



Tay Valley Township

# PROCEDURES FOR CLOSED MEETING INVESTIGATION

IN ACCORDANCE WITH  
Section 239 of the *Municipal Act 2001*  
(As Amended)

PLEASE FORWARD QUESTIONS TO:

**Local Authority Services**  
**200 University Avenue, Suite 801**  
**Toronto, Ontario, M5H 3C6**  
**Fax: (416) 971-6191**

The Municipality shall ensure that requests for investigations submitted under Section 239 of the Municipal Act, 2001, as amended (the Act) are dealt with in a fair, open and expeditious manner.

The Municipality shall provide the information requested by the Municipal Closed Session Investigator (Investigator), either written or through interviews, to assist the Municipal Investigator in his/her investigations.

The Municipality shall ensure any report received from the Investigator related to an investigation under the Act, is placed on a public agenda and that consideration of such reports are conducted in an open public session of Council and/or a Standing Committee of Council.

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

### INVESTIGATOR

The Municipality, by By-law No. 2014-045 appointed Local Authority Services (LAS) as the Municipal Closed Session Investigator and as such authorizes LAS to conduct investigations upon receipt of a complaint to determine compliance with the Act or the Municipal procedure by-law and to report on the result of such investigations.

### PROCEDURE

Members of the public, including corporations, may submit complaints to the Clerk relating to compliance with the Act or the Municipal Procedure By-law for meetings or part of meetings that are closed to the public. All complaints will be treated as 'confidential' at all times.

Complaints shall be submitted on the established Complaint Form. The Complaint Form may be downloaded from the Municipal website or available from the Clerk's Office.

All complaints must contain the following information:

1. Name of Municipality
2. Complainant's name, mailing address, telephone number and e-mail address (if applicable)
3. Date of Closed Meeting under consideration
4. Nature and Background of the particular occurrence
5. Any activities undertaken (if any) to resolve the concern
6. Any other relevant information
7. Original Signature

Completed complaint forms shall be submitted to:

Municipal Clerk  
Tay Valley Township  
217 Harper Road  
Perth, Ontario, K7H 3C6  
Telephone: (613) 267-5353

The Clerk shall take all measures to ensure that the envelope remains sealed and its contents remain confidential and immediately forward to the Investigator.

The LAS Investigation ProcessThe LAS Program investigation process is:

- A person files a written request for investigation with the Clerk of the municipality
- The request and background documentation are sent to the Investigator by the municipality
- Initial review by Investigator (consultation with complainant – if necessary)
  - may result in decision to proceed, or to proceed – with a reason, or withdrawal of request by complainant
- In the case of withdrawal, or decision not to proceed, Investigator notifies the parties.
- If decision = proceed, investigation is completed
- Draft report filed and peer reviewed by Amberley Gavel
- Final report prepared and submitted to Council or Local Board
- Report is made public by the municipality.

The Investigator will only investigate complaints received on the Complaint Form, duly signed (*Optional-and accompanied by prescribed fee*).

The Municipality upon request by the Investigator shall provide the following documentation:

- Certified copy of Notice of Meeting
- Certified copy of Agenda
- Certified copy of Minutes of Meeting
- Relevant Resolutions
- Municipal contact list
- Other relevant information as requested.