



**TOWN OF AURORA**  
**ADDITIONAL ITEMS**  
**FOR GENERAL COMMITTEE MEETING**

**Tuesday, February 17, 2015**  
**7 p.m.**  
**Council Chambers**

- **Replacement pages for Item 5 – LLS15-013 – Accountability and Transparency Policy**  
**Re: Attachment 1 – Accountability and Transparency By-law No. 5690-15**  
**Replacement of Item 5 pages 6 to 9 (agenda pages 27 to 30) to include the**  
**missing pages (2, 4, and 6) of the draft By-law**

**RECOMMENDED:**

THAT the replacement pages for Attachment 1 to Item 5 – LLS15-013 – Accountability and Transparency Policy be received for information.

**THE CORPORATION OF THE TOWN OF AURORA**

**By-law Number 5690-15**

**BEING A BY-LAW to  
define the accountability  
and transparency policies  
and procedures for The  
Corporation of the Town of  
Aurora.**

**WHEREAS** paragraph 5 of subsection 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that a municipality shall adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions and the manner in which it will try to ensure that its actions are transparent to the public;

**AND WHEREAS** on November 27, 2007 the Town adopted a corporate policy regarding procedures by which the Town will try to ensure that it is accountable to the public for its actions and that its actions are transparent to the public, being Town Administration Procedure No. 67;

**AND WHEREAS** it is deemed necessary to adopt a policy by by-law with respect to the Town’s accountability and transparency to replace Administration Procedure No. 67;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA HEREBY ENACTS AS FOLLOWS:**

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## **PART 1: DEFINITIONS, PRINCIPLES, PURPOSE AND APPLICATION**

### **1. DEFINITIONS OF THIS BY-LAW**

1.(1) In this by-law, the following words have the following meanings:

- (a) **“AODA”** means the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11, as amended;
- (b) **“CAO”** means the Chief Administrative Officer of the Town, or his/her designate;
- (c) **“Closed Meeting”** means a regular, special or other meeting of a Council, of a local board or of a committee that is closed to the public within the meaning ascribed to it under section 239 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- (d) **“Council”** means the Council of The Corporation of the Town of Aurora;
- (e) **“Department”** means a department of the Town;
- (f) **“Department Head”** means a Director, or his/her designate, of the Town who is responsible for a Department, and shall include the CAO with respect to his/her direct responsibilities for a Department;
- (g) **“Town”** means The Corporation of the Town of Aurora.

### **2. VISION, MISSION AND VALUES OF THE TOWN**

2.(1) The Town’s vision is to be a respected leader in municipal government, seeking innovative approaches and effective solutions that meet community expectations.

2.(2) The Town’s mission is to be a professional and resilient organization dedicated to providing high quality service and better understanding the needs of our community.

2.(3) The Town values the following:

- (a) Acting with honesty and integrity while serving the community;
- (b) Providing a positive work environment that promotes employee health and well-being;
- (c) Recognizing and respecting the diversity of its community and workforce;
- (d) Protecting and enhancing the natural environment;
- (e) Valuing the cultural heritage and the history of our community; and
- (f) Contributing to the economic vitality of our community.

### **3. PURPOSES, GOALS, AND OBJECTIVES OF THIS BY-LAW**

The purposes, goals, and objectives of this by-law are:

- (a) to ensure openness, accountability and transparency while protecting the best interests of the Town;

- (b) to deliver high quality services while promoting the efficient use of public resources;
- (c) to avoid conflicts between the interests of the Town and those of the Town's employees and elected officials;
- (d) to foster an environment that invites and encourages citizen participation and engagement; and
- (e) to incorporate, where applicable, the requirements of the AODA in practices of the Town as well as any requirements contained in other legislation (either provincial or federal) which may impact the practices of the Town.

#### **4. ACCOUNTABILITY AND TRANSPARENCY PRINCIPLES AND PRACTICES**

Accountability and transparency affect and are affected by the public sector organization as a whole, and the community it serves, whether at the local, provincial, or national level. Accountability and transparency are standards of good governance that enhance public trust. Therefore, the Town has adopted Accountability and Transparency Principles and Practices, as follows:

**Accountability:**

Taking ownership and being responsible to stakeholders for our actions or inactions. This value is essential to preserve the public trust and to protect the public interest.

**Efficiency:**

Efficient management of the Town. This value is essential to ensure issues and needs of the public are responded to in a timely fashion.

**Ethics:**

Acting in a manner true to the values listed herein. Acting ethically is essential to preserve the public's trust.

**Impartiality:**

Unbiased decision-making and action. This value is essential to ensure fairness for the public good.

**Professionalism:**

Upholding high standards of job performance and ethical behavior. This value is essential to balance diverse public interests.

**Service:**

Obligation to assist stakeholders. This value is essential to support the public good.

**Transparency:**

Easily accessible and understandable policies and processes. This value is essential to ensure active encouragement and fostering of public participation in the Town's decision-making.

#### **5. APPLICATION**

- 5.(1) This by-law shall apply to all members and committees of Council and employees of the Town with respect to their roles in the political processes, decision-making and administrative management of the Town.

#### **6. RESPONSIBILITIES**

- 6.(1) Council is responsible for providing good government for its constituents in an accountable and transparent manner by:

- (a) encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
  - (b) delivering high quality services to its constituents; and
  - (c) promoting the efficient use of public resources.
- 6.(2) With respect to financial dealings, as required under the *Municipal Act, 2001*, as amended, the Town shall be responsible for providing accountability and transparency to its constituents in a manner that may include, but is not limited to, the following:
- (a) publishing internal and external audits;
  - (b) publicly providing financial statements and reporting;
  - (c) documenting long term financial planning;
  - (d) demonstrating a commitment to asset management;
  - (e) adopting open and transparent procurement policies and practices;
  - (f) providing, when concluded, the details of any purchase or sale of land; and
  - (g) ensuring open and accessible budget processes including opportunities for public input.
- 6.(3) With respect to internal governance, the Town shall be responsible for ensuring accountability on the part of its employees through the following initiatives:
- (a) mission, vision and value statements;
  - (b) code of conduct for staff;
  - (c) performance management and evaluation;
  - (d) hiring policies;
  - (e) orientation and continuing education;
  - (f) compensation and benefits;
  - (g) health and safety programs; and
  - (h) administrative practices and procedures that recognize Council's commitment to accountability and transparency.
- 6.(4) With respect to Town meetings, the Town shall be responsible for providing accountability and transparency to its constituents in a manner that may include, but is not limited to, the following:
- (a) implementing a processes outlining how, when and under what rules Town meetings will take place;
  - (b) ensuring the Town meetings are open to the public where required by the *Municipal Act, 2001*, as amended;
  - (c) providing members of the public with an opportunity to make delegations or comments in writing on specific items at meetings that are open to the public; and

- (d) fostering meaningful and effective public participation at Town meetings, by disclosing information in a timely manner on various media, which may include print media and websites, where such information may include, but is not limited to, the following:
- (i) Procedural By-law;
  - (ii) Code of Ethics for Councillors;
  - (iii) Strategic Plan;
  - (iv) development of the Customer Service Strategy;
  - (v) employee satisfaction survey, action plan and report card;
  - (vi) membership with Excellence Canada and related action plans;
  - (vii) Delegation By-law and policy;
  - (viii) Records Retention By-law and policy;
  - (ix) corporate records and documents management plan;
  - (x) Public Notice By-law and policy;
  - (xi) provincial and municipal benchmarking;
  - (xii) financial information reporting;
  - (xiii) online availability of the Town's Operating and Capital Budget/Business Plans;
  - (xiv) the maintenance of an inventory of the Town's landholdings;
  - (xv) Annual Community Report, which includes the Town's performance results in the Municipal Performance Measurement Program;
  - (xvi) audited financial statements, which shall be compliant with the Public Sector Accounting Board requirements;
  - (xvii) salary information, released in accordance with the *Public Sector Salary Disclosure Act, 2006*;
  - (xviii) information required by the AODA;
  - (xix) by-laws, agendas, minutes and reports of General Committee and Council, provided on the Town's website;
  - (xx) the Town's Emergency Plan, provided on the Town's website; and
  - (xxi) live streaming of General Committee meetings, and local broadcast of Council meetings, where both recordings will be available online following the meeting on an on-demand basis.

6.(5) With respect to Closed Meetings, the Town shall be responsible for ensuring accountability and transparency to its constituents by:

- (a) ensuring the Town's procedural by-law and practices enable detailed compliance with the requirements of the *Municipal Act, 2001*, as amended, for holding a Closed Meeting;

- (b) informing the public, when possible, of the reason for the holding of the Closed Meeting by providing information which may include, but is not limited to:
  - (i) the general nature of the matter to be considered at the Closed Meeting; and
  - (ii) the resolutions made at the Closed Meeting.

## **7. EXCEPTIONS AND CONFLICT**

- 7.(1) All political processes, decision-making and administrative management of the Town shall comply with this by-law and all other Town by-laws and policies, including the Town Corporate Policies and Procedures, the Employee Code of Conduct and the Council Code of Ethics By-law.
- 7.(2) In case of conflict between any Town policy and this by-law relating to matters of accountability and transparency, the provisions contained in this by-law shall prevail. In case of conflict between this by-law and any other Town by-law, the provisions of the by-law that is more specific in addressing the matter in conflict shall prevail.
- 7.(3) Notwithstanding the provisions of this by-law, all political processes, decision-making and administrative management of the Town shall comply with any provincial or federal Act, or a regulation made under any such Act, and any instrument of a legislative nature.

## **8. ACCESS TO INFORMATION**

- 8.(1) The disclosure of information by the Town shall be made in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 and the *Personal Health Information Protection Act, 2004*, S.O. 2004, c. 3, Sched. A, as amended.

## **9. ACCESSIBILITY CONSIDERATIONS**

- 9.(1) The Town is committed to giving people with disabilities the same opportunity to access and participate in the decision-making processes of the Town and allowing them to benefit from the same services and public participation opportunities as other constituents, pursuant to the provisions of the AODA. Programs, services, facilities, etc. should be accessible to persons with disabilities (visible and invisible), including (without limitation): hearing loss, vision loss, physical or mobility related impairments, temporary disabilities, learning, speech, language, cognitive, psychological, psychiatric, intellectual and developmental disabilities, allergies, and multiple chemical sensitivities.

## **PART 2: GENERAL ITEMS**

### **10. BY-LAW REVIEW**

- 10.(1) This by-law shall be monitored and evaluated for effectiveness continuously by the CAO and shall be comprehensively reviewed upon specific request by the Council.

### **11. SEVERABILITY**

- 11.(1) If any provision of this by-law or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this by-law which can be given effect without the invalid provision or application, and to this end the provisions of this by-law are severable.

**12. SHORT TITLE**

12.(1) This by-law may be referred to as the “Accountability and Transparency By-law”.

**13. IN FORCE**

13.(1) This by-law shall come into full force and effect on the date of final passage hereof.

***READ A FIRST AND SECOND TIME THIS 24<sup>th</sup> DAY OF FEBRUARY, 2015.***

***READ A THIRD TIME AND FINALLY PASSED THIS 24<sup>th</sup> DAY OF FEBRUARY, 2015.***

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**GEOFFREY DAWE, MAYOR**

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**STEPHEN M.A. HUYCKE, TOWN CLERK**

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