce development challenges
- transform community assets to drive economic development

## Who is eligible

To qualify for the ROD Program, you must meet both of the following requirements:

1. Your organization must be one of the following:
  - a municipality
  - a not-for-profit organization
  - an Indigenous community or organization
  - a local services board
  - a small business with 1 to 20 employees
2. Your project must be within an eligible rural area of Ontario  
(<https://experience.arcgis.com/experience/efec072314ae451ca6fb59c356d02882/>)
3. Your project must be within an eligible rural area of Ontario

### Rural and Urban Areas map

(<https://experience.arcgis.com/experience/efec072314ae451ca6fb59c356d02882/>)

# Rural Ontario Development



Earthstar Geographics | Province of Ontario, Esri... Powered by Esri

## For the Rural Ontario Development Program, rural Ontario includes

- All Statistics Canada census subdivisions (including lower-tier and single-tier municipalities) that either have a population of less than 100,000 people in the most recent Statistics Canada Census of Canadian Population, or;
- Have a population density of 100 people per square kilometre or less, as identified in the most recent Statistics Canada Census of Canadian Population or;
- A rural postal code within municipalities

## Rural Ontario Definition

### Rural



### Rural Postal Codes within Urban Areas



## How to apply

### Rural communities

Municipalities, Indigenous communities, local services boards and not-for-profit organizations in rural Ontario can apply through the following streams:

- **Economic diversification, competitiveness and capacity building:** projects that support communities to build economic development capacity and implement

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strategies that increase competitiveness to retain businesses, attract investment and enhance growth.

- **Strategies and plans:** projects will develop strategies or plans that will enhance the ability of communities to be prepared for and engage in economic development activities. This stream offers up to 50% cost-share up, to \$50,000.
- **Economic diversification and competitiveness:** projects will support the implementation an existing economic development plan or strategy. This stream offers up to 50% cost-share, up to \$150,000.
- **Capacity building events:** projects that support organizations in building community capacity to deliver economic development activities. This stream offers up to 35% cost-share, up to \$10,000.
- **Workforce development, attraction and retention:** This stream funds projects that support communities to implement strategies and/or to undertake initiatives for attracting and retaining workers. This stream offers up to 50% cost-share, up to \$150,000.
- **Community infrastructure enhancements:** This stream funds projects that update or transform community assets that have been identified as important to the community's economy. This stream offers up to 35% cost-share, with large projects eligible from \$25,000 to \$250,000 and for small projects eligible up to \$25,000.

#### Read the community development guidelines

(<https://www.ontario.ca/document/rural-ontario-development-program-rod-guidelines-community-development>)

### Rural businesses

Small brick and mortar businesses in rural Ontario with 1 to 20 employees can apply through the **business development stream**. This stream offers up to 35% cost-share, to a maximum of \$10,000.

#### Read the business development guidelines

(<https://www.ontario.ca/document/rural-ontario-development-program-rod-guidelines-business-development>)

### Steps to apply

1. Read the ROD Program guidelines for community development or business development to learn about:
  - eligibility
  - funding streams
  - cost-share amounts
  - application requirements
2. Submit your completed application by email to RODprogram@ontario.ca (mailto:RODprogram@ontario.ca) on or before the intake deadline.

### After you apply

After the intake period closes, we will:

- assess eligible applications based on the criteria in the guidelines
- notify applicants about funding decisions, usually within 3 months of the intake deadline (timing may vary)

## Get help with your application

### Attend an information webinar

Learn more about the ROD Program by attending a free information webinar. Find more information on our registration page

(<https://omafra.my.site.com/survey/ArdiraSurvey/SurveyResponse.app?recordId=a1GMm000005BuFv&logicalId=d4f217d0-c93d-1198-9e46-1c1023bcf189>).

### Upcoming sessions:

- **September 10, 2025**
  - 10:00 a.m. to 11:30 a.m. (English)
  - 1:30 p.m. to 3:00 p.m. (French)

### Book a coaching session

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Applicants for rural community development projects can book a free, one-on-one coaching session (<https://outlook.office.com/book/RuralOntarioDevelopmentRODprogram@Ontariogov.onmicrosoft.com/>) with a regional advisor.

### See previously funded projects

Learn more about successful projects funded through our previous Rural Economic Development (RED) Program:

- 2024 funded projects (<https://www.ontario.ca/page/2024-rural-economic-development-program-projects>)
- 2023 funded projects (<https://www.ontario.ca/page/2023-rural-economic-development-program-projects>)

### Contact us

If you need more help:

- Call: 1-877-424-1300
- Email: [RODprogram@ontario.ca](mailto:RODprogram@ontario.ca) (<mailto:RODprogram@ontario.ca>)

## Application intakes

These are the upcoming intake periods for the ROD Program between 2025 and 2027. Each intake has its own application window and deadline. These dates are subject to change.

### Intake 1

- Application intake period: June 24, 2025 to September 24, 2025
- Application Deadline: September 24, 2025, at 5 p.m. ET

### Intake 2

- Application intake period: January 19, 2026 – February 26, 2026

- Application Deadline: February 26, 2026, at 5 p.m. ET.

### Intake 3

- Application intake period: August 17, 2026 – October 1, 2026
- Application Deadline: October 1, 2026, at 5 p.m. ET.

### Intake 4

- Application intake period: January 18, 2027 – February 25, 2027
- Application Deadline: February 25, 2027, at 5 p.m. ET.

## Related

Ontario's Rural Economic Development Strategy (<https://www.ontario.ca/page/enabling-opportunity-ontarios-rural-economic-development-strategy>)

Rural Ontario Development Program: community development application form  
(<https://www.ontario.ca/files/2025-06/mra-rod-community-development-application-form-en-2025-06-23.pdf>)

Rural Ontario Development Program: business development application form  
(<https://www.ontario.ca/files/2025-06/mra-rod-business-development-application-form-en-2025-06-23.pdf>)

Updated: August 21, 2025

Published: June 24, 2025



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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** A002-25  
**DATE:** September 3, 2025  
**TO:** Committee of the Whole  
**FROM:** Lisa Lehr, Manager of Automated Speed Enforcement  
**SUBJECT:** ASE Administrative Penalty System (APS) Policies

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### RECOMMENDATION

*That Staff Report A002-25 be receive; and  
That Council approve the ASE AP Draft Policies as attached.*

### BACKGROUND

Ontario Regulation 333/07 made under the *Municipal Act*, 2001, which applies to parking violations, requires that where a municipality has established an Administrative Monetary Penalty System, it shall develop standards relating to administration of the system as follows:

- The prevention of political interference in the administration of an Administrative Penalty System;
- Conflict of interest in relation to the administration of the Administrative Penalty System, to prevent such conflicts of interest and to redress such conflicts should they occur;
- The filing and processing of complaints made by the public with respect to the administration of an Administrative Penalty System; and
- Policies and procedures regarding financial management and reporting.

Although Ontario Regulation 355/22 "Administrative Penalties for Contraventions Detected Using Camera Systems", which applies to automated speed enforcement violations, does not have the same requirement, it would be beneficial to develop such policies for these violations.

### COMMENTS AND CONSIDERATIONS

Essa's ASE AP Review Guideline was developed prior to Essa's ASE APS Program going live on January 1, 2024, and has since been amended to ensure compliance with Ontario Regulation 355/22. Additionally, Essa's ASE AP By-law 2024-18 clearly outlines the process to be used for Essa's Administrative Penalty System for Automated Speed Enforcement. Both documents are posted on the municipality's website to allow for transparency to the public.

Over the course of 2024 and 2025, further internal policies and guidelines have been developed to ensure consistency in the processing, operations and application of Essa's

ASE AP Program. They provide ASE Staff with consistency in their decision-making for appeals proceeding through Stage 1 of the appeals process.

In an effort to provide for transparency and accountability with Essa's ASE AP Program, it is recommended that the following draft policies be implemented:

Prevention of Political Interference Policy (Attachment No. 1)

This Policy applies to Essa Staff and Council. It ensures that there is no political interference, and as well, that the administration of penalties under ASE are conducted in accordance with the principles of justice thereby ensuring procedural independence, fairness, impartiality and integrity with the process.

ASE AP Conflict of Interest (Attachment No. 2)

While Essa currently has a Conflict-of-Interest Policy specific to Council, this draft Policy applies to the administration of Essa's ASE AP Program. It ensures that the administration of Essa's ASE AP Program is conducted in accordance with the principles of justice, while also safeguarding procedural independence, fairness, impartiality and integrity with the process. This Policy is strongly recommended to be implemented per the Ontario Traffic Council (OTC) and has been drafted based on OTC guidelines and best practices.

Financial Hardship Policy (Attachment No. 3)

This Policy applies to individuals when they receive a Penalty Order under Essa's ASE AP Program, and the individual applies to have a Stage 1 or 2 review conducted by a Screening or Hearing Officer. The Policy establishes the requirement for documentation to be submitted for consideration when seeking a financial reduction to their Penalty Order. This Policy ensures consistency in application of decision-making by Screening and Hearing Officers, and outlines how the process is administered between the two tiers of Officers (Screening and Hearing Officers)

Complaint Procedure

Essa currently has a procedure available on its website specific to the filing of complaints, that clearly outlines the process for the filing of such. It is suggested that this procedure include complaints in respect of the administration of Essa's Administrative Penalty Program. It is important to note that any complaint from a member of the public should be bound specifically to the administration of Essa's ASE AP Program, as Ontario Regulation 355/22 expressly states that Screening and Hearing Officers do not have jurisdiction to consider questions relating to the validity of any Statute, Regulation or By-law, or the constitutional applicability or operability of any Statute, Regulation or By-law. Any such complaints from the public about the afore-mentioned shall not be processed through the Complaint Procedure.

Policy on the Financial Management and Reporting for the Administrative Penalty Program (ASE AP) (Attachment No. 4)

The purpose of this Policy is to ensure that all financial management and reporting responsibilities related to Essa's ASE AP Program conform to current Corporate Policies and Procedures for financial management and reporting.

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It would be best practice for the attached draft policies to be approved.

## FINANCIAL IMPACT

There is no financial impact for implementation of these policies.

  
Manager of Finance

## SUMMARY/OPTIONS

Council may:


1. Take no further action, thereby receiving the Staff Report for information only.
2. Approve the Draft ASE AP Policies as attached.
3. Amend the Draft ASE AP Policies as directed by Council.


## CONCLUSION

It is recommended that Council approve Option No. 2, thereby approving the ASE AP Draft Policies as attached.

Respectfully submitted by:

Reviewed by:

  
\_\_\_\_\_  
Lisa Lehr  
Manager of Automated Speed Enforcement

  
\_\_\_\_\_  
Michael Mikael, P.Eng  
Chief Administrative Officer

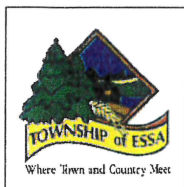
Attachments:

- 1 - Prevention of Political Interference Policy
- 2 - ASE AP Conflict of Interest
- 3 - Financial Hardship Policy
- 4 - APS Financial Management and Reporting Policy

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# **ATTACHMENT NO.1**

*Prevention of Political Interference Policy*



**TOWNSHIP OF ESSA  
AUTOMATED SPEED ENFORCEMENT  
ADMINISTRATIVE PENALTY (ASE AP) PROGRAM  
POLICY  
PREVENTION OF POLITICAL INTERFERENCE**

## **1. Purpose:**

The purpose of this Policy is to prevent political interference in the administration of the Essa's ASE Administrative Penalty Program.

In accordance with Ontario Regulation 333/07 made under the *Municipal Act*, where a municipality has implemented an Administrative Penalty Program, it is required to establish a Policy for the prevention of political interference in its Administrative Penalty Program.

## **2. Definitions**

For the purposes of this Policy, the following definitions are provided in accordance with Essa's ASE Administrative Penalty By-law:

*"Administrative Fee"* means any monetary amount specified in Essa's ASE AP By-law 2024-18 or set out in Ontario Regulation 355/22 made under the *Highway Traffic Act*.

*"APS"* – means Administrative Penalty System.

*"Hearing Decision"* means the Notice that contains the decision made by a Hearing Officer as referred to in section 6.10 of Essa's ASE AP By-law 2024-18.

*"Hearing Officer"* – means a person who is appointed by Township of Essa Council to perform the duties of the Hearing Officer as set out in section 6 of Essa's ASE AP By-law 2024-18.

*"Hearing Review"* means the process set out in section 6 of Essa's ASE AP By-law 2024-18.

*"Penalty Order"* – means an order that is made under subsection 21.1(2) of the *Highway Traffic Act*.

*"Person"* – includes an individual or a business, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion as provided by the Ontario Ministry of Transportation is the "Person" for the purposes of this Policy.

“*Screening Decision*” means the Notice which contains the decision of the Screening Officer, delivered in accordance with section 5.7 of Essa’s ASE AP By-law 2024-18.

“*Screening Officer*” means a person who performs the functions of a Screening Officer in accordance with section 5 of Essa’s ASE AP By-law 2024-18.

“*Screening Review*” means the process as set out in section 5 of Essa’s AP By-law 2024-18.

“*Township*” means the Corporation of the Township of Essa.

### 3. Scope

- 3.1 This Policy defines what constitutes political interference in relation to Administrative Penalties, to ensure that responsibilities of the Screening and Hearing Officers are conducted in accordance with the fundamental principles of justice, which include decision-making and procedural independence, fairness, impartiality and integrity, without political interference.
- 3.2 This Policy applies to all elected members of Council as well as other Township of Essa officials and staff in relation to their interaction with Automated Speed Enforcement Staff.
- 3.3 In regard to members of Council, this Policy should be read and interpreted within the context of prevailing provincial legislation (ie: *Municipal Conflict of Interest Act*) and the Council Code of Conduct, including its related policies, procedures and guidelines.

### 4. Policy

#### 4.1 Principles of Preventing Political Interference

- 4.1.1 No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with Provincial Offences Officers or other persons responsible for the administration of Essa’s Automated Speed Enforcement Program.
- 4.1.2 No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with a Screening Officer or Hearing Officer, or other persons responsible for the administration of Essa’s APS, respecting the determination of an administrative penalty matter and/or respecting a delegated power of decision in a proceeding that is or will be pending before a Screening Officer or Hearing Officer, except the person who is entitled to be heard in a Screening Review or Hearing Review respectively.

4.1.3 All individuals involved with the enforcement and administrative functions of Essa's Automated Speed Enforcement Program and its affiliated Administrative Penalty Program shall carry out such duties in a manner which upholds the integrity of the administration of justice.

4.1.4 If someone attempts to influence a Screening Officer, Hearing Officer, or employee that is engaged in the administration of Essa's ASE Program or its affiliated APS Program contrary to the rules henceforth, the Screening Officer, Hearing Officer or employee shall report the incident to the Manager of Automated Speed Enforcement as soon as possible. No action shall be taken against the Screening Officer, Hearing Officer, or employee for making any such report in good faith.

## 5. Accountability

5.1 Any interference in Essa's ASE Program or its affiliated APS Program by an individual may result in charges under the *Criminal Code* of Canada, Provincial Statute or other disciplinary action.

5.2 Any interference with Essa's ASE Program or its affiliated APS Program by a member of Council may be considered a Council code of Conduct violation.

5.3 A Screening or Hearing Officer, Township employee or other individual performing duties related to Essa's ASE Program and its affiliated APS Program shall report any attempt at political influence or interference, pecuniary, political or otherwise, to the Manager of Automated Speed Enforcement. No action shall be taken against the Screening Officer, Hearing Officer or employee or other person(s) for making any such report in good faith.

5.4 A Screening Officer or Hearing Officer shall disclose any actual, potential or perceived political interference as soon as possible to the Manager of Automated Speed Enforcement.

### Cross References

Municipal Act, 2001, as amended  
Municipal Conflict of Interest Act, as amended  
Highway Traffic Act  
Ontario Regulation 355/22 (ASE Administrative Penalties)  
Township of Essa ASE AP By-law 2024-18  
Council Code of Conduct C09-2010, as amended  
Council-Staff Relations Policy By-law 2019-10

### Contact

Lisa Lehr, Manager of Automated  
Speed Enforcement  
705-424-9917 ext. 117  
[llehr@essatownship.on.ca](mailto:llehr@essatownship.on.ca)

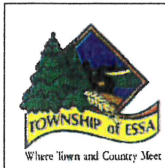
### Details

Approved by:  
Approval Date:

9a

## **ATTACHMENT NO.2**

*ASE AP Conflict of Interest*



## TOWNSHIP OF ESSA AUTOMATED SPEED ENFORCEMENT ADMINISTRATIVE PENALTY (ASE AP) PROGRAM

### CONFLICT OF INTEREST POLICY

This Policy has been designed to provide staff in Essa's ASE AP Program with clarity in determining where a conflict exists, in addition to providing for a process to follow where a conflict of interest arises under Essa's ASE AP Program.

## 1. PURPOSE

- 1.1 To assist staff in Essa's ASE AP Program in determining where a conflict or political interference exists.
- 1.2 To provide staff in Essa's ASE AP Program with a process to follow where a conflict of interest arises under Essa's ASE AP Program.
- 1.3 To endorse the following principles under Essa's ASE AP Program:
  - a) Independence and accountability of Screening and Hearing Officers in the appeal process where a Penalty Order has been imposed under Essa's ASE AP Program, and the contravener is exercising his/her right to appeal.
  - b) Certainty in reconciling the duties of Screening and Hearing Officers during the appeal process where a conflict of interest exists.
  - c) Avoidance of political interference in the decision-making.
  - d) Screening and Hearing Officers are expected to perform their duties with integrity and impartiality in a manner that will bear the closest scrutiny.

## 2. SCOPE

- 2.1 This Policy applies to all Hearing Officers, Screening Officers, as well as elected members of Council and Township of Essa officials and staff in relation to their interaction with Automated Speed Enforcement Staff.
- 2.2 In regard to members of Council, this Policy should be read and interpreted within the context of prevailing provincial legislation (ie: *Municipal Conflict of Interest Act*) and the Council Code of Conduct, including its related policies, procedures and guidelines.

## 3. POLICY

### 3.1 DEFINITIONS

In this policy, the following definitions apply:

- a) "Child" means a child born within or outside marriage including an adopted child and a person whom another person has demonstrated a settled intention to treat as a child of the other person's family.

- b) “*Hearing Officer*” means the prescribed person(s) appointed by the municipality to review penalty orders, as described in subsection 10(3) of the Ontario Regulation 355/22.
- c) “*Municipality*” means the municipality in which the contravention that is the subject of a penalty order occurred, per subsection 10(1) of the Ontario Regulation 355/22.
- d) “*Parent*” means a person who has demonstrated a settled intention to treat a child as a member of the person’s family whether or not that person is the natural parent of the child.
- e) “*Regulation*” means Ontario Regulation 355/22, Administrative Penalties for Contraventions Detected Using Camera Systems under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 as from time to time amended.
- f) “*Screening Officer*” means the prescribed person(s) employed by the municipality to review penalty orders, per subsection 10(2) of Ontario Regulation 355/22.
- g) “*Spouse*” means the person to whom a person is married or with whom the person is living in a conjugal relationship outside of marriage.

### 3.2 SCREENING OFFICERS

- 3.2.1 In accordance with subsection 10(2) of the Regulation, a Screening Officer is prescribed under subsection 21.1(7) of the *Highway Traffic Act* for the purpose of conducting an appeal under the Regulation.
- 3.2.2 In accordance with the Regulation, where a municipality has established an ASE AP Program, Screening Officers are required to be employed by the municipality.
- 3.2.3 Under Essa’s ASE AP Program, where an appeal has been filed, the Screening Officer is the first stage of the appeal process, and is responsible to review penalty orders that were imposed under the municipality’s ASE AP Program in an independent manner, free from bias and/or political persuasion, and to make a decision as to confirm, vary or set aside the penalty order that was imposed on the registered owner.

### 3.3 HEARING OFFICERS

- 3.3.1 In accordance with subsection 10(3) of the Regulation, a Hearing Officer is prescribed under subsection 21.1(7) of the *Highway Traffic Act* for the purpose of conducting an appeal under the Regulation.

- 3.3.2 In accordance with subsection 10(3) the Regulation, where a municipality has established an ASE AP Program, Hearing Officers are not employees of the municipality, but rather, are appointed by the municipality to review the decision of the Screening Officer in an independent, arms-length manner free from bias and/or persuasion, and to make a decision as to confirm, vary or set aside the penalty order. The Hearing Officer is the second and final stage in the appeal process for the municipality's ASE AP Program, and their decision is final.
- 3.3.3 In an effort to mitigate any conflict of interest and/or political interference when conducting a review of penalty orders imposed under Essa's ASE AP Program, the following persons are not eligible for appointment as a Hearing Officer:
- a) an employee of the municipality;
  - b) a member of the municipality's council;
  - c) the child of a person referenced in paragraphs a) or b);
  - d) the parent of a person referenced in paragraphs a) or b);
  - e) the spouse of a person referenced in paragraphs a) or b); or
  - f) a person indebted to the municipality other than:
    - i. in respect of current real property taxes; or
    - ii. pursuant to an agreement with the municipality with which the person is complying.

### 3.4 RESPONSIBILITIES

- 3.4.1 Screening and Hearing Officers must ensure that each review or hearing, as applicable, is carried out in a manner that is fair, dispassionate and moderate, consistent with the public interest, and independent of political or other external influences.
- 3.4.2 Screening and Hearing Officers must neither act nor be directly or indirectly involved as an agent for any contravener in respect of any matter that is involving or that could otherwise involve that Screening or Hearing Officer in the performance of the role.
- 3.4.3 Screening and Hearing Officers must disclose to the Manager of Legislative Services any attempt at improper influence on their decision-making, or interference by any member of Council or member of staff, financial, political or otherwise, respecting performance of their role including any prohibited contact described in section 7.
- 3.4.4 Screening and Hearing Officers must disclose to the Manager of Legislative Services any actual or reasonably perceived conflict of interest as soon as possible.

### 3.5 PROCESS

- 3.5.1 Upon being advised of a conflict of interest by a Screening Officer at the first stage of the appeal process, the Penalty Order shall be deemed to be affirmed, and will be automatically sent for a review by the Hearing Officer, with a final decision being made to affirm, vary or set aside the penalty order.
- 3.5.2 Upon being advised of a conflict of interest by a Hearing Officer at any stage of the appeal process, the Hearing Officer who has the conflict shall not participate in any review on the matter where the conflict exists; rather, the matter shall be assigned to a Hearing Officer who is not in a position of conflict to conduct a review of the penalty order and/or decision of the Screening Officer.
- 3.5.3 In the event the contravener appealing the decision is employed in the administration of the Administrative Penalty System, the matter shall be referred to the Hearing Officer(s), to review the penalty order and provide a detailed decision confirming, varying, or setting aside the penalty order. The decision shall be delivered to the contravener in accordance with the Regulation.
- 3.5.4 The Manager of Legislative Services must report to the Municipal council the particulars of any disclosure made pursuant to sections 5.3 and 7.2.

### 3.6 GENERAL

- 3.6.1 Screening and Hearing Officers must not accept a fee, gift or personal benefit that is related directly or indirectly with the performance of the Adjudicator's role, except compensation authorized by law.
- 3.6.2 A member of the Township of Essa's Council must not contact the Screening or Hearing Officer respecting a matter related to the performance of their role except only to the extent that the member may be a party to a matter before the Screening or Hearing Officer and except only to the extent that a party would communicate with the Screening or Hearing Officer during the review or the hearing, as applicable.
- 3.6.3 Screening and Hearing Officers must not use any information obtained while performing their duties to further, or seek to further, their own financial, political, or personal interest.
- 3.6.4 No action may be taken against a Screening Officer, Hearing Officer or the Manager of Legislative Services, as the case may be, who discloses or reports in good faith pursuant to sections 5.3, 5.4 and 6.4.

### 3.7 CONFIDENTIALITY

- 3.7.1 Screening and Hearing Officers must not disclose information that is gained in the performance of their role and that is not available to the public, except in accordance with law.

#### Cross References

Municipal Act, 2001, as amended  
Highway Traffic Act  
Ontario Regulation 355/22 (ASE Administrative Penalties)  
Township of Essa ASE AP By-law 2024-18  
Council Code of Conduct  
Council Conflict of Interest

#### Contact

Lisa Lehr, Manager of Automated Speed Enforcement  
705-424-9917 ext. 117  
[llehr@essatownship.on.ca](mailto:llehr@essatownship.on.ca)

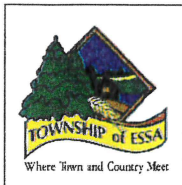
#### Details:

Approved by:  
Approval Date:

9a

## **ATTACHMENT NO.3**

*Financial Hardship Policy*



**TOWNSHIP OF ESSA JOINT DATA PROCESSING CENTRE  
AUTOMATED SPEED ENFORCEMENT  
ADMINISTRATIVE PENALTY (ASE AP) PROGRAM  
POLICY  
FINANCIAL HARDSHIP**

## **1. Purpose:**

The purpose of this Policy is to provide for direction in responding to requests by persons that received a Penalty Order as the result of a speeding contravention captured by an automated speed enforcement device, for relief from paying all or part of a Penalty Order where the person can demonstrate that they would suffer unreasonable financial hardship if required to pay the Penalty Order in full.

## **2. Definitions**

For the purposes of this Policy, the following definitions are defined in accordance with Essa's ASE Administrative Penalty By-law:

*"Administrative Fee"* means any monetary amount specified in Essa's ASE AP By-law 2024-18 or set out in Ontario Regulation 355/22 made under the *Highway Traffic Act*.

*"APS"* – means Administrative Penalty System.

*"Hearing Decision"* means the Notice that contains the decision made by a Hearing Officer as referred to in section 6.10 of Essa's ASE AP By-law 2024-18.

*"Hearing Officer"* – means a person who is appointed by Township of Essa Council to perform the duties of the Hearing Officer as set out in section 6 of Essa's ASE AP By-law 2024-18.

*"Hearing Review"* means the process set out in section 6 of Essa's ASE AP By-law 2024-18.

*"Penalty Order"* – means an order that is made under subsection 21.1(2) of the *Highway Traffic Act*.

*"Person"* – includes an individual or a business, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion as provided by the Ontario Ministry of Transportation is the "Person" for the purposes of this Policy.

*"Screening Decision"* means the Notice which contains the decision of the Screening Officer, delivered in accordance with section 5.7 of Essa's ASE AP By-law 2024-18.

“*Screening Officer*” means a person who performs the functions of a Screening Officer in accordance with section 5 of Essa’s ASE AP By-law 2024-18.

“*Screening Review*” means the process as set out in section 5 of Essa’s AP By-law 2024-18.

“*Township*” means the Corporation of the Township of Essa.

### 3. Provisions

#### 3.1 Application

This Policy applies to a Screening Review and Hearing Review conducted by a Screening Officer and Hearing Officer, respectively, pursuant to the Township of Essa’s ASE AP By-law 2024-18.

#### 3.2 General Provisions

3.2.1 Any Person who receives a Penalty Order as the result of a speeding contravention having been captured by an automated speed enforcement device is provided the right to dispute their Penalty Order within the designated 30-day timeframe following the deemed date of service, in accordance with section 7 of Ontario Regulation 355/22.

3.2.2 The Screening Officer has the authority to vary the penalty order by applying a financial hardship reduction to the original amount due, or to extend the timeline for payment if the Screening Officer finds that full payment of the Penalty Order cause undue financial hardship.

3.2.2.1 A decision made by the Screening Officer to financially reduce a Penalty Order due to financial hardship shall only be applied one time, and only once the registered owner of the vehicle that was captured by an ASE device provides subsequent documentation that supports the claim of financial hardship (refer to subsection 3.3 of this Policy).

3.2.2.2 Consideration by Screening Officers to apply a financial hardship reduction to future Penalty Orders will not be considered if the Screening Officer is not satisfied in future Screening Reviews that the Person has made any attempt to correct the contravening behaviour.

3.2.3 A Person who receives a Notice of Screening Decision from the Screening Officer, if in disagreement with the Screening Decision, shall be given the right to dispute the Screening Officer’s Decision with a Hearing Officer.

- 3.2.4 The Hearing Officer has the authority to vary the penalty order by applying a financial hardship reduction to the original amount due, or to extend the timeline for payment if the Hearing Officer finds that payment of the Penalty Order would cause undue financial hardship.
- 3.2.5 Once the Decision of the Hearing Officer has been made, and the Notice of Hearing Decision has been sent to the Person, the appeal process is considered concluded. The Decision of the Hearing Officer is final in accordance with Ontario Regulation 355/22.

### 3.3 Documentation to Support Financial Hardship

- 3.3.1 A Person who claims that payment of the penalty order in full would cause financial hardship is required to provide documentation to support their claim at the time of the Screening Review or Hearing Review. The person, when required, shall provide documented proof of financial hardship as follows:
- Copy of Canada Revenue Agency Notice of Tax Assessment for the last full calendar year, and
    - Copies of financial statements showing proof of reduced income such as:
      - Old Age Security
      - Canada Pension or other pension information
      - Guaranteed Income Supplement
      - Disability Pension
      - Child and/or spousal support orders
      - Ontario Student Assistance Program
      - Proof of Attendance at educational institution (applies to full time students only)
      - Ontario Works
- 3.3.2 The Screening or Hearing Officer will satisfy themselves at the Screening Review or Hearing Review as to the authenticity/credibility of the documents provided and will later refer to those documents in their decision.

## 4. Records Retention

All information and documentation shall be treated in a confidential manner, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. Photocopies of the documentation may be required and attached to the Screening Decision and/or Hearing Decision record.

#### Cross References

Municipal Act, 2001, as amended  
Highway Traffic Act  
Ontario Regulation 355/22 (ASE Administrative Penalties)  
Township of Essa ASE AP By-law 2024-18

#### Contact

Lisa Lehr, Manager of Automated Speed Enforcement  
705-424-9917 ext. 117  
[llehr@essatownship.on.ca](mailto:llehr@essatownship.on.ca)

#### Details:

Approved by:  
Approval Date:

9a

## **ATTACHMENT NO.4**

*APS Financial Management and Reporting Policy*



9a

**TOWNSHIP OF ESSA  
AUTOMATED SPEED ENFORCEMENT  
ADMINISTRATIVE PENALTY (ASE AP) PROGRAM  
POLICY  
FINANCIAL MANAGEMENT & REPORTING FOR ADMINISTRATIVE  
PENALTY SYSTEM**

## **1. Purpose:**

This Policy establishes requirements regarding financial management and reporting of administrative penalties and fees. This Policy affirms that the Township of Essa's Administrative Penalty Program shall follow existing corporate policies and procedures related to financial management and reporting.

Pursuant to Ontario Regulation 333/07 "Administrative Penalties", made under the Municipal Act, 2001, a municipality establishing an Administrative Penalty System ("APS") is required to have a Policy relating to financial management and reporting of APS.

## **2. Definitions**

For the purposes of this Policy, the following definitions are provided in accordance with Essa's ASE Administrative Penalty By-law 2024-18:

*"Administrative Fee"* means any fee specified in Essa's ASE AP By-law 2024-18 or set out in Ontario Regulation 355/22 made under the *Highway Traffic Act*.

*"Administrative Penalty By-law"* means Essa By-law 2024-18 passed by Council to establish administrative penalties for automated speed enforcement, as amended from time to time, or any successor thereof.

*"Administrative Penalty System"* or *"APS"* is a municipally administered system established by Essa's Administrative Penalty By-law for the administration of civil penalties in respect of the failure to comply with the designated By-law.

*"Council"* means the Council of the Township of Essa.

*"Hearing Officer"* – means a person who is appointed by Township of Essa Council to perform the duties of the Hearing Officer as set out in section 6 of Essa's ASE AP By-law 2024-18.

*"Penalty Order"* – means an order that is made under subsection 21.1(2) of the *Highway Traffic Act*.

*"Person"* – includes an individual or a business, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion as provided by the Ontario Ministry of Transportation is the "Person" for the purposes of this Policy.

“Screening Officer” means a person who performs the functions of a Screening Officer in accordance with section 5 of Essa’s ASE AP By-law 2024-18.

“Township” means the Corporation of the Township of Essa.

### 3. Scope

This Policy applies to all financial management and reporting responsibilities and accountabilities regarding APS. All Township employees and other individuals responsible for administration of APS shall comply with this Policy.

### 4. Provisions

#### 4.1 General Financial Management and Reporting

4.1.1 Preparation of the Township’s budget revolves around priority setting that reflects the Township’s Strategic Plan, Council priorities, service delivery objectives and standards, and historical financial performance; all balanced with the need for prudent financial management.

4.1.2 Through the process of current and capital financial management and reporting for APS, the Manager of ASE shall:

- Review and monitor current year actual, budgeted and projected financial performance and operating results.
- Determine priorities for maintaining and improving the APS program service levels.
- Comply with all Township procurement policies and procedures in regard to APS.

### 5. Payment of a Penalty Orders

Any person issuing a Penalty Order for an infraction of a designated by-law is not permitted to accept payment for an administrative penalty. Screening and Hearing Officers are prohibited from directly accepting any payment from any person in respect of a Penalty Order.

Township staff shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship.

#### 5.1 Methods of Payment

Following the issuance of a Penalty Order, the Person is permitted to make voluntary payments by using one of the following methods:

- Online at [www.ojpc.ca](http://www.ojpc.ca) using VISA or MasterCard
- In person at the Administration Centre, located at 5786 County Road 21, Utopia ON (cash, debit, cheque, money order, credit card)

- By mail using cheque or money order  
Mail to: Township of Essa Administration Centre, 5786 County Road 21, Utopia ON L0M1T0  
*\*\* Penalty Order Number and License Plate must be written on the front of cheque or money order, and the cheque or money order shall be made payable to: Township of Essa*

Note:

- Payment is not considered made until received by the Township.
- Persons must allow sufficient mailing time for payments and should not send cash by mail.
- Post-dated cheques or payment by installments are not accepted.
- Additional fees will be applied for:
  - non-sufficient funds
  - payments that are cancelled or reversed by the Person that made the payment

## 5.2 Processing Payments

Payments will be processed as follows:

- Online – the Person enters their Penalty Order Number and related information (ie: License Plate) into the system and makes the payment with their credit card information.
- In Person during Regular Business Hours – Staff will apply the person's chosen method of payment to the Penalty Order/Notice
- Mail – staff will apply the cheque or money order to the Penalty Order/Notice.

Note – Staff will provide a copy of the receipt and Penalty Notice to the applicable department.

Unless otherwise agreed to by the appropriate Department Manager, partial payments will not be accepted.

Upon application of payment, the Penalty Notice will reflect "Paid" status. A person's credit card information is will not be kept by the Township's system, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

## 5.3 Refund of Payment

If a person has paid any Administrative Fees in respect of a Penalty Notice, which is subsequently cancelled by a Screening or Hearing Officer, the Township shall refund in full such administrative fees to the person.

## 5.4 Administrative Fees

Various Administrative Fees may be payable by a person with a Penalty Notice as set out in the Administrative Penalty By-law. Where applicable, such fees shall be paid in addition to the Administrative Penalty.

## 6. Accountability

All persons responsible for administering the APS Program shall be responsible for adherence to this Policy. Any individual shall bring any contravention of this Policy to the Chief Administrative Officer.

### Cross References

*Essa ASE AP By-law 2024-18*  
*Municipal Act, 2001, as amended*  
*Ontario Regulation 333/07*  
*Ontario Regulation 355/22*  
*Municipal Conflict of Interest Act, as amended*

### Contact

Lisa Lehr, Manager of Automated  
Speed Enforcement  
705-424-9917 ext. 117  
[llehr@essatownship.on.ca](mailto:llehr@essatownship.on.ca)

### Details

Approved by:  
Approval Date:



## TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C010-25

DATE: September 3, 2025

TO: Committee of the Whole

FROM: Sarah Corbett, Acting Clerk

SUBJECT: Amendment to Essa Procedural By-law 2017-77,  
re: Reduction of Council Meeting Dates

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### RECOMMENDATION

That Staff Report C010-25 be received; and  
That Council approve the proposed amendment to section 3.2.1 of Essa's Procedural By-law 2017-77; and  
That Council direct Staff to prepare a By-law Amendment to reflect this change at a future meeting.

### BACKGROUND

Section 238 of the *Municipal Act*, 2001, S.O.2001, c.25, requires that every municipality pass a procedure by-law for governing the calling, place and proceedings of meetings. Essa's current Procedural By-law 2017-77 was passed by Council at its meeting of December 20, 2017, with amendments having been passed by Council in 2019, 2020, 2021, and 2024. (see Attachment No. 1 for a copy of Essa's consolidated Procedural By-law 2017-77). It applies to Council, Committees and Local Boards, and provides members and the public with rules surrounding conduct during meetings.

Council of the Township of Essa at its meeting held on June 18, 2025, directed staff to investigate the following in regard to its Procedural By-law:

- The reduction of Committee of the Whole and Council Meetings held each month.
- The consideration of the addition of a Public Participation to Committee of the Whole Meetings.
- The availability and cost of the addition to livestream Committee of the Whole and Council Meetings.

In this report, only the reduction of the number of Committee of the Whole and Council Meetings per month is being addressed.

### COMMENTS AND CONSIDERATIONS

During consideration of the reduction of Committee of the Whole and Council Meeting dates, staff reviewed the frequency and date of the current schedule. Each January (New Years Day) Committee of the Whole and Council Meeting date is cancelled, and the first meeting July has the potential to be impacted by Canada Day. While the third Wednesday

of each month Committee of the Whole and Council Meeting is rarely ever impacted by stat holidays.

Staff have reviewed trends of Committee of the Whole and Council Meetings between 2022 and 2025 and made the following observations:

### **2022**

The average length of a Committee of the Whole and Council Meetings were 1 hour and 33 minutes with the longest being 3 hours and 13 minutes and the shortest being 32 minutes. 2022 also saw two (2) Committee of the Whole and Council Meetings of 2 hours to 3 hours and one (1) being 3 hours or more with the majority of meetings being one (1) hour in length or more.

### **2023**

The average length of a Committee of the Whole and Council Meetings were 1 hour and 19 minutes with the longest being 2 hours and 50 minutes and the shortest being 33 minutes. 2023 also saw three (3) Committee of the Whole and Council Meetings of 2 hours to 3 hours with the majority of meetings being less than one (1) hour in length or less.

### **2024**

The average length of a Committee of the Whole and Council Meetings were 52 minutes with the longest being 1 hours and 57 minutes and the shortest being 12 minutes. In 2024 all Committee of the Whole and Council Meetings were under (2) hours and the majority of meetings were less than one (1) hour.

### **2025 (to date)**

The average length of a Committee of the Whole and Council Meetings were 53 minutes with the longest being 1 hours and 24 minutes and the shortest being 15 minutes. In 2025 all Committee of the Whole and Council Meetings were under 1.5 hours and only 8 of 20 were over 1 hour in length.

The data as presented above provides Council with a clear indication that Committee of the Whole and Council Meetings have been improving in time efficiency over the last 3 ½ years.

There are several reasons why Committee of the Whole and Council Meetings times are following a downward trend:

- Efficiency of Council Members by taking the time to prepare and ensuring they are informed prior to the meeting while Staff Reports are providing the necessary information to Council to make well informed decisions.
- Agendas are streamlined ensuring that Public Meetings, Presentations and Delegations are scheduled accordingly and in an appropriate manner that is in keeping with the provisions of the Procedural By-law.
- The requirement of Delegations to preregister allows review of items within the Clerks Department and encourages Staff/Council to provide the desired answers prior to Committee of the Whole and Council Meetings.
- A focus on transparency and accountability by prioritizing open and efficient meetings to build public trust.
- Delegation of certain tasks allows for Staff to make decisions as appropriate.

At this time, the Acting Clerk is suggesting that the current Procedural By-law be amended to reflect Committee of the Whole and Council Meetings being held on the 3<sup>rd</sup> Wednesday of each month, thereby amending section 3.2.1. of By-law 2017-77 to read:

- 3.2.1 Regular meetings of Council shall be held on the third Wednesday of each month following Committee of the Whole, which shall begin at 6:00 p.m. unless otherwise specified by Resolution of Council; and except when Wednesday is a statutory holiday, in which case the Council shall meet at the call of the Chair on a date which is not a public or civic holiday.

It should be noted that section 3.1.4 of the Procedural By-law states that should a matter come up that is time sensitive, a Special Meeting may be held at the call of the Chair provided that 48 hours notice is provided to members of the public.

### FINANCIAL IMPACT

There is no financial impact.

  
\_\_\_\_\_  
Manager of Finance

### SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Approve the proposed amendment to section 3.2.1 of Essa's Procedural By-law 2017-77 and reduce Committee of the Whole and Council Meetings to be held on the 3<sup>rd</sup> Wednesday of each month.**
3. **Direct staff to prepare a By-law Amendment to be brought forward at a later date outlining these changes.**
4. Direct staff in another manner.

### CONCLUSION

It is recommended that Council proceed with Option #2 and #3 in an effort to provide for Council and Staff efficiency, thereby amending section 3.2.1. of By-law 2017-77.

Respectfully submitted by:

Reviewed by:



\_\_\_\_\_  
Sarah Corbett  
Acting Clerk



\_\_\_\_\_  
Michael Mikael, P. Eng  
Chief Administrative Officer

Attachments:

1 – Essa's Current Procedural By-law 2017-77

9b

# ATTACHMENT NO.1

# THE CORPORATION OF THE TOWNSHIP OF ESSA CONSOLIDATED VERSION OF BY-LAW 2017-77, AS AMENDED

Township of Essa

AMENDING BY-LAWS

2019-09, 2020-21, 2020-34, 2021-49, 2024-12

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**THE CORPORATION OF THE TOWNSHIP OF ESSA  
SCHEDULE "A" TO  
BY-LAW 2017 – 77  
PROCEDURAL BY-LAW**

The Council of the Corporation of the Township of Essa enacts as follows:

**1 DEFINITIONS**

- 1.1 "Act" means the Municipal Act, 2001, as amended from time to time.
- 1.2 "Ad Hoc Committee" means a special purpose Committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to the Council, unless otherwise directed by the Council.
- 1.3 "Agenda" means a list of all items prepared by the Clerk or Recording Secretary to be considered by Council, Committee or at a local board meeting.
- 1.4 "Adjourn" means to end the meeting. This motion requires a second, is not debatable, is not amendable, requires a majority vote for adoption and cannot be reconsidered.
- 1.5 "Advisory Committee" means a committee established by Council to advise on matters which Council has deemed appropriate for the Committee to consider.
- 1.6 "CAO" refers to the Chief Administrative Officer of the Township of Essa.
- 1.7 "Chair" shall mean the Mayor, Acting/Deputy Mayor, or other person appointed by a Committee or local board to preside over the meetings.
- 1.8 "Clerk" means the Clerk or Deputy Clerk of the Township of Essa or such person designated by the Clerk under Section 228(4) of the *Municipal Act*, or a person appointed by Council to perform the duties of the Clerk.
- 1.9 "Closed Session" shall mean a meeting or part of a meeting which is closed to the public when the subject matter being discussed complies with Section 239 of the *Municipal Act*, 2001.
- 1.10 "Committee" means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards.
- 1.11 "Confirmatory By-law" means a By-law of the Council that adopts all resolutions passed at a Council meeting.
- 1.12 "Consent Agenda" means a list of items or category of items on the Agenda containing recommendations from the Clerk or Recording Secretary as to their disposition, all of which may be adopted by one motion of the Council, committee or board, but any of which may be removed for a separate vote upon the request of a member.

- 1.13 "Council" means the Council of the Corporation of The Township of Essa.
- 1.14 "Councillor" means a person elected or appointed as a Member of Council of the Corporation of the Township of Essa.
- 1.15 "Defer" means to postpone all discussion on the matter until later in the same meeting or to a future date which is established as part of the motion.
- 1.16 "Delegation" means a person or group of persons who address Council on behalf of an individual or a group for the purpose of making a presentation to Council.
- 1.17 "Deputy Mayor" means the member of Council who has been elected by general vote as Deputy Mayor, and who, along with the Head of Council, also represents the Township of Essa at Simcoe County Council, and in the absence of the Head of Council, the Deputy Mayor shall Chair the Council meetings.
- 1.18 "Emergency" means situations or the threat of impending situations caused by forces of nature, accidents or an intentional act that constitutes a danger of major proportions to life and property that affect public safety; meaning health, welfare and property, as well as, the environment and economic health of the Township of Essa, as defined in the municipality's Emergency Response Plan.
- 1.19 "Head of Council" refers to the Mayor, whose role is to act as the Chief Executive Officer of the municipality, and to preside over council meetings.
- 1.20 "Local Board" means any local board as defined in the Municipal Act, 2001, as amended; or any subcommittee approved and appointed by Council, but does not include a Public Library Board or Police Services Board.
- 1.21 "Materially Advance" means to measurably or identifiably advance a matter.
- 1.22 "Mayor" means a member of Council who has been elected by a general vote as Mayor and in accordance with Section 225 of the Municipal Act, 2001 acts as Head of Council and the Chief Executive Officer of the Township of Essa; and, who, along with the Deputy Mayor, represents the Township of Essa at Simcoe County Council.
- 1.23 "Meeting" means any regular, special or other meeting of a council, local board, or of a committee of either of them, where a quorum of members is present; and, members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.
- 1.24 "Member" shall mean a person who is either elected as a member of Council or appointed by Council to act on a Committee or Local Board.
- 1.25 "Minutes" mean a record of the proceedings of Council or Committee that includes the place, date, time, name of Presiding Officer, list of members in attendance, evidence of quorum. Minutes will record the actions taken and decisions made by members of Council at the meeting, and shall be recorded without note or comment, in accordance with Section 239(7) of the *Municipal Act*, 2001.

- 1.26 "Motion" shall mean a resolution of Council, Committee or a Local Board.
- 1.27 "Municipal Act" shall mean the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended.
- 1.28 "Pecuniary Interest" includes a direct or indirect financial interest of a member, and the financial interest deemed to be that of a member, in accordance with the *Municipal Conflict of Interest Act*, 1990.
- 1.29 "Presiding Officer" means the person designated to Chair a Council or Committee meeting.
- 1.30 "Quorum" means the minimum number of required members required for the legal conduct of the business of Council or a Committee. In the case of Meetings of Council and Committee of the Whole, quorum is three (3) members physically being present.
- 1.31 "Recorded Vote" means the recording of the name and vote of every member on any matter or question, as requested by a voting member of Council or a Committee.
- 1.32 "Resolution" means a formal state of opinion adopted by the Council in accordance with these rules.
- 1.33 "Secretary" shall refer to the Clerk or Recording Secretary of any Committee other than Council and Committee of the Whole who is designated to prepare the agendas, resolutions and minutes.
- 1.34 "Special Meeting" means a meeting not scheduled in accordance with the approved schedule of meetings.
- 1.35 "Standing Committee" refers to the Finance and Administration, Planning and Development and Public Works Committees of Council which shall sit as Committee of the Whole.
- 1.36 "Subcommittee" means any advisory or other committee, subcommittee or similar entity of which at least 50 percent of the members are also members of one or more Councils, and who are appointed by Council.
- 1.37 "Township" means the Corporation of The Township of Essa.

## 2. TOWNSHIP RULES AND REGULATIONS

- 2.1 The rules and regulations contained herein shall be observed in all proceedings of Council and Committee of the Whole, and shall be the rules and regulations for the order and dispatch of business by Council, Committee of the Whole, its subcommittees and its local boards, with the exception of the Essa Public Library Board, the Nottawasaga Police Services Board, local school boards and the Nottawasaga Valley Conservation Authority.

- 2.2 Any procedures contained in this by-law that are discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present at the meeting, with the exception of the procedures set out for Closed Session, Conflict of Interest, or any other provision governed by the Municipal Act
- 2.3 No meeting of Council or Committee of the Whole shall be held in the absence of the Clerk or designate.
- 2.4 Except as provided in Sec. 18 herein, all meetings shall be open to the public.
- 2.5 Procedures contained in this by-law may be suspended by a majority vote of Council, Committee or a local board with the exception of the procedures set out for Closed session, Conflict of Interest, or any other provision governed by the *Municipal Act*.
- 2.6 Where a member has any declaration of pecuniary interest, direct or indirect in any matter, and is present at a meeting of Council at which the matter is the subject of consideration, the member shall act in accordance with the *Municipal Conflict of Interest Act*, 1990, and shall declare a conflict of interest. The member declaring the conflict shall comply with Section 9 of this By-law.
- 2.5 A Confirmation By-law shall be passed at the end of each regular meeting of Council to confirm the proceedings of the Council meeting, including the adoption of the minutes of the previous Council and Committee of the Whole meetings as presented, including their contents, motions and resolutions; and any reports approved by Committee of the Whole of the same date.
- 2.6 No other business of Council shall be dealt with at a meeting after the Confirmation By-law has been passed.
- 2.7 Where a procedure has not been established in this By-law, Council or a Committee or a Local Board shall refer to Roberts Rules of Order for guidance.
- 2.8 There shall be no electronic participation permitted in Council or Committee meetings.

#### Meetings During a Declared Emergency

- 2.8.1 While every effort shall be made by members of Council, Committees and local boards to attend meetings physically in person, in the event that an emergency has been declared to exist in all or part of the Township of Essa, or in accordance with provisions contained in Sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, a member of Council or a Committee or a local board may participate fully in a meeting by electronic means (via teleconference or video conference). This applies to members of Council, Committees and Local Boards and to their participation.
- 2.8.1.1 Electronic participation shall mean participation by teleconference or video conference.
- 2.8.1.2 Any member of Council participating by electronic means shall notify the Clerk at a minimum four (4) hours in advance of the meeting.

- 2.8.1.3 Where a State of Emergency has been declared as outlined in Section 2.8.1 above, electronic participation shall count towards quorum in accordance with section 238(3.3) of the Municipal Act, 2001, as amended by Bill 187.
  - 2.8.1.4 Votes cast by members electronically shall be counted towards the overall decision of Council.
  - 2.8.1.5 In the event of technical failure during the meeting, Council/Committee may take a recess of not more than ten (10) minutes to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.
- 2.9 Where a request has been made to provide a document or information to a person with a disability, the Township will take into consideration the communication needs of the person making the request, and shall endeavor to provide the information to the person in a format that takes into account the person's disability.

### 3. NOTIFICATION, TIME, LOCATION AND CALLING OF MEETINGS

#### 3.1 Public Notice of Meetings

- 3.1.1 Prior to the first meeting in each calendar year, Council shall establish a schedule of all regular Council meeting dates for such calendar year. The schedule shall include the date, time and location of the meetings, and shall be posted on the Township of Essa's website ([www.essatownship.on.ca](http://www.essatownship.on.ca)) at the beginning of each year. The meeting schedule is subject to change as necessary.
- 3.1.2 Notice of the Council meeting schedule, including the date, time and location of the meetings may be given in one or more of the following ways as deemed appropriate by the Clerk:
  - i. a resolution passed at a meeting open to the public (ie: Staff Report); or
  - ii. posting on the Township website ([www.essatownship.on.ca](http://www.essatownship.on.ca)); or,
  - iii. such other manner as deemed appropriate by the Recording Secretary.
- 3.1.3 Notice of changes to the meeting schedule, including the revised date, time and location shall be given at least 24 hours prior to the regularly scheduled meeting in at least one of the methods outlined in Sec. 3.1.2, as deemed appropriate by the Clerk.
- 3.1.4 Notice of a Special Meeting, including the date, time, location and in general terms the topic of the meeting shall be given at least 48 hours prior to the Special Meeting in at least one of the methods in Sec. 3.1.2, as deemed appropriate by the Clerk.
- 3.1.5 Notice of a Cancelled Meeting shall be given including the date, time and location of the cancelled meeting and, if applicable, the date, time and location of the re-scheduled meeting prior to the regularly scheduled time of

the meeting in at least one of the methods listed in sec. 3.1.2, as deemed appropriate by the Clerk.

3.1.6 No Public Notice is required for an Emergency Meeting.

3.2 Time and Date

3.2.1 Regular meetings of Council shall be held on the first and third Wednesday of each month following Committee of the Whole, which shall begin at 6:00 p.m. unless otherwise specified by Resolution of Council; and except when Wednesday is a statutory holiday, in which case the Council shall meet at the call of the Chair on a date which is not a public or civic holiday.

3.2.2 Every Committee of Council shall attempt to set a schedule of meetings in advance in order to allow and encourage public participation.

3.3 Location

3.3.1 All meetings of Council and Committee of the Whole shall be held in Council Chambers at the Essa Administration Centre located at 5786 County Road 21, or other location which may, from time to time, be agreed upon in advance by the majority of Council.

3.3.2 Any regular meeting of Council may be rescheduled by a motion passed at a previous meeting.

3.3.3 Council may establish a summer or holiday meeting schedule outlining dates and/or times other than the regular meeting schedule by passing a motion to this effect at a meeting preceding the commencement of such schedule.

3.4 Call to Order

3.4.1 The Mayor or Presiding Officer shall take the Chair and call the members to order within fifteen (15) minutes after the designated starting time of the meeting, provided that a quorum is present.

3.4.2 Subject to the provisions of the *Municipal Act*, 2001 where no presiding officer has been appointed under paragraph 4.4 of this By-law, in case the Head of Council does not attend within fifteen (15) minutes after the time appointed for a meeting of Council, the Clerk or Recording Secretary shall call the members to order and an acting Head of Council or Chair shall be appointed from among the members present and he or she shall preside until the arrival of the Head of Council or Chair and, while so presiding, the acting Head of Council or Chair shall have all the powers of the Head of Council or Chair.

3.5 Quorum

3.5.1 Three members of Council or Committee of the Whole being present, that is a simple majority of five, shall constitute a quorum.

- 3.5.2 A simple majority of the quorum is needed to pass any motion.
- 3.5.3 If the number of members who, by reason of the *Municipal Conflict of Interest Act*, R.S.O. 1990, Ch. M.50, are prohibited from participating in a meeting so that there is no quorum, despite any other Act, any number that is not less than one third of the total number of members of the Council or Board shall be deemed to constitute a quorum, but the number shall not be less than two.
- 3.5.6 When the remaining number of members under the paragraph above is two, the concurrent votes of both are necessary to carry any resolution, By-law or other measure.
- 3.5.7 If a quorum is not present within thirty (30) minutes after the time fixed for a regular meeting or special meeting, the Clerk or Secretary shall record the names of the Members present, and the Council or Committee shall stand adjourned until the next regular meeting, or special meeting, as the case may be.
- 3.5.8 If the Clerk becomes aware that a quorum of the members will not be available for a scheduled meeting, the Clerk shall notify the Mayor and make arrangements to cancel and/or reschedule the meeting to an alternate time, date and/or location.
- 3.5.9 The Mayor may cancel any meeting if s/he is of the opinion that weather conditions and/or an emergency situation warrants such cancellation for public safety or other similar reasons.

3.6 Inaugural Meeting

- 3.6.1 The Inaugural meeting of a newly elected Council shall take place no earlier than the first Wednesday following November 15<sup>th</sup>, but not later than 31 days after the new term commences.
- 3.6.2 The Mayor-elect and the Clerk shall decide on the date time and location, and shall be responsible for the content of the Agenda and the arrangements for the Inaugural Proceedings.
- 3.6.2 The first meeting of a newly elected Council after a regular election shall be held on the first Wednesday in December at 6:00 p.m.

3.7 Special Council Meetings

- 3.7.1 The Mayor may, at any time, summon a special meeting of the Council and it shall be the Mayor's duty to summon a special meeting whenever so requested in writing by a majority of the members of Council.
- 3.7.2 Upon receipt of a petition of the majority of the members of Council, the Clerk shall call a special meeting for the purpose and at the time mentioned in the petition.

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- 3.7.3 Notwithstanding the fact that every effort is made to provide a full account of matters to be discussed at a meeting and circulated in advance, the consideration of a matter not set out in the Notice of Special Meeting may be considered by a weighted vote of two-thirds of the whole Council in order to consider a matter of which notice has not been given.
- 3.7.4 Except in the case of a disaster or emergency, forty-eight (48) hours notice shall be given for all special meetings of Council. The notice calling a special meeting of the Council shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting.
- 3.7.5 It shall be the responsibility of the Clerk or designate to forward all notices and agendas for Council, Standing and Committee meetings and to post such Notice on the Township website.
- 3.7.6 Notwithstanding the above, if either the Mayor or the Clerk is satisfied that circumstances will not enable meetings of the Standing Committee to be duly held at the dates and times determined pursuant to the appropriate section of this By-law, either the Mayor or the Clerk may summon a special meeting of the Council, for which at least forty-eight hours' notice shall be given and which notice shall:
- i. state that the special meeting is being called to enable Council, in Committee of the Whole, to consider and report on current matters which would otherwise have come before the Standing Committee; and
  - ii. have attached details of such matters in substantially the same form and content as normally presented to the Standing Committee.

### 3.8 Adjournment

- a. The motion to adjourn a Council meeting shall include the time of adjournment along with the date and time of the next scheduled meeting.
- b. The hour for adjournment for a day meeting shall be no later than 5:00 p.m., and the hour of adjournment for evening meetings shall be no later than 11:00 p.m. The Council or Committee shall always be adjourned at these hours unless this rule is temporarily suspended by Resolution of the members present.
- c. A Resolution of Council is required to suspend these rules extending a meeting beyond 11:00 p.m.

## 4. **ROLES AND RESPONSIBILITIES**

### 4.1 Role of Council

In accordance with Section 224 of the Municipal Act, 2001, as amended, it is the role of Council to:

- a. Represent the public and to consider the wellbeing and interests of the municipality;
- b. Develop and evaluate the policies and programs of the municipality;
- c. Determine which services the municipality provides;

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- d. Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- e. Maintain the financial integrity of the municipality; and
- f. Carry out the duties of Council under the *Municipal Act*, S.O. 2001 as may be amended from time to time or any other Act.

#### 4.2 Role of Head of Council

4.2.1 In accordance with Section 225 of the *Municipal Act*, 2001, as amended, it is the role of the Head of Council to:

- a. Act as Chief Executive Officer of the municipality;
- b. Preside over Council meetings so that its business can be carried out efficiently and effectively;
- c. Provide leadership to Council;
- d. Without limiting clause (c), to provide information and recommendations to Council with respect to the role of Council as described in Section 4.1 of this By-law, and Section 224 of the *Municipal Act*, 2001, as amended.
- e. Represent the municipality at official functions;
- f. Carry out the duties of the Head of Council under the *Municipal Act* or any other Act.

#### 4.2.2 Head of Council as Chief Executive Officer

In accordance with Section 226.1 of the *Municipal Act*, 2001, as amended, it is the role of the Head of Council as the Chief Executive Officer to:

- a. Uphold and promote the purposes of the municipality;
- b. Promote public involvement in the municipality's activities;
- c. Act as the representative of the municipality both within and outside the Township, and promote the municipality locally, nationally and internationally; and
- d. Participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

#### 4.2.3 Duties of the Head of Council or Committee Chair

- a. To open the meeting of Council or Committee by taking the Chair and calling the members to order at the time specified on the agenda
- b. To announce the business before Council or Committee in the order in which it is to be acted upon.
- c. To receive and submit, in the proper manner, all motions presented by the Members of Council or the Committee.
- d. To put to vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings, and to announce the results.
- e. To decline to put to vote any motion which infringes on the Rules of Procedure.

- f. To restrain Members, within the Rules of Order, when engaged in debate..
- g. To enforce, on all occasions, the observance of order and decorum among Members.
- h. To call by name any Member persisting in breach of the Rules of Order of Council or the Committee, thereby ordering him/her to vacate the Council Chamber or meeting room.
- i. To maintain order and decorum by any and all persons present during the proceedings.
- j. To receive all messages and other communications and announce them to Council or the Committee.
- k. To authenticate by his/her signature all By-laws, Resolutions and Minutes of Council or the Committee.
- l. To represent and support Council or Committee, declaring its decisions in all things.
- m. To ensure that the decisions or recommendations of Council or Committee are in conformity with the laws and By-laws governing activities of Council or Committee.
- n. To adjourn the meeting without question in the case of grave disorder arising in the Council Chamber or meeting room.
- o. The Head of Council or other presiding officer may expel any person for improper conduct at a meeting.
- p. To wear the Chain of Office, at the Mayor's discretion.

#### 4.3 Duties of the Clerk or Recording Secretary

4.3.1 In accordance with Section 228(1) of the *Municipal Act*, 2001, as amended, a municipality shall appoint a Clerk whose duty it is to:

- a. Record, without note or comment, all resolutions, decisions and other proceedings of Council, Committee or Local Board;
- b. if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- c. to keep the originals or copies of all By-laws and of all minutes of the proceedings of the Council, Committee or Local Board;
- d. to perform the other duties required under the *Municipal Act*, S.O.2001, as may be amended from time to time, or under any other Act; and
- e. to perform other duties as are assigned by the Township or Local Board, including but not limited to:
  - i. preparation of the agenda, including recommendations on any Consent agenda
  - ii. preparation of Resolutions for Council, Committee or Local Board consideration
  - iii. recording of the names of the members, staff, consultants and the public in attendance at the meeting.

#### 4.4 Presiding Officer

4.4.1 In accordance with Section 241 (1) of the *Municipal Act*, the Mayor shall preside at all meetings of Council.

4.4.2 In the absence of the Mayor, or if the office is vacant, the Deputy Mayor shall take the Chair and preside during the absence or vacancy. In the absence of the Deputy Mayor, or if the office is vacant, the Council may appoint a Chair from among the members present who, during the absence or vacancy, shall have all the powers of the Head of Council.

4.4.3 The Chair will preside at Committee meetings and the Acting or Deputy Chair in his or her absence. In the absence of the Acting Chair, the Committee members will appoint a person from among those present, provided there is a quorum.

#### 4.5 Council Vacancies

4.5.1 In accordance with Section 259 of the *Municipal Act*, the office of a member of municipal council becomes vacant if the member:

- a. becomes disqualified from holding the office of a member of Council under Section 256, 257 or 258 of the *Municipal Act*, 2001
- b. fails to make the declaration of office before the deadline in Section 232
- c. is absent from the meetings of Council for three successive months without being authorized to do so by a resolution of Council
- d. resigns from his or her office, and the resignation is effective under Section 260
- e. is appointed or elected to fill any vacancy in any other office on the same Council
- f. has his or her office declared vacant in any judicial proceedings
- g. forfeits his or her office under this or any other Act, or
- h. dies, whether before or after accepting office and making the prescribed declarations.

4.5.2 In accordance with Section 259(1.1) of the *Municipal Act*, clause 4.5.1 (c) above does not apply to vacate the office of a member of council of a municipality who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

4.5.3 In accordance with Section 260 of the *Municipal Act*, a member of municipal council may resign from office by providing notice in writing, to be filed with the Clerk of the municipality, however, a resignation is not effective if it would reduce the number of members of the council to less than a quorum, and if the member resigning from office is a member of the upper tier council, the resignation is not effective if it would reduce the number of members of either council to less than quorum.

## 5 DELEGATIONS AND PRESENTATIONS

### 5.1 Request for Delegation

- a. Delegations and Presentations shall be made in Committee of the Whole, unless otherwise approved by the Head of Council. Except as provided by law, a person who is not a member of Council shall be permitted to make a delegation to Committee of the Whole in accordance with this By-law.
- b. Any person requesting a delegation or presentation shall submit the request in writing to the Clerk no later than 4:00 p.m. on the Wednesday prior to the meeting at which they wish to be heard. The written request shall state the nature of the business to be discussed and the person(s) named to make the delegation. Persons addressing Committee shall confine their remarks to the stated business. The letter of request for delegation shall be circulated with the Committee of the Whole agenda.
- c. No member of the public shall be permitted to address Committee on any subject without the prior approval of the Clerk through the process of a written request, or unless they are directly invited to do so by the Mayor.
- d. No delegation may be scheduled for a closed session, nor shall delegations be permitted regarding any specific personnel matters where an individual may be identified.
- e. All delegations shall take place during Committee of the Whole. Only a delegation which is in opposition to a Committee recommendation shall be permitted in Council. A person wishing to address Committee may speak, with the leave of Committee, for up to ten (10) minutes, and successive extensions of ten minutes may be granted by the Mayor or designate.
- f. The Clerk shall be empowered to refer requests made of Council by deputation to appropriate Committees as deemed necessary.
- g. A delegation of more than five persons shall be limited to two speakers, and each speaker limited to no more than ten minutes each.
- h. When a request to appear is received after the agenda has been printed and distributed, or when the agenda already includes a total of three delegations or presentations, or when a previously scheduled delegation or presentation will take an inordinate amount of time, the Clerk may schedule the delegation for a future meeting. In the event that the matter is of a time sensitive nature, the Clerk shall refer the request to the Mayor and a delegation may be scheduled at a Special Meeting at the discretion of the Mayor.
- i. In the case of an emergency, a person wishing to address Council concerning an item on the agenda may request a delegation through the Clerk before the Council meeting begins. The Clerk will advise the Mayor of the request and the Mayor will call for a vote of the Council to waive the rules for delegations to allow the person to speak and upon a majority vote in the affirmative, the person will be permitted to address Council.
- j. Delegations by any member of the public relating to specific personnel matters shall not be permitted at a meeting open to the public.

- k. No delegation by a member of the public may be scheduled during a closed session.

## 5.2 Previous Delegations

- a. Requests from persons who have previously addressed Council or Committee at a regular or public meeting within the last six months on a particular item shall not be granted unless there is new information to present, in addition to what they have previously presented. Such proof shall be submitted to the Clerk, in writing, no later than 4:00 pm on the Wednesday preceding the scheduled meeting. If, in the opinion of the Clerk, the written submission does not provide any new information, the request shall be denied.
- b. The Clerk may, at their discretion, forward the request for a second delegation to the Mayor for review to determine whether the delegation may be allowed. If the Mayor does not believe the written submission provides new information, the submission shall be provided to Council as an information item.

## 5.3 Planning Issues

When a request for delegation pertains to an application under the *Planning Act* that has been or will be recommended to Committee through a staff report, the delegation shall be scheduled for the meeting where Committee will receive the recommendation of the Planner, subject to the limitations indicated above.

## 5.4 Presentations

- a. A person may appear before Council for the purpose of presenting or receiving a gift or recognition provided that the person or their representative submits a request in writing to the Clerk describing the nature and purpose of the presentation.
- b. Notwithstanding item 5.4 (a) above, Council may, at its discretion, refuse to permit a presentation.

## 5.5 Request to Local Boards

Any person wishing to appear as a delegation before a subcommittee or local board must give notice in writing, including the subject matter of the delegation, to the Secretary not later than 12 noon, one week (7 days) prior to the regular local board meeting so that notice of such delegation can be shown on the agenda.

## 5.6 Conduct during Delegations

- a. No member of Council shall interrupt the person making a delegation while they are addressing Committee, except on a point of order, or if the Mayor deems it necessary to advise them of the time limitation.
- b. Members of Council may ask questions of the person(s) making the delegation following completion of the delegation, but shall not enter into debate with the person(s).

- c. Upon completion of the delegation, Committee shall consider any report for discussion pertaining to the matter and determine, by resolution, an appropriate course of action.
- d. Any individual or group making delegations before Committee or a local board shall conduct themselves with decorum at all times and shall refrain from using any slanderous or abusive statements or behaviour.
- e. If the Mayor determines that decorum has been breached, the delegation will be immediately stopped and the offender provided an opportunity to retract their statements and apologize to Committee.
- f. Any member of the public who repeatedly interrupts Committee or Council proceedings and/or interjects without being invited to do so, who breaches decorum, or refuses to apologize or retract statements found to be offensive, shall be requested by the Mayor to cease and desist. If the person(s) does not comply after being warned, the Mayor shall recess the meeting until the individual(s) leaves the Chambers, or until a peace officer removes the offender from the Council Chambers, after which time the meeting may be reconvened.

## 6. COMMITTEE OF THE WHOLE

- 6.1 Council hereby delegates the duties and responsibilities of the Standing Committees to Committee of the Whole, to be comprised of all the members of Council and Chaired by the Mayor. Committee of the Whole encompasses the duties and responsibilities of the Planning, Finance and Administration, and Public Works Committees.
- 6.2 In delegating the duties of the Planning Committee to Committee of the Whole, Council delegates the authority to approve matters dealt with under the *Planning Act*.
- 6.3 Notwithstanding the above statement, Council may continue to exercise the delegated powers and duties despite the delegation.
- 6.4 Any motions concerning matters within the delegated powers under this section shall be deemed to be the proceedings of Council and shall take force and effect upon their approval.
- 6.5 Any motions concerning matters not within the delegated powers shall take the form of a recommendation to Council and shall not take force and effect until approved by Council.
- 6.6 Council is not authorized to delegate any of the following powers and duties to any Committee or Local Board, or to any individual or group:
  - a. To appoint or remove statutory officers of the municipality from office;
  - b. To pass a by-law and deal with issues regarding taxes;
  - c. To incorporate corporations;
  - d. To adopt an official plan or an amendment to an official plan under the *Planning Act*;
  - e. To pass a zoning by-law under the *Planning Act*;
  - f. To pass a by-law related to small business counseling and municipal capital facilities;
  - g. To adopt a community improvement plan;

- h. To adopt or amend the municipal budget;
- i. Any other power that may be prescribed.

The Province restricts the right to revoke any delegated powers at any time.

- 6.7 When it appears that any matter may be more conveniently considered in Committee of the Whole, Council may, by Resolution, dissolve into Committee of the Whole. The proceedings taken in Committee, when adopted by Council, shall be deemed to be proceedings of Council.
- 6.8 The Head of Council shall preside over Committee of the Whole or may designate another member to preside.
- 6.9 All resolutions and decisions approved as presented by Committee of the Whole shall be ratified by the passing of the Confirmation By-law at the end of each Council meeting.

6.10 Standing Committees

The Standing Committees of Finance, Planning and Development and Public Works are hereby established and all members of Council shall be members of the committee. Standing Committees shall meet as Committee of the Whole.

6.11 Advisory Committees

- 6.11.1 Council may, from time to time, establish by by-law an Advisory or Ad Hoc Committee under the *Municipal Act* or any other Act. The Advisory Committee shall advise Council on the specific matters set out in the appointment by-law and to make recommendations to Council for this purpose.
- 6.11.2 The appointment by-law shall include the names of the members of Council and any members of the public appointed to the Advisory Committee.
- 6.11.3 The term of the Advisory Committee shall coincide with, and shall not exceed, the term of Council.
- 6.11.4 The Chair for each Special Committee shall be as designated by Council. An Ad Hoc Committee may make a written report to Council on their findings, and may make recommendations for Council's approval.
- 6.11.5 Despite the above provisions, the Mayor may, at their discretion, assume the Chair at any meeting of an advisory committee, for the purpose of conducting that particular meeting.
- 6.11.6 When specifically delegated by Council, an Advisory Committee may oversee Township operations or projects within an approved budget and/or Township policy.
- 6.11.7 Advisory Committees shall not have the power to waive Township policy, expend any funds not approved in the budget, establish any fees, or bind Council or the Corporation.

## 7. APPOINTMENTS

- 7.1 Before December 31 of an election year, the Mayor shall appoint members of Council to the various Standing and Subcommittees, Boards and Special Purpose Bodies after consulting with the members.
- 7.2 The Clerk shall advertise for members of the public to serve on the Committees and Boards appointed by Council. Said advertisement shall take the form of a notice including the name of the Committee or Board, and the number of members of the public to be appointed. This notice shall be advertised in one or more local newspapers, on the Township website, and posted at all Township facilities, or any other means deemed appropriate by the Clerk.
- 7.3 Application to sit on a subcommittee or advisory committee of Council shall be made on the form provided by the Clerk at various locations and on the Township website. Completed forms must be returned to the Clerk by the specified deadline in order to be considered for appointment and to ensure the equity and objectivity of each appointment.
- 7.4 The incoming Council will review the application forms at their first regular meeting and make recommendations and appointments accordingly.

## 8. RULES OF CONDUCT AND DEBATE

### 8.1 Role of the Chair

The Chair of a Committee or Board shall, in directing the course of the debate:

- a. Designate the member who has the floor when two or more members wish to speak;
- b. Preserve order and decide questions of order;
- c. Receive all motions presented in writing before permitting debate on the question except when otherwise provided for in this By-law.

### 8.2 Conduct

Members of Council, Committees or a Local Board shall adhere to the Council Code of Conduct, and shall not:

- a. Speak disrespectfully of the Reigning Sovereign or of any of the Royal Family, or of the Governor General, the Lieutenant-Governor of any Province, or any person administering the Government of Canada or the Province of Ontario;
- b. Use offensive, insulting or indecent words or unparliamentary language in or against the Council or Committee or against any member;
- c. Speak or address the subject in debate without first requesting to speak and then being recognized by the Mayor or Chair and given permission to speak;
- d. Speak on any subject other than the subject in debate without the permission of the Mayor or Chair;
- e. Address another member of Council, a member of Township staff, or a person making a delegation or member of the gallery directly without first

being recognized by the Mayor, then addressing that person through the Mayor;

- f. Speak more than once to the same question, except:
  - i. upon consideration of a report from a Committee to which it was referred by Council after being properly introduced and debated, but not determined;
  - ii in explanation of a material part of his or her speech which may have been interpreted incorrectly; or
  - iii with leave of Council, after all other members so desiring have spoken; or
  - iv a reply may be allowed by leave of the Council to the member who presented the motion; in which case s/he shall speak for no longer than a five minutes period without leave of Council;
- g. Ask a question except of the previous speaker and in relation to that speaker's remarks;
- h. Interrupt the Member who has the floor except to raise a point of order
- i. Criticize any decision of the Council except for the purpose of moving in accordance with provisions wherein a question may be reconsidered;
- j. Disobey the Rules of Council, or a decision of the Mayor or of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and in the case where a member persists in any such disobedience after having been called to order by the Mayor, the Mayor shall forthwith put the question, no amendment, adjournment or debate being allowed, "that such member be ordered to leave his/her seat for the duration of the meeting of Council", but if the member apologized he/she may, by vote of the Council, be permitted to retake his/her seat.
- k. Leave their seat or make any noise or disturbance while the presiding officer is putting a question, and shall occupy his/her seat while a vote is being taken and shall remain seated until the results of said vote are declared.
- l. Reveal publicly the substance of any matter dealt with in closed session.

#### 8.3 Any Member of Council:

- a. May request the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking;
- b. May appeal the decision of the Presiding Officer on a point of order to the Council, which shall decide the question without debate upon a majority vote of the Members present;
- c. Shall restrict debate to each proposal in its turn when a question has been divided upon leave of Council.

#### 8.4 Oral Motions

The following matters and motions with respect thereto may be introduced verbally without written notice and without leave, except as otherwise provided by these Rules of Procedure:

- a. a point of order or personal privilege
- b. presentation of petitions
- c. to lay on the table
- d. to postpone indefinitely or to a particular day
- e. to move the previous question.

#### 8.5 Motion to Suspend the Rules

A motion to suspend the Rules of Procedure may be introduced without notice and without leave, but such motions shall be in writing and signed by a mover and seconder.

#### 8.6 Sole Arbiter

The Head of Council or Chair is the sole arbiter of all points of procedure, subject to an appeal to the complete Council or Committee.

### 9. **DISCLOSURE OF PECUNIARY INTEREST**

#### 9.1 Compliance with the *Municipal Conflict of Interest Act*

Every member of Council, Committee or a Local Board as defined by the *Municipal Conflict of Interest Act*, as may be amended from time to time, shall comply with the provisions of the *Municipal Conflict of Interest Act* including the declaration of any pecuniary interest as prescribed by the Act.

#### 9.2 Declaration of Pecuniary Interest & General Nature thereof

Where a member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of Council, Committee or a Local Board at which the matter is the subject of consideration, the member shall:

- a. at the beginning of each meeting and prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b. not take part in the discussion of, or vote on any question in respect of the matter; and
- c. not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

#### 9.3 Member may leave Open Meeting

Any member declaring a pecuniary interest may, at his or her discretion, leave the meeting until Council, Committee or the Local Board has dealt with the matter in relation to which the interest has been declared.

#### 9.4 Member required to leave Closed Meeting

Notwithstanding Section 9.3 above, when the meeting is in Closed Session, a member who has declared a Conflict of Interest shall forthwith leave the meeting or part of the meeting during which the matter in relation to which the interest has been declared is under consideration by Council, Committee or the Local Board. The Clerk shall record in the Minutes the time the member left and returned to closed session.

#### 9.5 Declaration by Member absent from Prior Meeting

Where the interest of a member has not been disclosed by reason of the member's absence from the meeting, the member shall disclose the interest at

the first meeting of the Council, Committee or the Local Board as the case may be, attended by the member after the meeting at which the matter was considered.

#### 9.6 Recording

In accordance with Section 6 of the *Conflict of Interest Act*, any declarations of pecuniary interest including the general nature thereof, shall be recorded in the minutes by the Clerk or Recording Secretary. In the event that a member declares an interest during closed session, the member shall affirm their declaration of interest immediately after the motion to arise and the Clerk or Recording Secretary shall record the declaration in the minutes.

### 10. CONDUCT OF ATTENDEES AND GUESTS

- 10.1 No person shall be permitted within the enclosure occupied by the Council except a member of the Council or staff, unless by permission or by invitation of the Mayor.
- 10.2 At meetings of Council and Committee of the Whole, the use of cameras, electric lighting equipment, television cameras and any other device of mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by accredited and other representatives of any news media is permitted.
- 10.3 Upon the approval of the Head of Council, members of the public may be permitted to use cameras, flash bulbs, recording equipment, cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings. Use of such equipment without the express consent of the Head of Council may result in a suspension of the proceedings, or a request for removal from the Chambers.

### 11. AGENDAS

- 11.1 The Clerk shall prepare and print for the use of members of Committee of the Whole an agenda under the following headings:
  - 1. Opening of the Meeting by the Mayor / Chair
  - 2. Declaration of Pecuniary Interest
  - 3. Delegations / Presentations / Public Meetings - specifying the time of eachStaff Reports shall follow in the following sequence:
  - 4. Planning and Development / Building Department
  - 5. Parks and Recreation / Community Services
  - 6. Fire and Emergency Services
  - 7. Finance
  - 8. Public Works
  - 9. Clerks / By-law Enforcement / IT
  - 10. Chief Administrative Officer
  - 11. Other Business
  - 12. Adjournment

11.2 In the event that any agenda item is also the subject of a delegation or presentation, the item may be brought forward to the beginning of the agenda in order that Committee may receive the delegation and discuss the matter immediately following the delegation or presentation, at the discretion of the Chair.

11.3 The Clerk shall have prepared and printed for the use of the Members at Regular Council meetings an agenda under the following headings:

1. Opening of the Meeting by the Mayor
2. Disclosure of Pecuniary Interest
3. Adoption of Minutes of Previous Meeting
4. Consent Agenda
5. Committee Reports
6. Petitions
7. Motions and Notices of Motion
8. Unfinished Business
9. By-laws
10. Questions
11. Closed Session
12. Confirmation By-law
13. Adjournment

11.4 Addendum

11.4.1 Any item which is not on the agenda as printed, but has been determined by the Clerk to be of a nature which requires Council's attention prior to the next scheduled meeting, may be added by addendum at the discretion of the Clerk.

11.4.2 Any addendum shall be posted on the Township website at the earliest opportunity prior to the meeting in order to provide public notification of items to be discussed.

11.4.3 Any items brought forward by other means shall require a majority vote of the members present to be added to the agenda.

11.5 Order of Business

The order of business as stated above may be taken out of order at the discretion of the Clerk when preparing the Council agenda. Items on the Council agenda may be taken out of order at the meeting at the discretion of the Mayor.

## 12. **CORRESPONDENCE CONSENT AGENDA**

12.1 The Clerk shall determine whether items of correspondence addressed to Council received prior to the preparation of the agenda will be included as Information Items or Correspondence on the Agenda.

12.2 The Clerk shall provide a recommendation for the disposition of all correspondence or authorize such action as recommended by staff in the draft response. The Clerk's recommendations for the disposition of the correspondence and/or response shall be received and approved under one motion.

- 12.3 Upon the presentation of the motion and prior to its approval, any item of correspondence may be the subject of limited discussion. If any member of Council disagrees with the Clerk's recommendation, Council may briefly discuss the matter and if a consensus is reached, may revise the wording of the recommendation. If a consensus of Council does not agree to revise the recommendation, an individual member may request that the correspondence motion be brought forward with the exception of that item in order that a separate vote may be held.
- 12.4. In the event that a correspondence item is pulled for a separate vote, a motion based on the clerk's recommendation shall come forward immediately following the passage of the correspondence motion. The separate motion may be debated, amended, referred, deferred or recorded in accordance with the provisions set out herein.
- 12.5 Prior to Council consideration, resolutions for endorsement shall be referred to in the appropriate senior staff member who shall determine whether the matter warrants a report and recommendation to Council. It shall be a policy of the Township not to consider proclamations or resolutions dealing with matters outside the municipal jurisdiction.

### **13 MINUTES**

- 13.1 The Minutes of Council, Committee or a Local Board shall record:
- a. The place, date and time of meeting;
  - b. The name of the Presiding Officer or officers, and record the attendance of the members and the staff and any invited guests present;
  - c. The reading, if requested, correction and adoption of the minutes of prior meetings; and
  - d. All other proceedings of the meeting without note or comment.

### **14 PETITIONS AND COMMUNICATIONS**

- 14.1 Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person, including address and telephone number, and filed with the Clerk.
- 14.2 Persons desiring to present information verbally on matters of fact or make a request of Council shall give notice in writing to the Clerk no later than the Wednesday preceding the commencement of the regular meetings of Council/Committee of the Whole, and may be heard by leave of the Presiding Officer of Council or Committee, but shall be limited in speaking to not more than ten (10) minutes; except that a delegation consisting of more than five (5) persons shall be limited to two speakers, each limited to speaking not more than ten (10) minutes each. The Clerk shall be advised in writing as to the topic to be discussed. The Clerk shall be empowered to refer requests made of Council by delegation to appropriate committees as deemed necessary.

**15 BY-LAWS**

- 15.1 By-laws for the Township of Essa shall be presented in draft form until they have been adopted by Council.
- 15.2 The adoption of multiple By-laws presented to Council, with the exception of the Confirmatory By-law, may be the subject of one motion, the resolution reading as:
- BE IT RESOLVED THAT By-law Nos . x,xx,xxx,xxx be read a first, and taken as read a second and third time and finally passed.**
- 15.3 At the request of any member, prior to the vote for adoption, By-laws may be discussed or voted on individually.
- 15.4 No By-law may be defeated on the floor of Council without reconsideration of the original matter/motion which gave rise to consideration of the By-law.
- 15.5 The proceedings at every meeting of Council shall be confirmed by By-law so that every decision of Council at that meeting, and every resolution thereof, shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.
- 15.6 The Clerk is authorized to make such minor deletions, additions or other grammatical and clerical errors or changes in form to any By-law before same is signed and sealed, for the purpose of ensuring correct and complete implementation of the actions of Council forming the subject matter of the By-law.
- 15.7 Amendments to By-laws approved by Council shall be deemed to be incorporated into the By-law upon passage of the amending By-law, of which the amendments shall be inserted by the Clerk.
- 15.8 Every By-law enacted by Council shall be signed by the Mayor or the member who presided as Chair at the meeting, and the Clerk or his/her designate. The Corporate Seal shall be affixed to the By-law, and the By-law shall be numbered, dated and retained in the Clerk's Office.
- 15.9 A Confirmation By-law shall be passed at each meeting to confirm the decisions of Council or any decisions of a Committee delegated by Council. A confirmation by-law shall be listed on the Regular Council Agenda as the last item for Council consideration prior to Adjournment.

**16. MOTIONS AND RESOLUTIONS**

- 16.1 A member may introduce a motion regarding a matter that would not otherwise be considered by Council by delivering a written copy of the draft resolution signed by the Mover and Second to the clerk no later than 12:00 noon on the Wednesday preceding a Regular Council meeting, or by presenting the draft Resolution to the Clerk at a Regular Council meeting under the Notice of Motion section.
- 16.2 Upon receipt of a Notice of Motion, the Clerk shall print the draft Resolution in full on the agenda for the next Regular Council meeting.

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- 16.3 No motion shall be debated upon or put forward unless it has been written, moved and seconded.
- 16.4 After a resolution has been received and/or read by the Mayor or Presiding Officer, it shall be deemed to be in the possession of the Council but may, with the majority consent of members present, be withdrawn by the mover prior to discussion or amendment or prior to voting.
- 16.5 A motion to amend:
- a) Shall be presented in writing;
  - b) shall receive disposition of Council before a previous amendment or the question;
  - c) shall be relevant to the question to be received;
  - d) may propose a separate and distinct disposition of a question;
  - e) shall be put in the reverse order to that in which it is moved.
- 16.6 All motions must be moved and seconded with the exception of a motion to adjourn, which does not require a seconder.
- 16.7 Each member of Council or a committee may address the subject matter of the motion. Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt any other member while speaking. Only members may speak during the time between the call for discussion by the Chair, and the conclusion of the vote on the motion. The clerk, CAO or other staff member may address Council or a committee to clarify the issues pertaining to the subject matter of the motion, or to provide additional information pertaining thereto.
- 16.8 After discussion, a motion on the floor may be altered by a Friendly Amendment with the approval of the mover and seconder, and with the agreement of the majority of members. If a majority do not indicate their support of a friendly amendment, a formal motion to amend may be brought forward.
- 16.9 A motion may be withdrawn by the mover with the agreement of the seconder. After a motion is read or stated by the Mayor or Chair, it shall be deemed to be in possession of Council or the committee but may, with the permission of the mover and seconder, be withdrawn at any time before decision or amendment.
- 16.10 In the event that the majority of Council or a committee determine they have inadequate information to be able to vote on a particular issue, the Chair may mark the motion "Tabled" and the said motion shall appear as an item of business on the agenda for the next and each subsequent regular meeting until a decision has been reached.
- 16.11 A motion to Reconsider may be introduced by any member and must duly seconded. A motion to Reconsider is not debatable and is subject to the following:
- a. If a motion to reconsider is brought forward at the same meeting when the original motion was considered, a two-thirds majority of the members is required to pass the motion to reconsider.

- b. If a motion to reconsider is brought forward at a subsequent Council or Committee meeting, a majority of the members is required to pass the motion to reconsider.
  - c. The original motion cannot be brought forward for reconsideration more than once unless the substance of the motion has been materially changed.
  - d. A motion to reconsider is not subject to debate, amendment or reconsideration and cannot be tabled or referred.
  - e. Where a member of Council or a Committee has been named in any legal action related to a matter for reconsideration, no vote for reconsideration shall be taken until the action has been resolved.
  - f. No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided.
  - g. A motion to reconsider suspends action on the motion to which it applies until it has been decided.
  - h. If the action approved in the main motion cannot be reversed, the motion cannot be reconsidered.
  - i. The following motions cannot be reconsidered:
    - i. a motion to adjourn
    - ii. a motion to recess
    - iii. a motion to suspend the Rules
    - iv. a motion to reconsider
    - v. a motion to postpone indefinitely which has been lost
- 16.12 Immediately preceding the taking of the vote, the Mayor or Presiding Officer may state the question in the form introduced and shall do so if required by a member, except when a motion for the previous question has been resolved in the affirmative. He shall state the question in the precise form in which it will be recorded in the minutes.
- 16.13 After a question is finally put by the Mayor or Presiding Officer, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 16.14 The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing, or otherwise.

## 17. VOTING

- 17.1 An affirmative vote by the majority of the members present is required to pass a motion.
- 17.2 When the Chair calls the vote, each member present will vote by raising their hand to indicate their agreement or disagreement with the motion on the table.

- 17.3 Except where disqualified to vote by reason of interest or otherwise, the Chair shall vote at the same time as the other members on all questions.
- 17.4 Upon completion of the vote the Chair shall declare whether the motion was carried or defeated.
- 17.5 A refusal to vote shall be taken as a vote in the negative. Abstentions are not permitted.
- 17.6 Any motion on which there is an equality of votes shall be deemed to be defeated.

17.7 Recorded Vote

- 17.7.1 When a member present requests a recorded vote immediately prior to or immediately subsequent to the taking of the vote, all Members present at the Council or Committee meeting must vote in alphabetical order followed by the Deputy Mayor and Mayor unless otherwise prohibited by statute. The names of those who voted for, and who voted against, shall be noted in the minutes. The Clerk shall announce the results.
- 17.7.2 When a question is tabled and a recorded vote taken, any member who does not vote shall be deemed as voting in the negative, except where s/he is prohibited by statute from voting.

17.8 No Other Voting Methods

No vote shall be taken by ballot or by any other method of secret voting.

17.9 Motions introduced verbally

- a. The following matters and motions with respect thereto may be introduced verbally without written notice and without leave, except as otherwise provided by these Rules of Procedure:
- i a point of order or personal privilege;
  - ii presentations or petitions;
  - iii to lay on the table;
  - iv to postpone indefinitely or to a day certain;
  - v to move the previous question.

17.10 Motions introduced in Writing

- a. The following motions may be introduced without notice and without leave, but such motions shall be in writing and signed:
- i motion to refer
  - ii to adjourn
  - iii to amend
  - iv to suspend the Rules of Procedure

- b. Except as provided in Item 4 above, all motions shall be in writing and signed by the mover and seconder.

## 18. CLOSED SESSION

- 18.1 Except as provided in this section, all meetings shall be open to the public.
- 18.2 Council, Committee or a Local Board may go into Closed Session, referred to as In Camera, by the passing of a motion which shall state:
  - a. the fact of holding the in camera session
  - b. the general nature of the matters to be considered during the Closed Session as provided in the *Municipal Act*.
- 18.3 Upon passage of a motion as above, all members of the media and the public shall be required to leave the room. The Recording Secretary and any members of staff or consultants required for the purpose of the deliberations may be requested to attend the closed session.
- 18.4 Reasons for Closed Session
  - 18.4.1 In accordance with Section 239(2) of the Municipal Act, a meeting or part of a meeting may be closed to the public if the subject matter being considered is:
    - a. The security of the property of the Township or Local Board;
    - b. Personal matters about an identifiable individual including Township or Local Board employees;
    - c. A proposed or pending acquisition or disposition of land for Township or Local Board purposes;
    - d. Labour relations or employee negotiations;
    - e. Litigation or potential litigation, including matters before administrative tribunals affecting the municipality of local board;
    - f. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
    - g. A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
    - h. information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
    - i. a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
    - j. a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
    - k. a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board

#### 18.4.2 Other Criteria

In accordance with Section 239(3) of the Municipal Act, a meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- a. a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- b. an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) or the investigator referred to in subsection 239.2 (1) of the Municipal Act 2001, as amended.

In the event that an investigation has determined that a meeting or part of a meeting that was the subject matter of an investigation appears to have been closed to the public contrary to Section 239 of the Municipal Act, 2001, as amended, or to a Procedure By-law under subsection 238 (2) of the Act, the municipality or the local board, as the case may be, shall pass a resolution stating how it intends to address the report.

#### 18.4.3 Educational or Training Sessions

A meeting of Council, Local Board or Committee or of a Committee of either of them may be closed to the public if the following conditions are both satisfied:

- a. The meeting is held for the purpose of education or training the members; and
- b. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.

#### 18.5 Recording

No minutes shall be recorded in Closed Session.

#### 18.6 No Closed Vote

18.6.1 A meeting shall not be closed to the public during the taking of a vote.

18.6.2 Despite paragraph 15.6.1, no vote shall be taken in the closed session with the exception of a motion to extend the hour of adjournment, and any such motion passed In Camera shall be recorded in the minutes. Any matters considered during the in camera session, including directions to officer, employees or agents shall be brought forward and voted upon when Council rises from the closed session.

18.6.3 Notwithstanding 15.6.2, Council may vote during the closed session if such a vote is for a procedural matter or for giving direction or instructions to officers, employees or agents of the municipality, or persons retained

by or under a contract with the municipality or local board, in accordance with Sec. 239(6) of the *Municipal Act*, 2001.

18.6.4 Subject to the *Municipal Freedom of Information and Protection of Privacy Act*, no member of the current Council, or a former Council, shall disclose any personal information or other information which reveals the substance of deliberations of Council in closed session. Any current or former member who discloses such information may be subject to the penalty provisions under the Act.

18.6.5 Any recommendation or direction arising from the closed session shall be in the form of motions and shall come forward immediately upon rising. Each motion shall identify the general nature of discussion and instructions without revealing any confidential security, personal, personnel or legal matters.

## **19. ADMINISTRATIVE AUTHORITY OF THE CLERK**

19.1 The Clerk is authorized to amend by-laws, minutes and other Council and Committee documentation for technical, typographical or other administrative errors or omissions for the purpose of ensuring an accurate and complete record of the proceedings. This shall only be done where the intent of the By-law, minutes, and other Council and Committee documentation is not altered by the amendment, and the Clerk shall submit a report to Council to outline the housekeeping amendment.

## **20. INTERPRETATION**

- 20.1 Words used in the singular shall have corresponding meanings when used in the plural.
- 20.2 "May" shall be construed as permissive.
- 20.3 "Shall" shall be construed as imperative.
- 20.4 Unless the contrary intention appears in this by-law, words importing the masculine gender only shall include females as well as males and the converse.
- 20.5 Where any expression of time occurs or where any hour or other period of time is stated, the time referred to shall be standard time, provided however, if what is known as "daylight saving time" has been generally adopted in the regional area for any period of the year such time shall be the time referred to during such period in any reference to time in this by-law.
- 20.6 This By-law shall be cited as the "Procedural By-law".

## **21. REPEALS**

- 21.1 THAT this By-law shall take force effective January 1, 2018.
- 21.2 THAT By-law No. 2007-80 be and is hereby repealed effective January 1, 2018.



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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** C011-25  
**DATE:** September 3, 2025  
**TO:** Committee of the Whole  
**FROM:** Sarah Corbett, Acting Clerk  
**SUBJECT:** Public Participation During Council Meeting

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### RECOMMENDATION

That Staff Report C011-24 be received for information.

### BACKGROUND

Section 238 of the *Municipal Act*, 2001, S.O.2001, c.25, requires that every municipality pass a procedure by-law for governing the calling, place and proceedings of meetings. Essa's current Procedural By-law 2017-77 was passed by Council at its meeting of December 20, 2017, with amendments having been passed by Council in 2019, 2020, 2021, and 2024. (see Attachment No. 1 for a copy of Essa's consolidated Procedural By-law 2017-77). It applies to Council, Committees and Local Boards, and provides members and the public with rules surrounding conduct during meetings.

Council of the Township of Essa at its meeting held on June 18, 2025, directed staff to investigate the following in regard to its Procedural By-law:

- The reduction of Committee of the Whole and Council Meetings held each month.
- The consideration of the addition of a Public Participation to Committee of the Whole Meetings.
- The availability and cost of the addition to livestream Committee of the Whole and Council Meetings.

In this report, while only consideration of the addition of a Public Participation portion to Committee of the Whole Meetings is being addressed, a brief discussion is provided on the availability and cost of the addition to livestream Committee of the Whole and Council Meetings as it relates to Public Participation.

### COMMENTS AND CONSIDERATIONS

While the Township of Essa's current Procedural By-law does not specifically allow Open Forum during Committee of the Whole Meetings at this time. However, there are several ways that the public participation with Council is encouraged. This includes:

- Open Council and Committee Meetings
- Public Meetings for Planning, Master plans and other legislative matters
- Submission of a Delegation Request to the Clerks Office for inclusion on the Committee of the Whole Agenda. Doing so gives individuals or community groups

the opportunity to speak directly to elected officials and allows elected officials the opportunity to prepare to address:

- Submitted questions
- Funding Requests and sponsorship opportunities
- Bringing a specific item to the attention of Council
- Reaching out to Council via mail, telephone or email as listed on our website.
- Topic-specific workshops and Online surveys
- Pop-up information booths at Community Events

Many Municipalities are restricting or eliminating an Open Forum or Public Participation portion during Committee of the Whole and Council Meetings. Many of the restrictions include:

- Delegation period is limited to 5 minutes per person with a 15-minute total.
- Questions must pertain to a matter on the Committee of the Whole or Council Meeting Agenda.
- No decisions are made as a result of a any discussion during Open Forum

The following items are not permitted during Open Forum:

- Discussion and complaints against Members or Town staff;
- Discussion that is contrary to the Municipal Freedom of Information and Protection of Privacy Act;
- Matters before the courts or pending litigation;
- Matters involving insurance claims or pending claims by or against the Municipality;
- Matters beyond the jurisdiction of Council or the Town; and
- Requests for grants and donations.

Some of the challenges that are seen by Municipal Council's that participate in an Open Forum format on their meeting Agenda often encounter the following:

- Time overruns and off topic discussions.
- Challenges ensuring decorum during meetings may be challenging for the Chair.
- Dominance by vocal minorities and underrepresented groups may still struggle to have their voice heard.
- Increase of legal and liability risks.
- Confidentiality of sensitive discussions could be inadvertently exposed.
- May raise issues outside Council's jurisdiction or the meeting scope leaving the delegator frustrated at process.
- Lack of advance notice can leave staff and Councillors unprepared
- Tracking commitments made during Open Forum requires additional staff time
- Lack of a formal policy can lead to inconsistency in how forum items are handled
- Councils must walk the line between meaningful engagement and tokenism

In conclusion, the submission of delegation requests provides Council with serious, informed, and documented input that supports effective governance. In contrast, a five-minute open mic format may result in unstructured, inequitable, and less impactful participation, along with uninformed comments that can diminish the professionalism of Council meetings and increase the potential for liability and/or emotional outbursts.

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Staff are continuing to improve visibility and overall customer service by:

- Increased communications:
  - Monthly electronic newsletter – Website and promoted on social media.
  - Bi-annual Newsletter mailout with tax bills.
  - Increased social media presence, including engagement and response of questions asked on Facebook posts and through private message.
  - Council Meeting Highlights
- Participation by key Departments including Parks and Recreation, Fire, Public Works, By-law and members of Council at Essa Public Library Family Fun Night and other community events.
- Council and staff continue to be engaged and respond to telephone and email inquiries.

Staff are currently working with the IT Department on the investigation, availability and cost associated with livestreaming Committee of the Whole and Council Meetings as a way to increase:

**Transparency & Trust:** Residents can see decisions being made in real time, which builds trust and reduces misinformation.

**Accessibility for All:** People with mobility issues, busy schedules, or who live far from town hall can still tune in.

**Improved Civic Engagement:** When meetings are easy to watch, more people get involved—whether by submitting questions to Council and/or staff, attending future meetings, or simply staying informed.

**Increased Accountability:** Encourages thoughtful decision-making.

A further Staff Report outlining availability and cost associated with livestreaming Committee of the Whole and Council Meetings as a way to increase public participation will be brought forward at a future meeting.

## FINANCIAL IMPACT

There is no financial impact at this time.

  
Manager of Finance

## SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Receive Staff Report C011-25 for information.**
3. Direct staff in another manner.

## CONCLUSION

It is recommended that Council proceed with Option #2.

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C011-25

Proposed Amendment-Essa Procedural By-law 2017-77

September 3, 2025

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Page 4 of 4

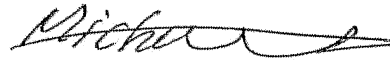
Respectfully submitted by:



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Sarah Corbett  
Acting Clerk

Reviewed by:



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Michael Mikael, P. Eng  
Chief Administrative Officer



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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** C012-25  
**DATE:** September 3, 2025  
**TO:** Committee of the Whole  
**FROM:** Sarah Corbett, Acting Clerk  
**SUBJECT:** Draft Multi-Year Accessibility Plan 2024-2030

---

### RECOMMENDATION

That Staff Report C012-25 be received; and  
That Council approve the Multi-Year Accessibility Plan 2025-2030.

### BACKGROUND

The Township of Essa Accessibility Plan was prepared by Township staff with input from members of the Accessibility Advisory Committee. The plan describes measures currently in place, and measures that will be taken over the next five years to comply with new and emerging legislation. It will assist Council with the identification of barriers, helping Council prioritize for their removal, as the budget permits. This Plan will be a communication tool for residents, informing them of strides taken in the removal and prevention of barriers with the Township of Essa, thus creating a community inclusive and accessible to all.

The Healthy Accessible Parks and Community Committee at it's meeting on July 17, 2025 passed the following motion:

*BE IT RESOLVED THAT the Healthy Accessible Parks and Community Committee endorsed the Multi-Year Accessibility Plan 2025-2030; and  
THAT the Township of Essa's Multi-Year Accessibility Plan 2025-2030 be brought to Council for their approval.*

### COMMENTS AND CONSIDERATIONS

The 2025-2030 Accessibility Plan outlines the policies and actions that the Corporation of the Township of Essa will put in place to improve opportunities for people with disabilities. This Plan will be reviewed by the Accessibility Advisory Committee (Healthy Accessible Parks and Community Committee) and municipal staff at a minimum every five years or sooner if deemed necessary. Progress reports are updated annually to inform the public of steps taken to remove existing barriers identified

### FINANCIAL IMPACT

There is no financial impact.

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Manager of Finance

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## SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Approve the Accessibility Plan 2025-2030.**
3. Direct staff in another manner.

## CONCLUSION

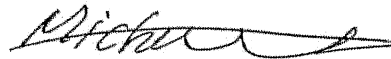
It is recommended that Council proceed with Option #2.

Respectfully submitted by:

Reviewed by:



Sarah Corbett  
Acting Clerk



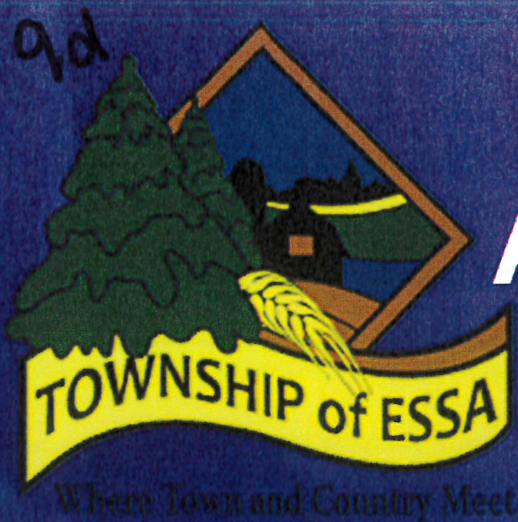
Michael Mikael, P. Eng  
Chief Administrative Officer

Attachments:

1 – Accessibility Plan 2025-2030

# **ATTACHMENT NO.1**

*Accessibility Plan 2025-2030*



# Multi-Year Accessibility Plan 2025-2030



This document is available in an alternate  
format upon request.

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## Message from Council of the Township of Essa

At the Township of Essa, we value accessibility and inclusivity and actively look to provide accessible options with our services. We are committed to creating and maintaining accessible environments where residents and visitors can have access to programs and services in a way that will respect their dignity and independence regardless of their abilities.

Council fully supports the goals of the Accessibility for Ontarians with Disabilities Act (AODA) and is committed to working with Staff to establish policies, practices, and procedures which are consistent with the accessibility standards established under the AODA.

Municipal governments play an important role in the planning and development of communities and through the dedicated efforts of the Essa's Healthy, Accessible Communities and Parks Committee (HACP), has established a wide range of municipal processes created to ensure that public services and facilities are accessible to everyone. It is a priority of the Township to ensure accessible customer service, information and communication, employment, streets, parks, meeting places, programs, services, public buildings and elections.

By making and ensuring that accessibility is a priority, the Township of Essa ensures that it continues to be a community for everyone.

Township of Essa Council 2022-2026



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# Message from the Healthy, Accessible Community and Parks Committee (HACP)

The Township of Essa's HACP Committee is pleased to introduce the Essa's Multi-Year Accessibility Plan (2025-2030). This plan ensures Essa's commitment to accessibility and provides a roadmap to considerably improving the lives of everyone living in Essa.

This year, the twenty-year period of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) has passed with promise of a truly accessible Ontario has yet to be achieved. Barriers still exist that prevent everyday Ontarians from participating in daily life and more has to be done to overcome them. At the same time, we value how far we have progressed in just two decades. Embracing the accessibility standards has eliminated obstacles and improved our awareness of the lived experience of our friends, family members and community members.

The Committee values Essa Council and Staff commitment to accessibility and recognize how much incredible work is being done to make our Township a fantastic place to live. This plan details the incredible progress that has been made in the last two decades and reinforces a firm commitment for improvement.

As members of the HACP Committee, we will continue to provide advocacy for people living with disabilities. We look forward to continuing our work with the Township to identify and eliminate the barriers people living with disabilities face so that we can be an open and accessible community for all.

As a Committee, we welcome and encourage comments, input, and feedback in our continuing efforts to make Essa a place for all. For more information, please contact:

HACP – Attn: Clerks Office  
Township of Essa  
5786 Township Road 21  
Utopia, ON L0M 1T0  
705-424-9917

**Committee Members:**

- |  |                                    |
|--|------------------------------------|
| Cheryl Jackson, Chair                      | Patricia Foster, Committee Member  |
| Stephanie McCann, Committee Member         | Clarisse Esteban, Committee Member |
| Deputy Mayor Smith, Council Representative | SMDHU Representative               |

**Staff Resources:**

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| Deputy Clerk                       | Parks and Recreation Representative |
| Essa Public Library Representative |                                     |

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## Types of Disabilities and Barriers

The purpose of this accessibility plan is to outline the Township of Essa's strategy for the identification, removal, and prevention of barriers faced by persons with disabilities.

**Disability** means, as per the Ontario Human Rights Code:

- Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- A condition of mental impairment or a developmental disability;
- A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- A mental disorder; or
- An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997

When hearing the word "disability," it is common to think of visible disabilities, such as a person with a physical disability using a wheelchair or other mobility device, a person with a vision disability using a service dog or a white cane, or a person with a hearing disability using the services of a sign language interpreter. However, many disabilities are not as visible and may be hidden. Disabilities can be organized into the following categories:

**Vision disabilities** reduce a person's ability to see clearly. There are many degrees of vision loss, and many people have limited vision rather than no vision at all.

**Hearing disabilities** reduce a person's ability to hear. People who have hearing loss may be deaf (a person with profound hearing loss), deafened (a person who has become deaf), or hard of hearing (a person with some level of hearing loss).

**Deaf-Blind disabilities** affect a person's ability to see and hear, making it challenging to access information. Many people with deaf-blind disabilities are accompanied by an intervener, a person who helps with communication. Physical disabilities affect a person's ability to perform physical tasks. Their mobility, including standing, moving, and sitting, as well as dexterity may be affected by their disability. There are many degrees of physical disability, and not all people require an assistive device.

**Speech or language disabilities** affect a person's ability to communicate. These disabilities are often due to other disabilities such as hearing loss, cerebral palsy or other conditions that make it difficult to pronounce words, cause slurring or stuttering or prevents someone from expressing themselves or understanding written or spoken language.

**Mental health disabilities** are less visible than many other types of disabilities, as many people do not show signs of their disability. There are varying degrees of disabilities, and some examples include depression, phobias, and bipolar, anxiety, or mood disorders.

**Intellectual or developmental disabilities** may affect, mildly or profoundly, a person's ability to learn, socialize or take care of their everyday needs. It may be difficult to do many things that most people take for granted each day.

**Learning disabilities** are information processing disorders that can affect how a person acquires, organizes expresses, retains, understands or uses verbal or non-verbal information.

**Barrier means** anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability.

Barriers are often seen as physical obstacles that prevent or challenge persons with disabilities from accessing a building or facility. However, barrier are any obstacles that prevent a person with a disability from fully participating in all aspects of society because of a disability. Barrier can be organized into the following categories:

**Physical and architectural barriers** are facilities, building, spaces or features that restrict or impede physical access. An example is a doorway that is too narrow to accommodate entry by a person using a wheelchair.

**Communication barriers** are obstacles with processing, transmitting or interpreting information. Examples include a brochure that has small print and cannot be read by someone with a vision disability and is not available in alternate formats.

**Attitudinal barriers** are prejudgments or assumptions that directly or indirectly discriminate against persons with disabilities. An example is assuming that all people with vision disabilities have no vision or read Braille. Technological barriers occur when technology cannot be or is not modified to support various assistive devices and/ or software. An example is a website that does not provide for increased text size or contrast options.

**Systemic barriers** are those within an organization's policies, practices and procedures that do not consider accessibility for those with disabilities. An example is listing a driver's license as an employment qualification for a position that does not actually require driving. This might prevent persons with disabilities from applying, even though they may be able to perform all duties of the position.

## Guiding Legislation

### **Ontario Human Rights Code**

The Ontario Human Rights Code provides for equal rights and opportunities and freedom from discrimination based on grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability. It recognizes the dignity and worth of every person in Ontario and applies to employment, housing, facilities and services, contracts and membership in unions, and trade and professional associations.

It also states that customers, clients, and tenants with disabilities have the right to equal treatment and equal access to facilities and services such as restaurants, shops, hotels and movie theatres, as well as apartment buildings, transit and other public places.

Under the Ontario Human Rights Code, the Township of Essa has a legal obligation to accommodate any person with a disability, regardless of whether they are an employee, volunteer, or resident.

### **Ontarians with Disabilities Act, 2001**

The Ontarians with Disabilities Act, 2001 (ODA) was designed to improve opportunities for Ontarians with disabilities by identifying, removing and preventing barriers that may limit their ability to participate in society. This Act legislated municipalities such as the Township of Essa to prepare an annual accessibility plan. The Act stipulated that the plan needed to highlight the policies, procedures, programs, services, and building improvements that were done to improve accessibility for persons with disabilities as well as any planned initiatives and that the annual plan be made available to the public. The Act also legislated the formation of an Accessibility Advisory Committee to advise Council in each year about the preparation, implementation and effectiveness of its accessibility plan.

### **Accessibility for Ontarians with Disabilities Act, 2005**

In 2005, the Ontario government passed the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), which outlined a strategic direction to make the province accessible to those with disabilities by 2025. The Act reiterated the requirements under the ODA to maintain the completion of annual accessibility plans and Accessibility Advisory Committee (HACP). The AODA also provided for the province's implementation of various standards, including those for customer service, information and communication, employment, and transportation, and further indicated that additional standards could be developed over time and passed as Regulations under the AODA.

**Integrated Accessibility Standards Regulation (O. Reg. 191/11)**

The Ontario government combined standards for information and communication, employment and transportation into the Integrated Accessibility Standards Regulation (O. Reg. 191/11). This Regulation included a phased in approach to many standards that have now all passed. The Integrated Accessibility Standards Regulation also includes general requirements which includes a multi-year accessibility plan.

The Regulation requires the Township of Essa to establish, implement, maintain and document a multi-year accessibility plan that outlines the Township's strategy to prevent and remove barriers and meet the requirements of the Regulation. The regulation was amended in December 2012 to add a fifth AODA standard. The Design of Public Spaces Standards establish requirements for spaces in the built environment, including beach access routes, recreational trails, exterior paths of travel, outdoor play spaces, outdoor public use eating areas, parking, and areas for obtaining service.

## Accessibility Progress

### Facilities:

#### **Essa Administration Centre:**

The Essa Administration Centre accessibility improvements includes automatic door openers, accessible washrooms and entrances and parking.

#### **Angus Recreation Centre:**

The Angus Recreation Centre is a fully accessible facility, including change rooms, recreation room, banquet room, parking, automatic door openers and washroom facilities.

#### **Thornton Arena:**

The Thornton Arena had accessible washrooms were installed in 2020. It also includes a lift, accessible parking and automatic door openers.

### **Trails:**

The Township is ensuring the use of accessible ground surfaces at all its outdoor recreation spaces including the use of crushed gravel for trails and walkways. Accessible parking is also a consideration when trails are being constructed or redeveloped.

### **Recreation Programing:**

#### **Inclusive Recreation Drop in**

The Parks and Recreation Department has initiated inclusive recreation drop-in programming.

All Recreation Programing is accessible.

### **Community Parks:**

#### **Bob Geddes Park**

Bob Geddes Park features an accessible play structure which includes a ramp for access and wood chips surround the structure which was constructed in 2020.

#### **Burk Family Park**

Burk Family Park features accessible play structure with multiple accessible features and includes ramp for access. Wood chips surround the play structure as well as pour in place rubber flooring underneath the accessible swing. This project was completed in 2024.

### **Community Park**

In 2019 and 2020 the "Pathway to Inclusion" was constructed utilizing a portion of funds received through the Enabling Accessibility Funding opportunity. The recreational pathway is constructed of a hard compact surface which circles the play equipment and leads into the gazebo, which allows persons with disabilities to walk the recreational pathway in a safe manner with no barriers (tree stumps and roots). Additionally, cedar wood chips were added in all areas with play structures.

### **Community Park - Boat Launch**

Council approved construction of a boat launch in the area of Community Park. The launch is located on the west side of the Nottawasaga River beside Community Park in Angus. The boat launch provides persons with disabilities the opportunity to launch their unmotorized boat into the Pine River, having removed barriers to person with disabilities. Opened May 18, 2022.

### **Dellbrook Park**

Accessible play structure which includes a ramp for access and wood chips surround the structure was built in 2020.

### **Glen Eton/Wildflower Park**

In 2025 Glen Eton/Wildflower Park will see the installation of a parking lot with the inclusion of accessible parking.

### **Greenwood Parkette**

In 2024 Greenwood Parkette was constructed and features an accessible play structure which includes a ramp for access and wood chips surround the structure. Accessible parking was a consideration during the development.

### **Maplewood Community Park**

In 2024 Maplewood Community Park was constructed and features modern play equipment and a thoughtfully designed layout, ensuring a safe and accessible environment for all. Accessible parking was a consideration during the development.

### **Nottawasaga Fishing Park**

Nottawasaga Fishing Park parking area was updated in early 2025 and included an expansion and reconfiguration of parking area to allow for increased access and traffic flow, including accessible parking area.

### **Utopia Park**

In 2020 an accessible play structure which includes a ramp for access and wood chips surround the structure was constructed.

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The Parks and Recreation Department is continuing the inclusion of accessible picnic tables and parking spaces as well as installation of accessible trails, pathways and play structures at all its outdoor recreation spaces.

The Parks and Recreation Department is ensuring the use of accessible ground surfaces at all its outdoor recreation spaces including the use of crushed gravel for trails and walkways and woodchips in play structure areas.

### **Essa Public Library**

Both branches of the EPL (Angus and Thornton) include accessible seating, design, automatic door openers and programming. EPL also includes accessible picnic tables and inclusive programs available at both branches. Both the Thornton and Angus branches have an accessible community garden plots available.

### **Website**

Best practices and continued work towards ensuring all posted documents on the website meet accessibility standards. Multiple options for submission of documents are available including fillable PDF, online fillable form, printable option or available for pick up at the Administration Centre.

### **Communication**

Staff continue to produce fully accessible materials, or alternatively upon request, the Township will continue to arrange for the provision of accessible formats and communication supports for persons with disabilities.

The Township continues to make use of social media platforms to communicate with residents and visitors alike.

Staff use Alertable when information requires specific attention and as part of the Township's emergency response and notification process.

The Township of Essa has a TTY phone that may be used to receive messages from both landlines and cell phones and play a crucial role in facilitating communication for those with hearing or speech difficulties.

## 2025-2030 Accessibility Plan

The Township of Essa continually strives to make a more inclusive and accessible community through the ongoing identification and removal of barriers and by planning for impactful change over time. Essa's Multi-Year Accessibility Plan aims to provide tangible targets for improvement while ensuring Essa is meeting its legislated requirements. All actions identified are not immutable, but subject to review and revision over time as new barriers or challenges are identified. This plan aims to be responsive and adaptable with the overall goal of breaking down barriers and ensuring the Township of Essa can be enjoyed equally by all that live and visit here. The following highlights the Township of Essa's priorities for the next five years to meet the requirements of accessibility legislation. The list is organized to reflect the five standards of the Accessibility for Ontarians with Disabilities Act, 2005, as well as initiatives that address general barriers faced by persons with disabilities and the Essa's overall commitment to accessibility and accessibility awareness.

### Township Initiatives

#### Identify and Bridge Technological Barriers

The Township of Essa recognizes the increased shift of information relayed over the internet and social media and the impact that may be felt by people living with disabilities. This changing manner in how we communicate can present difficulties for many residents of the Township of Essa unfamiliar with the technology or otherwise unable to engage with it. The Township will ensure a consistent, accessibility minded approach to communication to ensure clear messaging is provided to all its residents

#### Key Initiatives

- Ensure that the Township website is updated with a greater emphasis on ease of navigation and the inclusion of comprehensive accessibility features.
- Design technology with accessibility in mind from the start. This means considering the needs of users with disabilities during the development process and incorporating features that can help to address their unique challenges.
- Regularly review and evaluate Township technology and websites for accessibility issues and make necessary change.

#### Continue to Improve Attitudinal Barriers

Attitudinal barriers are negative beliefs or attitudes towards individuals with disabilities that can lead to exclusion or discrimination. Attitudinal barriers are the most pervasive barrier that exists and the hardest to overcome. They can frequently contribute or amplify other types of barriers and are exhibited as personal attitudes, feelings and behaviours that negatively impact how we interact with people living with disabilities. The Township will work to overcome attitudinal barrier in its operations and emphasize breaking down preconceived notions of people living with disabilities.

## Better Obtain Feedback from People Living with Disabilities

The Township of Essa will continue to encourage the involvement and feedback from individuals living with disabilities in processes such as policy development and program planning. This can help to ensure that the perspectives and needs of all residents are considered and that the programs and services provided are accessible and inclusive. Wherever it is collected, feedback may be provided in alternative formats upon request. The Healthy, Accessible Community and Parks Committee is an invaluable resource for understanding the experiences of people living with disabilities. The Township is committed to working with the HACP Committee through the development of annual work plans, soliciting feedback on Township facilities and programs, and seeking advice on major accessibility matters and the identification and eradication of barriers.

### Key Initiatives

- The Township will continue to expand many of its services to embrace new forms of communication such as website, email, text messaging, social media and more. This will limit the necessity for clients to visit Township facilities to receive the services they require and provide more responsive feedback to staff.
- Develop policies and procedures for the implementation and development of accessible and inclusive municipal programming, services and facilities.

## Identify Gaps in Policy

The Township will undertake a review of its accessibility policies and update and improve them where gaps exist. The Township will also strive to include accessibility considerations in all its relevant policies to ensure that accessibility is never overlooked.

### Key Initiatives

- Review and update the Township's Accessibility Standards Policy in conjunction with the Accessibility Advisory Committee (HACP).

## Improve Accessibility of Township Facilities

The Township owns and maintains many facilities that are open to members of the public. Ensuring accessibility of these facilities allows all residents and visitors to equally access the services and programs that the Township provides. The Township will take an active role in building and retrofitting our facilities to meet or exceed the built environment standards in the IASR and Ontario Building Code.

The Township will continue to consult the Accessibility Advisory Committee (HACP) on newly constructed and redeveloped public spaces such as sidewalks, pedestrian signals at intersections, on-street and off-street parking spaces, service counters and trails.

### Key Initiatives

- Design and install accessible electric vehicle charging stations at various Township owned facilities in anticipation of accessible electric vehicle charging station standards.
- Continue to consult the Accessibility Advisory Committee (HACP) on newly constructed and redeveloped public spaces such as sidewalks, pedestrian signals at intersections, on-street and off-street parking spaces, service counters and trails.

## Focus on Accessible Employment

The Township recognizes the incredible barriers to employment that people living with disabilities face in their lives. Improving employment for people living with disabilities not only improves the lives of Essa Township residents, it makes strong business sense ensuring the widest field of qualified candidates are available for hire.

The Township will continue to document, monitor and update employment policies and procedures, where required, to provide the following as necessary:

- Accommodations in the recruitment, assessment, and selection process.
- Accessible formats and communication support for information needed to perform the job, and any information that is generally available to employees.
- Accommodation plans and workplace emergency response information.
- Return to work process and related accommodation plans.
- Accommodations in performance management, career development and redeployment.

The Township will inform staff and the public that accommodations are available throughout all stages of employment and advised of policies that support employees with disabilities.

### Key Initiatives

- Review hiring and employment policies to ensure that people living with disabilities are given equal opportunity to excel.
- Improve external messaging in employment applications and position advertising to show the Township is committed to improving accessible employment.
- Improve internal messaging on accessible employment policies and employee accommodation.

## Recognize and Promote Accessibility Awareness in Essa

Council will complete annual proclamations in recognition of the International Day of Persons with Disabilities and National Access Awareness Week as well as other significant events that arise. The Township will explore novel ways to further celebrate these milestones and encourage greater awareness of people living with disabilities in the community

### Key Initiatives

- Cultivate additional partnerships with organizations throughout the Township of Essa and the County of Simcoe to continue improvement of accessibility and disability awareness.

## Legislative Requirements

The Township strives to remain fully compliant with all the requirements of the Accessibility for Ontarians with Disabilities Act, 2005 and the Integrated Accessibility Standards Regulation (O. Reg. 191/11). Since 2021, all the milestones in the IASR have passed and the Township now moves to ensure ongoing compliance in its accessibility planning. A selection of specific legislated requirements are detailed below, as appropriate.

### Customer Service

#### Resident Feedback and Requests

The Clerk's Department will continue to respond to and track feedback, concerns, and requests from residents. Responses will be provided in a timely manner considering each person's needs and the Township's abilities to meet such needs.

#### Accessible Customer Service Policies and Procedures

The Township will continue to review existing Accessible Customer Service Policies and Procedures in addition to the general policy requirements, and develop new corporate policies, practices, and procedures in relations to the AODA requirements under the customer service standards as they relate to the provision of goods, services or facilities to persons living with disabilities.

### Information and Communication

#### Accessibility Planning and Reporting

- Once approved by Township Council, this multi-year accessibility plan will be posted on the website and made available in accessible formats, upon request.

- An annual status report will be prepared on the progress of the multi-year plan's implementation and will be posted on the website and made available in accessible formats, upon request.
- A comprehensive review of this plan will be completed every five years unless significant changes require an earlier revision of the plan.
- Annual work plans will be developed for both the Accessibility Advisory Committee (HACP) and staff to assist with implementation and monitoring of the plan.
- Online compliance reports will be submitted to the Accessibility Directorate of Ontario every year.

### **Accessible Formats and Communication Supports**

Upon request, the Township will continue to arrange for the provision of accessible formats and communication supports for persons with disabilities.

The Township will continue to consult with the person making the request to determine the suitability of an accessible format or communication support.

### **Accessible website and web content**

The Township will continue to ensure its website, intranet and web content meets Level AA compliance with the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0. The Township will continue advising staff who contribute to the website as well as the intranet on ways to create accessible documents and manage the website in accordance with the standards.

### **Accessible Feedback Process**

Under the customer service standard, the Township uses a customer service feedback process for receiving and responding to feedback with respect to the manner in which the Township provides accessible services to persons with disabilities. The forms are available in alternate format and with communication supports, upon request.

Customers have options for providing their feedback, and the responses are given in a manner that consider the disability needs of the person providing feedback. The Township will continue this practice. Employees and the public will be notified that accessible formats and communication supports are available, upon request.

### **Notice of Disruption**

To the extent possible, notice regarding any disruption to accessible elements due to planned maintenance or repairs impacting customer accessibility will be posted in advance, including information about the disruption, its anticipated duration, and a description of alternative accessible elements that may be available. This notice may be provided by posting notices in a public place on Township of Essa property, website and/or such other method as is reasonable under the circumstances. Procedures for preventative and emergency maintenance of accessible elements will be reviewed and updated where applicable, along with processes for dealing with temporary disruptions. Barrier-free design features in Township facilities The Township will continue to meet or

exceed the minimum barrier-free design requirements of the Ontario Building Code when constructing any new buildings or completing any renovations on existing buildings.

## Measuring Impact

In keeping with the requirements of the AODA, the Municipality publishes an annual Accessibility Status Update. Through this annual report, the Municipality will report on progress toward the goals and strategies outlined in this Plan.

## Contact & Feedback

Removing barriers and ensuring accessibility is an ongoing process. We want to hear from members of the community ways in which we can make continual improvements to our services, programs, and facilities through to 2030 and beyond.

This Multi-Year Accessibility Plan is available on the Township of Essa's website. Printed copies can be obtained from the Township of Essa's Administration Centre in Utopia.

This document is available in alternate format or with communication supports, upon request. This may include, but is not limited to, large print, and electronic formats.

The Township of Essa welcomes all questions, comments and feedback on the Township's Multi-Year Accessibility Plan and accessibility in general.

### **Please contact:**

Township of Essa  
Clerk's Department  
5786 Simcoe Township Road 21, Utopia

**Telephone:** 705-424-9917 Ext. 116

**TTY Service:** 705-424-5302

**Email:** [clerks@essatownship.on.ca](mailto:clerks@essatownship.on.ca)

**Website:** [www.essatownship.on.ca](http://www.essatownship.on.ca)