

By-Law 2018-131

**A By-Law of the City of Greater Sudbury to Appoint
Robert Swayze as the Integrity Commissioner
for the City of Greater Sudbury**

Whereas Council of the City of Greater Sudbury wishes to continue to demonstrate a high level of transparency and accountability;

And Whereas the *Municipal Act, 2001*, S.O. 2001, c. 25 authorizes the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the conduct of municipal council members and local board members and as of March 1st, 2019 requires the appointment of such a person;

And Whereas sections 8, 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25,, authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular, subsection 10(2) authorizes by-laws respecting the accountability and transparency of the municipality and its operations;

And Whereas the municipal council of the City of Greater Sudbury wishes to establish the office of the Integrity Commissioner and appoint an Integrity Commissioner to fulfill the responsibilities of the Integrity Commissioner under Part V.I of the Act;

Now Therefore Council of the City of Greater Sudbury Hereby Enacts as Follows:

Appointment / Term

1.-(1) Council for the City of Greater Sudbury hereby establishes the office of Integrity Commissioner and appoints Robert Swayze as Integrity Commissioner for the City of Greater Sudbury and its Local Boards, as that term is defined in section 223.1 of the *Municipal Act, 2001*.

(2) The appointment of Robert Swayze as Integrity Commissioner shall commence December 1st, 2018 and continue in accordance with the agreement for his services.

(3) In the event of a short term inability to act to fulfil his role, the Integrity Commissioner may, in writing, and with the consent of the City Solicitor / City Clerk, delegate his or her duties under the Act and this by-law to a service provider that the Integrity Commissioner deems competent to act as the Integrity Commissioner.

Mandate

2.-(1) The Integrity Commissioner shall have the functions, powers, duties and protections of an Integrity Commissioner in accordance with Part V.I of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time; as may be assigned by City Council from time to time by by-law; as set out in the service agreement with the Integrity Commissioner; and as established in any other By-law or provincial statute that makes reference to the Integrity Commissioner.

(2) The Integrity Commissioner shall receive, manage and dispose of complaints in accordance with the Complaint Protocol for such matters as adopted by Council from time to time and provide reports in accordance with the Complaint Protocol or as otherwise provided in the agreement for services.

(3) The Integrity Commissioner shall not call into question or review the merits of the policies and objectives of Council for the City of Greater Sudbury.

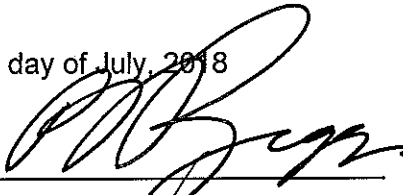
Conflict of Interest

3.-(1) In the event that the Integrity Commissioner's conduct should create an actual or apparent conflict of interest, the Integrity Commissioner may, in writing, delegate his or her duties under the Act and this by-law to a service provider that the Integrity Commissioner deems competent to act as the Integrity Commissioner.

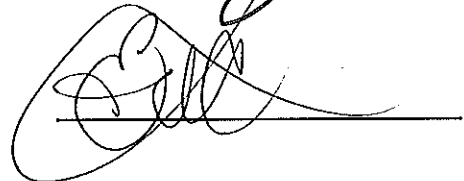
Effective Date

4. This By-law shall come into effect upon passage.

Read and Passed in Open Council this 10th day of July, 2018



Mayor



Clerk