



**Corporation of the Town of Ingersoll
Council Agenda
Regular Meeting of Council
Town Centre, Council Chambers
Monday, January 14, 2019, 6:00 p.m.**

Ingersoll Army Cadet Flag Party to march in Town Council for the January 14, 2019 Regular Meeting.

Call to Order

Disclosures of Pecuniary Interest

Consent Agenda

Items listed under the Consent Agenda are considered routine or no longer require further discussion and are enacted in one motion. The exception to this rule is that a Council Member may request for one or more items to be removed from the Consent Agenda for separate discussion and vote.

January 14, 2019 – [Consent Agenda](#)

Resolution – Committee of the Whole (Deputy Mayor Freeman)

Special Staff Reports

- 1) Orientation Briefing - Town of Ingersoll Building Department [B-002-19](#)
- 2) Consideration of Council Appointments to Boards and Committees for the 2018 Term of Council [C-002-19](#)
- 3) 2018 Election Accessibility Report [C-003-19](#)
- 4) Application for a variance to By-law 01-3989 (Maximum number of dogs) [C-004-19](#)
- 5) Application for a variance to By-law 01-3989 (Maximum number of dogs) [C-005-19](#)
- 6) Building Assessment – Police Station – Lease Requirements with OPP [C-006-19](#)

- 7) Delegation Requests – 2019 OGRA Annual Conference February 24 – 27, 2019

[C-007-19](#)

- 8) Traffic Control in New Subdivisions

[OP-002-19](#)

- 9) Duke Street Parking Restrictions Follow-up

[OP-003-19](#)

- 10) Amendment to the Fees & Charges Bylaw 18-5001

[OP-004-19](#)

Delegations & Presentations – 7:00 p.m.

Correspondence & Resolution

Consideration of By-Laws

- 1) [By-Law 19-5030](#) – to provide for a 2019 interim tax levy for the payment of taxes and penalty and interest charges of 1.25 percent per month
- 2) [By-Law 19-5031](#) – to amend By-law 06-4327 (Designate Stop Signs)
- 3) [By-Law 19-5032](#) – to reappoint an integrity commissioner
- 4) [By-Law 19-5033](#) – to adopt and confirm all actions and proceedings

Upcoming Council Meetings

Special Meeting of Council - Budget 2019

Thursday, January 24, 2019, 6:30 p.m.
Town Centre, Council Chambers

Special Meeting of Council - Budget 2019

Thursday, February 7, 2019, 6:30 p.m.
Town Centre, Council Chambers

Regular Meeting of Council

Monday, February 11, 2019, 6:00 p.m.
Town Centre, Council Chambers

Council Committee Meetings

Please check the events calendar at www.ingersoll.ca in the event of changes to Committee meeting dates and times

Harvest Festival

4th Wednesday of the Month
Cheese and Agricultural Museum
6:30 p.m.

Ingersoll BIA

2nd Tuesday of the Month
Town Centre, JC Herbert Room
6:30 p.m.

Safe Cycling Committee

2nd Thursday of the Month
Town Centre, JC Herbert Room
6.30pm

Museum Committee

3rd Thursday of the Month
Cheese Museum
6:30 p.m.

Recreational Trails Committee

3rd Wednesday of the Month
Town Centre, JC Herbert Room
6:30 p.m.

Police Services Board

4th Monday of the Month
Town Centre, JC Herbert Room
6:00 p.m.

Transportation Committee

4th Wednesday of Every Other Month
Town Centre, Engineering Board Room
10:00 a.m.

Closed Session

- 1) Minutes of Closed Session meeting on December 10, 2018
- 2) Section 239 (2) (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Adjournment



Department: Building

Report Number: B-002-19

Council Meeting Date: January 14, 2019

Title: Orientation Briefing - Town of Ingersoll Building Department

Objective

To provide council with information regarding why the Town has a building department and all the roles required to enforce the Ontario Building Code and its Act.

Background

The Ontario Building Code (OBC), first issued in 1975, is a comprehensive technical code which establishes minimum standards and specifications for the construction of buildings and structures based on size, location, building materials, use and risk of the building or structure through the Ministry of Municipal Affairs.

The Building Code Act, 1992 (the Act) is where the legislative requirement is set out which gives the authority and responsibility to various parties who are responsible for administering the OBC, as well as the procedures and processes for enforcement. Through the Act, Municipalities are delegated the responsibility for setting procedures to review building permit applications and issuance of building permits through a building by-law, while the Chief Building Officials are responsible for the administration of these procedures and the enforcement of the OBC and the Act.

The main intent of both the Act and the OBC is the safety of buildings with respect to public health, fire protection, accessibility, and structural sufficiency.

Analysis

As the "principal authority" the council of the Town is charged with the responsibility to enforce the Act within the geographical boundaries of the Town. The primary duties of a municipal council to ensure compliance with the Act are;

- Appointment of a qualified Chief Building Official (CBO) and inspectors as necessary for the enforcement of the Act;
- Adopt a building by-law (By-law No.17-4926) which sets application and inspection fees;
- Report to the public regarding fee changes;
- Establish a Code of Conduct (By-law NO. 05-4246) for the CBO and building inspectors, and make it available to the public.

The Chief Building Official is an employee of the Town; however, statutory powers and duties placed upon him or her by the Province supersede all municipal by-laws and directions by council respecting construction or demolition of buildings (subsection 35(1) of the act). As per section 1.1 (6) of the Act, the CBO's independent role is;

- (a) To establish operation policies for the enforcement of this Act and the building code within applicable jurisdiction;
- (b) To coordinate and oversee the enforcement of this Act and the building code within the applicable jurisdiction;
- (c) To exercise powers and perform the other duties assigned to him or her under this Act and the building code; and
- (d) To exercise powers and perform duties in accordance with the standards established by the applicable code of conduct.

The building inspectors role as per section 1.1 (7) of the Act is;

- (a) To exercise powers and perform duties under this Act and the building code in connection with reviewing plans, inspecting construction, conducting maintenance inspections and issuing orders in accordance with this Act and the building code;
- (b) To exercise powers and perform duties in respect of only those matters for which he or she has the qualifications required by this Act and the building code; and
- (c) To exercise powers and perform duties in accordance with the standards established by applicable code of conduct.

It is the role of every person who causes a building to be constructed,

- (a) To cause the building to be constructed in accordance with this Act and the building code and with any permit issued under this Act for the building;

- (b) To ensure that construction does not proceed unless any permit required under this Act has been issued by the Chief Building Official; and
- (c) To ensure construction is carried out only by persons with the qualifications and insurance, if any, required by this Act and the building code.

It is important that all parties act within the scope of the statutory authority appointed by the Act to ensure the safety of all current and future owners, residents, and visitors and to limit the Town's risk to liability.

Interdepartmental Implications

None

Financial Implications

None

Recommendation

THAT report B-002-19 be received as information.

Attachments

None

Prepared by: Shannon Vanderydt, CBO
Approved by: William Tigert, Chief Administrative Officer



Department: Clerk's Department

Report Number: C-002-19

Council Meeting Date: January 14, 2019

Title: Consideration of Council Appointments to Boards and Committees for the 2018 Term of Council

Objective

To consider the various Council appointments to Boards and Committees Council for the 2018 Term of Council.

Background

As a part of the new Term of Council, the appointments to various boards and committees are completed. Staff are currently reviewing the various committees to find efficiencies and to develop clear mandates. This will greatly assist Staff and Council with accomplishing its goals for the 2018 to 2022 term of Council.

Staff will be bringing forward a report for Council consideration, and once that is completed, advertising for the various boards and committees will take place. In the meantime, Council is able to make the other various Council appointments to outside Boards and Committees. As well, Council may reappoint the existing members to continue on the various boards and committees in the interim until new mandates are developed and a formal process is implemented to seek out interested candidates for this term of council.

Analysis

At the December 20, 2018, Special Council meeting, Council already recommended to the County of Oxford, their appointee to the Upper Thames River Conservation Authority Board

The following appointments need to be made:

- Ingersoll Police Services Board: Two Council Members, One Council appointee (which will be appointed after advertising occurs)
- Ingersoll Services for seniors: One Council member
- Ingersoll Cemetery Board: One Council Member
- The Director for EARTH Corp. is being conducted through a different process established by Council.

Interdepartmental Implications

None

Financial Implications

These appointments taking place will not incur any financial implications other than those budgeted for accordingly.

Recommendation

THAT report C-002-19 be received as information.

AND THAT Council of the Town of Ingersoll make the following appointments for the 2018 to 2022 term of Council:

Ingersoll Police Services Board Council Representatives: _____ and _____.

Ingersoll Services for seniors Council Representative: _____

Ingersoll Cemetery Board Council Representative: _____

AND FURTHER THAT the existing members of various boards and committees continue as appointees to the boards and committees until such time as new appointments are made.

Attachments

None

Prepared by: Michael Graves, Clerk
 Approved by: William Tigert, Chief Administrative Officer



Department: Clerk's Department

Report Number: C-003-19

Council Meeting Date: January 14, 2019

Title: 2018 Election Accessibility Report

Objective

To provide Council with a post-election report regarding the steps taken during the 2018 Municipal and School Board election to ensure an accessible voting experience for candidates and electors.

Background

Under the *Municipal Elections Act, 1996*, the Clerk is responsible for conducting the municipal and school board election and for establishing policies and procedures to ensure that all electors and candidates are afforded equal access and opportunity to participate. The Act also requires the Clerk to have regard for the needs of electors and candidates with disabilities, to develop a plan to identify, remove, and prevent barriers that may affect those individuals, and to ensure voting places are accessible. Within 90 days after the voting day in a regular election, the Clerk is also mandated to prepare and make publically available, a report outlining the steps that were taken regarding the identification, removal, and prevention of barriers.

Analysis

The Town of Ingersoll strives to provide accessible services and facilities to all persons in accordance with the *Ontario Human Rights Code* and the *Integrated Accessibility Standards Regulation*. This report is developed in compliance with the aforementioned statutes and with Section 12.1(3) of the *Municipal Elections Act* and all other related sections concerning elections accessibility.

Identification of Barriers

All five key areas in which barriers to accessibility may exist were assessed, as detailed below:

Information and Communications:

- Review of the Town's plans for providing and receiving information and communications concerning the election, including the availability of accessible formats and communication supports as well as feedback processes.

Technology:

- Review of accessible web content regarding the election.

Organizational practices and policies:

- Review of election-related policies and procedures to ensure alignment with the principles of dignity, independence, integration, and equality of opportunity.

Architectural and physical design/layout:

- Review of the voting location to ensure ease of access and removal of mobility obstacles.

Attitudinal:

- Review of staff training, specifically related to the delivery of accessible customer service.

Removal and Prevention of Barriers

The following actions were undertaken to remove and prevent barriers that affect electors and candidates with disabilities:

Communications and Information / Technology:

1. Ensured candidates and voters were aware that all communications and information for candidates and electors were available in alternate formats upon request.
2. Printed materials produced by the Town of Ingersoll and those posted online were developed in accordance with the CNIB's Clear Print Accessibility Guidelines to improve readability for individuals with vision loss and vision-related disabilities. Specifically, consideration was given to the document design and formatting by using fonts of appropriate style, heaviness, size, and colour, and by considering color contrast, letter spacing, alignment, margins, leading and the use of columns.
3. Ensured conformance of web content to the Integrated Accessibility Standards Regulation's WCAG requirements.
4. Utilized radio advertisements.

Voting Locations (architectural and physical design/layout):

1. Utilized the accessible Municipal Office and J.C. Herbert Room as the voting location to ensure full accessibility.
2. Provided one central voting location on voting day which was physically accessible including accessible parking, elevator access, wide corridors, etc.
3. Created a flow-through system of voting to limit the amount of time voters were required to stand in line.
4. Additional election assistants were on hand to assist voters with specific needs and ensure site accessibility.
5. Permitted service animals and support persons in the voting location.
6. Provided seating areas throughout the voting location.
7. Ensured appropriate directional signage was posted throughout the voting location.
8. Established voting booths on tables that were low and wide enough for easy access for individuals using a wheelchair or scooter, thus allowing the elector to vote independently and secretly; also provided seating for both elector and support persons.
9. Conducted roving polls at the Town's retirement homes in advance of Election Day to allow residents the opportunity to vote.

Voting Actions (organizational practices and policies):

1. Permitted assistance to be provided to those electors who required support in the voting process. For example, a support person may mark a ballot for someone with a disability or may read the ballot aloud to them upon completing an oral oath.
2. Provided extended advance voting opportunities, utilizing alternate voting method (vote-by-mail) allowing electors to cast their ballots from the comfort of their own homes and using their own assistive devices and supports.
3. Promoted advance voting opportunity for all electors, including those with disabilities.
4. Electors who were unable to attend the municipal office due to disability and who requested to be added to the voters' list and/or obtain a ballot were provided home visits by staff to deliver and retrieve appropriate election forms upon request.

Staff Training Actions (Attitudinal):

1. Staff training incorporated provisions to meet accessible customer service standards.
2. Provided reference materials.
3. Monitored elector's concerns and ensured their needs were met.
4. Directed election staff to observe electors during discussions with them, and if it appeared that the elector was having difficulty understanding, ensured that the voter was able to see the speaker clearly.
5. Checked the access doors frequently to offer assistance and watch for electors unable to easily enter the building.

Voting Methods Utilized

Vote-by-mail:

1. The vote-by-mail method provides for easy voting for electors with disabilities as it offers anytime, anywhere voting during the voting period (i.e., allows electors to fill out their ballots in the privacy and convenience of their own home and to vote when they wish).
2. This method offers the option of hand delivering the ballot (in addition to using mail service) to an after-hours drop box that is available 24 hours/7 days a week.
3. This method removes potential obstacles such as inclement weather, family commitments, work commitments, and transportation.
4. This method allows for a longer voting period.

In conclusion, staff feel that the needs of the electors and candidates with disabilities were addressed during the 2018 Municipal Election through the above-noted measures and voting methods and would recommend utilizing a vote-by-mail or other alternative voting method in 2022 due to consistent engagement rates and ease of accessibility. Going forward, staff will continue to seek out areas for improvement for the next election process.

Interdepartmental Implications

None

Financial Implications

None

Recommendation

THAT Council of the Town of Ingersoll receives report C-003-19, 2018 Election Accessibility Report as information.

Attachments

None

Prepared by: Danielle Richard, Deputy Clerk
Reviewed by: Michael Graves, Director of Corporate Services
Approved by: William Tigert, Chief Administrative Officer



Department: Clerk's Department

Report Number: C-004-19

Council Meeting Date: January 14, 2019

Title: Application for a variance to By-law 01-3989 (Maximum number of dogs)

Objective

To present Council with the necessary information to decide on a request for an exemption to By-law 01-3989 concerning the maximum number of dogs permitted to reside in any one dwelling unit or on any premises.

Background

Council has received a request from Ricky Byrd and Jocelyn Olsen-Ewart (attached) requesting permission to allow an additional dog to reside on the property located at 12 Holcroft Street East. Council will recall these applicants were previously before Council to request an exemption for Pot Belly Pigs. Council did not approve that exemption and the owners have since found a new home for the pigs at a sanctuary.

Analysis

By-law 01-3989 at clause 3.1 states: "no person shall keep more than two dogs in any one dwelling unit or on any premises."

From time to time Council has approved exemption requests to clause 3.1 so long as the applicant agrees to enter into an agreement with the Town with the following conditions:

- That as each dog in excess of the two dog limit passes away no new dog shall be acquired and kept at the location;
- That in time there will be no more than two (2) dogs kept at this premise or any other premise in the Town of Ingersoll without permission of Council;
- That all other conditions of By-law No. 01-3989 be adhered to at all times.

If the applicant is willing to enter into an agreement, staff would recommend approval of the exemption request.

Interdepartmental Implications

None

Financial Implications

None

Recommendation

THAT report C-004-19 be received as information;

AND THAT Council approves the exemption to By-law No. 01-3989 to allow three dogs on the premise of 12 Holcroft Street East, subject to the applicants, Ricky Byrd, and Jocelyn Olsen-Ewart, entering into an agreement including the conditions detailed in this report.

Attachments

Request for Exemption by Ricky Byrd and Jocelyn Olsen-Ewart

Prepared by: Michael Graves, Director of Corporate Services, Clerk-Deputy CAO
Approved by: William Tigert, Chief Administrative Officer



Michael Graves <mgraves@ingersoll.ca>

Dog Exemption

Ricky Byrd <rickybyrd79@gmail.com>
To: mgraves@ingersoll.ca

Wed, Dec 12, 2018 at 3:32 PM

Hello Mr Graves,

I am writing to ask for an exemption from the council for a third dog at 12 Holcroft St E.

There are 2 males and 1 female. The ages are 2, 4 and 7. All have up to date vaccinations. The female is spayed and the older male is neutered. The younger male is scheduled for a preliminary appointment before he undergoes his surgery to be neutered as well. None of them are kept outdoors and all 3 wear training collars for barking.

Thank you,
Ricky Byrd
Jocelyn Olson-Ewart



Department: Clerk's Department

Report Number: C-005-19

Council Meeting Date: January 14, 2019

Title: Application for a variance to By-law 01-3989 (Maximum number of dogs)

Objective

To present Council with the necessary information to decide on a request for an exemption to By-law 01-3989 concerning the maximum number of dogs permitted to reside in any one dwelling unit or on any premises.

Background

Council has received an email from Laura Courchesne (attached) requesting permission to allow an additional dog to reside on the property located at 120 Ridge Rd. The owner recently moved from Kitchener to Ingersoll and owns two shiatzus, both age seven, and one chihuahua that is six years of age.

Analysis

By-law 01-3989 at clause 3.1 states: "no person shall keep more than two dogs in any one dwelling unit or on any premises."

From time to time Council has approved exemption requests to clause 3.1 so long as the applicant agrees to enter into an agreement with the Town with the following conditions:

- That as each dog in excess of the two dog limit passes away no new dog shall be acquired and kept at the location;
- That in time there will be no more than two (2) dogs kept at this premise or any other premise in the Town of Ingersoll without permission of Council;
- That all other conditions of By-law No. 01-3989 be adhered to at all times.

If the applicant is willing to enter into an agreement, staff would recommend approval of the exemption request.

Interdepartmental Implications

None

Financial Implications

None

Recommendation

THAT report C-005-19 be received as information;

AND THAT Council approves the exemption to By-law No. 01-3989 to allow three dogs on the premise of 20 Ridge Rd., subject to the applicant, Laura Courchesne entering into an agreement including the conditions detailed in this report.

Attachments

Request for Exemption submitted by Laura Courchesne

Prepared by: Michael Graves, Director of Corporate Services, Clerk-Deputy CAO
Approved by: William Tigert, Chief Administrative Officer

Re:exemption to by-law

Inbox x



Laura Courchesne <lcourchesne66@gmail.com>

4:55 AM (10
hours ago)

to clerks@ingersoll.ca

Dear Mayor and Council,

I am asking for an exemption to a by-law regarding having a third dog. We have recently moved to Ingersoll from Kitchener. I own three dogs, 2 shitzsu and a chihuahua.

Jellybean is a chihuahua who is 6 years old would like an exception to your by-law. All my dogs have all there up dated shots and the two shitzsus who are 7 years old have there dog licence for Ingersoll.

Thankyou,

Laura Courchesne
20 Ridge Rd.
Ingersoll
519 4968046



Department: Clerk's Department

Report Number: C-006-19

Council Meeting Date: January 14, 2019

Title: Building Assessment – Police Station – Lease Requirements with OPP

Objective

To receive direction from Council to proceed with a Building Assessment for the Police Station to finalize the details of a lease with the OPP.

Background

We have negotiated a lease for the Police Station with the Ontario Infrastructure and Lands Corporation for use by the OPP. One of the conditions of the lease is that the Town supply a report outlining any asbestos in the facility. Staff have searched our records and cannot find any indication that there is any asbestos in the facility. As well given the age of the structure, it is highly unlikely that there is asbestos in the facility. However, Ontario Infrastructure and Lands Corporation requires the town to certify that there is no asbestos in the facility.

Staff have been conducting Building Assessments on all of our facilities in order to develop asset management plans.

Analysis

There is no staff member qualified to make such a determination regarding asbestos. Staff have recently employed EXP Services Inc. to conduct condition assessments on some of the Town facilities including the museum facilities and have been very satisfied with the thoroughness of the reports. As such, staff recommend that we hire EXP to complete said facility assessment including an asbestos evaluation. We have received a quote from EXP in the amount of \$4,600.

Interdepartmental Implications

None

Financial Implications

Funds are not available in the operating budget, therefore, staff are recommending that funds be pulled from the reserves for the police station to cover the cost of such an assessment.

Recommendation

THAT the council for the Town of Ingersoll receives report C-006-19 as information;

AND FURTHER THAT Council directs staff to utilize funds from the Police Station reserve in order to cover the facility assessment for the Police Station estimated to be \$4,600.

Attachments

None

Prepared by: Michael Graves, Director of Corporate Services/Clerk-Deputy CAO
Approved by: William Tigert, Chief Administrative Officer



Department: Clerk's Department

Report Number: C-007-19

Council Meeting Date: January 14, 2019

Title: Delegation Requests – 2019 OGRA Annual Conference February 24 – 27, 2019

Objective

To advise Council of the delegation requests approved for the ROMA conference and the delegation requests submitted on their behalf for the Ontario Good Roads Association Conference which is to be held February 24 – 27, 2019 at the Sheraton Centre.

Background

Previously Council has made the following delegation requests for the ROMA Conference:

1. Ministry of Environment: Demand the Right
2. Ministry of Finance: Funding for Peer Review of Landfill Application
3. Ministry of Natural Resources:
 - a. Mediation process for Conservation Authority decisions
 - b. Request more funding for flood proofing
 - c. Discussions regarding a special policy area like Stratford
4. Ministry of Health and Long-Term Care: Funding for Fusion Centre
5. Ministry of Economic Development and Trade: Funding for Fusion Centre
6. Ministry of Tourism, Culture and Sport:
 - a. Funding for Fusion Centre
 - b. Request making bicycle helmets mandatory for all ages

Analysis

The Town's request to the Ministry of Health and the Ministry of Economic Development and Trade was referred to the Ministry of Children, Community and Social Services and the Parliamentary Assistant and Deputy Minister have made contact to advise that they will meet with our representatives on Monday, January 28 at 11:15 – 11:30.

Staff have also received a message from a representative of the Ministry of Environment to advise that they will be in touch with arrangements for our delegation.

As such staff have proceeded to resubmit the delegation requests that have not yet been approved for the OGRA conference in the hopes that it will ensure our delegation status.

Staff remind Council that should delegations for OGRA be approved representatives of Ingersoll can attend delegation meetings without attending the OGRA conference.

Staff will advise as to which delegations are approved.

Interdepartmental Implications

None

Financial Implications

None

Recommendation

THAT Council for the Corporation of The Town of Ingersoll receives report numbered C-007-18 as information.

Attachments

None

Prepared by: Michael Graves, Director of Corporate Services/Clerk-Deputy CAO
Approved by: William Tigert, Chief Administrative Officer



Department: Operations

Report Number: OP-002-19

Council Meeting Date: January 14, 2019

Title: Traffic Control in New Subdivisions

Objective

For Council approval of traffic changes to the Traffic and Parking Bylaw.

Background

The construction of new homes has started in a number of new subdivisions. These new streets exit onto existing Town streets presently with no stop control.

Analysis

The Harrisview Phase IV, Westfield Heights, and Golf Estates Subdivision have started build out, and there is no stop control for the exiting traffic. Stop control is needed from Montgomery Way and Sutherland Street onto Hollingshead; Minler Street onto Whiting Street and Glenn Avenue and Cash Crescent and Whiting Street onto Clark Road. Staff is recommending the installation of stop signs on each of these intersections to control traffic exiting the subdivisions.

Interdepartmental Implications

None

Financial Implications

The cost of the six stop signs will be approximately \$600 and will come from the Public Works Operating Budget.

Recommendation

THAT the Council for the Town of Ingersoll receives staff report OP-002-19 as information

AND FURTHER THAT Council bylaw the following stop signs:

- On Montgomery Way and Sutherland Street at the intersection of Hollingshead Road;
- On Minler at the intersections of Whiting Street and Glenn Avenue; and
- On Cash Crescent and Whiting Street at the intersection of Clark Road.

Attachments

None

Prepared by: Sandra Lawson P.Eng., Town Engineer
Approved by: William Tigert, Chief Administrative Officer



Department: Operations

Report Number: OP-003-19

Council Meeting Date: January 14, 2019

Title: Duke Street Parking Restrictions Follow-up

Objective

To follow up with Council on the parking restrictions proposed for Duke Street and to modify the motion that was passed on December 10th.

Background

At the December 10th, 2018 Council meeting, Council approved the following motion:

Moved by Councillor Lesser; seconded by Councillor Van Kooten-Bossence

C18-12-357 THAT the Council for the Town of Ingersoll receives staff report OP-034-18 as information;

AND THAT parking be allowed on the west side of Duke at a three (3) hour limit and adhering to the Town's winter parking restrictions.

The motion inadvertently allowed parking on the west side instead of the east side. It should have continued the No Parking on the west side of Duke Street and on either side of Duke Lane on the east side of Duke Street and that the remainder of the parking restrictions on the east side be removed from the bylaw at the next regular Council meeting.

Analysis

After the December 10th Council meeting a notice indicating the changes to the parking was delivered to the residents of Duke Street. As of this date the Town has received no responses regarding the approved decision.

Interdepartmental Implications

None

Financial Implications

None

Recommendation

THAT the Council for the Town of Ingersoll receives staff report OP-003-19 as information.

AND THAT the parking restrictions for the (3) hour limit and the 3 am to 6 am all year round be removed from the east side of Duke Street and continue to adhere to the Town's winter parking restrictions.

Attachments

None

Prepared by: Sandra Lawson P.Eng., Town Engineer
Approved by: William Tigert, Chief Administrative Officer



Department: Operations

Report Number: OP-004-19

Council Meeting Date: January 14, 2019

Title: Amendment to the Fees & Charges Bylaw 18-5001

Objective

To establish a means for Council to obtain cost recovery of expenses associated with the damage incurred to Town property caused by vehicular collisions.

Background

The Ministry of Transportation (MTO) maintains a database of vehicular collisions reported on Ontario roads. Currently, the Town of Ingersoll has an authorized agreement allowing access to the data for analytical purposes. A second application is being prepared to allow the Town to utilize the secure information for the purpose of cost recovery for damage claims.

Analysis

To be able to complete the application the MTO requires a bylaw approved by Council, which gives the Town the authority to recoup their costs for damages to Town property caused by vehicular collisions. Other municipalities have achieved this through an amendment to their standard fees bylaw. Once approved, this completed application will allow staff to use the secure MTO database information to identify owners and insurers involved in collisions with Town property and initiate the cost recovery process. Staff is, therefore, recommending an amendment to the Fees & Charges Bylaw 18-5001 to be able to complete the MTO application.

Interdepartmental Implications

None

Financial Implications

Recently the Town has incurred substantial costs due to damage to its infrastructure as a result of vehicle collisions. This bylaw amendment will allow the Town to recover the majority of those costs.

Recommendation

THAT the Council for the Town of Ingersoll receives staff report OP-004-19 as information

AND FURTHER THAT Council amends Bylaw 18-5001, Schedule 'A' Section Engineering/Public Works with the additional line item for cost recovery for damages to public property caused during a collision.

Attachments

None

Prepared by: Sandra Lawson P.Eng., Town Engineer
Approved by: William Tigert, Chief Administrative Officer



**Corporation of the Town of Ingersoll
By-Law 19-5030**

A by-law to provide for a 2019 interim tax levy for all taxation classes and to provide for the payment of taxes and penalty and interest charges of 1.25 percent per month

WHEREAS Section 317(1) of the *Municipal Act*, S.O. 2001, C.25, provides that the Council of a local municipality may, before the adoption of the annual estimates for 2019, pass a by-law to levy on the whole of the assessment for real property rateable for local municipal purposes;

AND WHEREAS the Council of The Corporation of the Town of Ingersoll deems it advisable and expedient that such an interim tax levy be applied to all taxation classes;

NOW THEREFORE the Council of The Corporation of the Town of Ingersoll enacts as follows:

- (1) That an interim levy be imposed in 2019 in an amount of fifty (50) per cent of the prior year's annualized taxes.
- (2) For the purposes of calculating the total amount of taxes for the prior year under paragraph 1, if any taxes were levied on a property for only part of 2018 because assessment was added to the Collectors Roll during 2018, an amount shall be added equal to the additional taxes that would have been levied on the property if taxes had been levied for the entire year.
- (3) For the purposes of calculating the total amount of taxes for the year 2018 under paragraph 1, if any taxes are reduced on a property for only part of 2018 as a result of tax reductions under Section 357 of the *Municipal Act*, S.O. 2001, C.25 or assessment appeals approved by the Assessment Review Board, an amount shall be deducted equal to the reduced taxes that would have been calculated on the property if taxes had been reduced for the entire year.
- (4) A sum not exceeding 50% for local improvement charges shall be levied where applicable.
- (5) That the Director of Finance/Treasurer be authorized to issue such prescribed interim realty tax notices which shall be due in two approximately equal instalments. The due date for the first instalment shall be the 28th day of February 2019. The second instalment due date shall be the 31st day of May, 2019. The due dates shall meet the notification requirements specified in Section 343 (1) of the *Municipal Act*. S.O. 2001, C.25.
- (6) The provisions of this by-law apply in the event that assessment is added for the year 2019 after the date this by-law is passed and an interim levy shall be imposed and collected with one instalment date with a due date within the notification requirements specified in Section 343 (1) of the *Municipal Act* S.O. 2001, C.25.
- (7) That pursuant to Section 345(2) of the *Municipal Act*, S.O. 2001, C.25, a penalty of 1.25 % shall be made on the first day of default. Such penalty charge shall be levied and collected in the same manner as if it had been originally imposed.
- (8) That pursuant to Section 345(2) of the *Municipal Act*, S.O. 2001, C.25, the Director of Finance/Treasurer shall add to the amount of taxes due and unpaid, interest at the rate of 1.25 % month at the first of each month for each month until the taxes are paid. Such interest charge shall be levied and collected in the same manner as if it had been originally imposed.

- (9) The Director of Finance/Treasurer may mail, deliver or cause to deliver to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable, as specified under Section 343 (1) of the Municipal Act, S.O. 2001, C.25.
- (10) That payment of 2019 taxes shall be made into the office of the Director of Finance/Treasurer at 130 Oxford Street, 2nd Floor, Ingersoll, Ontario or at/through various financial institutions or designated agents in the Town of Ingersoll as ratified by written agreement from time to time.
- (11) That in accordance with Section 347(1) of the *Municipal Act*, S.O. 2001, C.25, the Director of Finance/Treasurer may accept and allocate part payment from time to time on account of any taxes due and receipt such part payment provided that acceptance of any such part payment does not affect the collection of any percentage charge imposed and collectible in respect of non-payment of any taxes or any class of taxes or of any instalment thereof.
- (12) That the Director of Finance/Treasurer is not authorized to revise, reduce or cancel amounts billed and/or interest/penalty charges without the authorization of Council.
- (13) That the Director of Finance/Treasurer shall proceed to collect the amounts of this by-law together with all other sums on the Tax Roll in the same manner as set forth in this by-law and in force and effect.
- (14) If any section or portion of this by-law is found by a Court of competent jurisdiction to be invalid, it is the intent of the Council of The Corporation of the Town of Ingersoll that all remaining sections and portions of the by-law continue in force and effect.

READ a first and second time in Open Council this 14th day of January 2019.

READ a third time and passed in Open Council this 14th day of January 2019.

Edward (Ted) Comiskey, Mayor

Michael Graves, Clerk



**Corporation of the Town of Ingersoll
By-Law 19-5031**

**Being a by-law to amend By-law 06-4327, being a by-law to provide for the governing and regulation of traffic and parking in the Town of Ingersoll
(Designate Stop Signs)**

WHEREAS Council adopted By-Law 06-4327 on the 16th day of October, 2006 for the governing and regulation of traffic and parking:

AND WHEREAS Council is desirous of amending the by-law:

NOW THEREFORE, the Council of the Corporation of the Town of Ingersoll enacts as follows:

- 1) **THAT Schedule "O" TO DESIGNATE STOP SIGNS AT INTERSECTIONS** be amended to include:

Intersection	Facing Traffic
Sutherland Street	Westbound at Hollingshead Road
Montgomery Way	Westbound at Hollingshead Road
Minler Street	Eastbound at Whiting Street
Minler Street	Southbound at Glenn Avenue
Cash Crescent	Northbound at Clark Road
Whiting Street	Northbound at Clark Road

READ a first and second time in Open Council this 14th day of January, 2019.

READ a third time in Open Council and passed this 14th day of January, 2019.

Edward (Ted) Comiskey, Mayor

Michael Graves, Clerk



**Corporation of the Town of Ingersoll
By-Law 19-5032**

A by-law to reappoint an integrity commissioner

WHEREAS on March 1, 2019, the day named by proclamation of the Lieutenant Governor, Section 223.3(1) of the Municipal Act, 2001, will authorize 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 any or all of the following:

1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.
7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*, 2017, c. 10, Sched. 1, s. 19 (1).

AND WHEREAS on March 1, 2019 Section 223.3(1.1) of the Act will require a municipality to appoint a Commissioner or make arrangements for all of the responsibilities set out in Subsection (1) to be provided by a Commissioner in another municipality.

AND WHEREAS Council previously appointed an Integrity Commissioner, Mr. Gregory Stewart under by-law 16-4886 for a term ending on December 31, 2018.

AND WHEREAS at its regular meeting of Council on December 10, 2018 Council approved the extension of a contract with Mr. Gregory Stewart as the Town's Integrity Commissioner for the 2018 – 2022 term of Council.

NOW THEREFORE, the Council of the Corporation of the Town of Ingersoll enacts as follows:

1. That the Council does hereby reappoint Gregory Stewart as the Integrity Commissioner for the Town of Ingersoll under the contract outlined in this By-law and as attached as Schedule 'A'.
2. That Schedule 'A' attached hereto, in substantially the same form, shall form part of this By-law.
3. That by-law 16-4886 is hereby repealed.
4. That this By-law shall come into force and be effective on the date of the third and final reading thereof.

READ a first and second time this 14th day of January, 2019.

READ a third time and finally passed this 14th day of January, 2019.

Ted Comiskey, Mayor

Michael Graves, Clerk

AGREEMENT FOR MUNICIPAL INTEGRITY COMMISSIONER

THIS AGREEMENT made as of the ____ day of _____, 2019.

BETWEEN:

Town of Ingersoll

(hereinafter referred to as the "Town")

OF THE FIRST PART

AND:

GREGORY F. STEWART

(hereinafter referred to as "Stewart" and or the "Integrity Commissioner")

OF THE SECOND PART

WHEREAS:

WHEREAS section 223.3 of the *Municipal Act, 2001* authorizes the Municipality to appoint an Integrity Commissioner who reports to Municipal Council and who is responsible for performing in an independent manner the functions assigned by Municipal Council in accordance with the legislation and the Municipal Council approved Terms of Reference;

WHEREAS the Town of Ingersoll wishes to retain Stewart as its Integrity Commissioner under the authority of the *Municipal Act, 2001* to perform the duties and responsibilities of that office pursuant to the terms of the legislation and this agreement

NOW THEREFORE, in consideration of the covenants hereinafter set forth, and other good and valuable consideration, the sufficiency and receipt of which consideration is hereby acknowledged, the parties hereto agree as follows:

1. Term - The term of this agreement is for the period commencing January 1, 2019 (the "commencement date") and ending on December 31, 2022 unless subject to prior early termination by either of the parties hereto and/or as otherwise renewed or extended by agreement of the parties.

The Town may at any time, suspend or terminate this Agreement and the duties thereunder or any portion thereof at any time. Upon receipt of such written notice, the Integrity Commissioner shall perform no further duties other than those reasonably necessary to close out the Integrity Commissioner's duties. Notwithstanding the foregoing, the Town shall not terminate or suspend this Agreement while the Integrity Commissioner is engaged in an investigation. In such case, the termination or suspension will not take effect until the Integrity Commissioner has completed the investigation and provided his report to Council.

The Integrity Commissioner shall retain all other records and documentation relating to his or her duties for a period of ten years following termination of this Agreement and then shall dispose of such records in a secure fashion.

Subject to the *Municipal Freedom of Information and Protection of Privacy Act* and subject to any other legislative requirement and the provisions of this Agreement, both during and after the term of this Agreement, the Integrity Commissioner shall not publish or issue any information respecting his duties under this Agreement without the prior written consent of the Town's Council.

2. Services - The Town hereby retains and appoints Stewart as Integrity Commissioner in accordance with the *Municipal Act, 2001* and Stewart accepts such appointment and agrees to perform the functions of Integrity Commissioner in accordance with this Agreement and as set out in the Council Code of Conduct for Members of Council.
3. Functions - As Integrity Commissioner, Stewart shall perform the functions and have the powers provided for in the Act, including but not limited to the following:

- (1) *Advisory*: Upon proper request, provide written and/or verbal advice to individual members of Council respecting the application of the Code of Conduct for Members of Council and/or any other procedures, rules, and policies relating to and reflecting upon their ethical behavior, including but not limited to general interpretation of the Municipal Conflict of Interest Act (Ontario); and furthermore and when appropriate, provide the full Council with specific and general opinions and advice respecting compliance by elected officials in respect of the provisions of governing statutes, the Code of Conduct and any other applicable procedures, rules, and policies.

The Integrity Commissioner may be requested to provide such advice confidentially to the Member of Council, making the request in respect of specific facts, and in a way in which the Member of Council may rely upon the advice provided. In such circumstances and where the Integrity Commissioner is requested to do so, he may provide advice in a general way to all Members of Council respecting the interpretation of the Code of Conduct.

- (2) *Compliance Investigation/Determinations*: upon receipt of a complaint, the Integrity Commissioner shall assess the validity of the complaint to determine if it is appropriate and within the mandate of the Integrity Commissioner to investigate any alleged contraventions of the Code of Conduct identified in the complaint. Where the Integrity Commissioner has determined that the allegations made would, if substantiated, constitute a breach of the Code of Conduct, the Integrity Commissioner will investigate the alleged breach.
- (3) *Inquiry under s 223.4 of the Municipal Act, 2001*: upon proper request from a member of Council or local board, municipal administration or one or more members of the public and having determined it is appropriate in the circumstances to initiate an inquiry under Subsection 223.4 of the *Municipal Act, 2001*, the Integrity Commissioner will conduct an inquiry and make a determination as to any alleged contravention of the Code of Conduct or applicable procedures, rules and policies by a member of Council and, thereafter, will report to Council the details and results of such inquiry.
- (4) *Reporting*: the Integrity Commissioner shall file an annual report to Municipal Council respecting the advice, education and investigations carried out in the previous year, and developments or recommendations of significance related to the role of the Town's Integrity Commissioner.
- (5) *Educational*: The Integrity Commissioner shall provide outreach programs to members of Council and local boards and relevant staff on legislation, protocols, and office procedures emphasizing the importance of compliance with a Code of Conduct for public confidence in Municipal Government.
- (6) *Municipal Conflict of Interest Act*: Members of Council are governed by the *Municipal Conflict of Interest Act* and the provisions of that Act take precedence over any authority given to the Integrity Commissioner to receive or investigate complaints regarding alleged contraventions under that Act when a complaint involving the very same matter has been made under that Act. Where a proceeding has been commenced under the *Municipal Conflict of Interest Act*, the Integrity Commissioner shall suspend any investigation being conducted by him or her with respect to the same matter until the proceeding under the *Municipal Conflict of Interest Act* has been completed.
- (7) *Clarification or Withdrawal*: If the Integrity Commissioner is unclear about the substance of a request for advice, or if the Integrity Commissioner is unclear as to whether a request received from a Member of Council is a request for advice or a request for an investigation, then before commencing work on the matter, the Integrity Commissioner will first seek clarification from the Member of Council who referred the matter. Likewise, if as a result of any action taken by the Integrity Commissioner the Member of Council who referred the matter believes the action is not what was intended, then the Member of Council may provide clarification to the Integrity Commissioner or may withdraw his or her request to provide advice or to conduct an investigation, whichever the case may be.

(8) *Report to Council*: the Integrity Commissioner is responsible for performing the duties set out in this section independently, and shall report directly to Council in respect of all such matters.

(9) *Documents*: the Integrity Commissioner shall provide electronic copies of any reports to the Town Clerk who shall be responsible for ensuring distribution to the appropriate individuals, except for matters received as fact-specific requests from individual Members of Council, in which case the Integrity Commissioner shall correspond directly with that individual Member of Council.

4. Fees

Hourly Rate - Stewart will be paid a fee of TWO HUNDRED FIFTY DOLLARS PER HOUR (\$250.00/hour), plus applicable taxes, for time devoted to services as Integrity Commissioner.

a) Expenses – Stewart will be entitled to reimbursement of expenses incurred in relation to performance of duties contemplated by this agreement, including but not limited to food and hotel costs, car rental, railway transportation, and/or mileage charges, all at the respective municipal rates then in effect.

b) Legal Advice/Fees - The parties agree that, when necessary, Stewart may arrange for and receive legal assistance and advice to properly perform the duties contemplated by this agreement. The parties agree that, as a direct cost and not as a reimbursable expense, the Town shall pay the cost of such legal assistance and advice.

5. Reviewing Records - If requested by the Town, the Integrity Commissioner shall make available to the Town such time sheets, accounts, records, receipts, vouchers and other documents as the Clerk considers necessary for the purpose of substantiating the Integrity Commissioner's invoices.

The Town may, at any time and from time to time during the term of this Agreement and ten (10) years following its termination or expiry, audit and inspect the Integrity Commissioner's accounts, records, receipts, vouchers, records of accessible customer service training (if applicable), and other similar documents relating to performance of the duties and this Agreement and shall have the right to make copies thereof and take extracts therefrom.

The Integrity Commissioner shall make available to the Town the materials referred to in this section in order that the Town may carry out audits and inspections as provided in this section and shall furnish the Town and its authorized representative with all such information as the Town or such representatives may from time to time require with reference to such materials.

6. Confidentiality - During the term of this Agreement, pursuant to Subsection 223.5 of the *Municipal Act, 2001*, the Integrity Commissioner is entitled to have access to all books, financial records, electronic data, processing records, reports, files and any other papers, things or property belonging to or used by the municipality that the Integrity Commissioner believes to be necessary for an inquiry.

The Integrity Commissioner and every person acting under the instructions of the Integrity Commissioner shall reasonably preserve secrecy with respect to all matters that come to his knowledge in the course of carrying out any of the duties of the Integrity Commissioner under this Agreement, except as required by law in a criminal proceeding or in accordance with Subsection 223.5(1) of the *Municipal Act, 2001*.

Where the Integrity Commissioner reports to the Town that in his or her opinion a Member of Council has contravened the Code of Conduct, the Integrity Commissioner may disclose in the report such matters as in the Integrity Commissioner's opinion are necessary, subject to applicable law.

If the Integrity Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of any other Act or of the *Criminal Code of Canada*, the Integrity Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police

investigation and charge has been finally disposed of, and shall report the suspension to Council.

Except as may be required by law, the Integrity Commissioner shall not disclose confidential information that was the subject of a closed meeting under Section 239 of the *Municipal Act, 2001*, or which could identify a person concerned.

Upon receipt of a formal complaint pursuant to the Code of Conduct, and where the Integrity Commissioner determines that the complaint meets the criteria to be investigated, the Integrity Commissioner may elect to conduct an informal investigation or alternatively to exercise the powers of a Commission under Parts I and II of the *Public Inquiries Act*, as contemplated by Subsection 223.4(2) of the Act.

Upon receipt of a formal complaint pursuant to the Code of Conduct, the Integrity Commissioner will first determine whether the complaint is invalid by virtue of the reason that the Integrity Commissioner determines the complaint to be

- a) outside of the jurisdiction of the Integrity Commissioner;
- b) frivolous or vexatious;
- c) made in bad faith or without substance; or
- d) insufficient basis to conduct an investigation, including not relevant to the objectives of the *Municipal Act, 2001*, the Council Code of Conduct or in the public interest;

Where the Integrity Commissioner so determines, he shall report the nature of the formal complaint and the reason for not investigating to Town.

If the Integrity Commissioner is satisfied that a formal complaint regarding a Member of Council does not contain sufficient information to set out in a *prima facie* contravention of the Code of Conduct, the Integrity Commissioner shall stay any inquiry into the complaint. The Integrity Commissioner shall notify the complainant that the matter is stayed and provide an opportunity for the complainant to provide additional information to allow the Integrity Commissioner to determine whether there has been a possible contravention of the Code of Conduct. Where satisfied that the information sets out a *prima facie* contravention of the Code of Conduct, the Integrity Commissioner shall lift the stay and conduct the inquiry and where not satisfied, the Integrity Commissioner shall file a report setting out that decision.

If the Integrity Commissioner is satisfied, after considering the information contained in the complaint and any other relevant information, that a complaint regarding a Member of Council is frivolous, vexatious or not made in good faith, or where the complaint is not within the mandate of the Integrity Commissioner, he shall not conduct an inquiry. Where this becomes apparent in the course of an inquiry, the Integrity Commissioner shall terminate the inquiry and prepare and file a report to Council.

8. General Indemnity

The Town will save harmless and fully indemnify the Integrity Commissioner, both during and following the term of this Agreement, from and against all costs, actions, suits, claims, demands whatsoever incurred in the course of actions taken within the terms of the duties to be performed by the Integrity Commissioner described herein for any act done in good faith in the performance or intended performance of a duty or authority under the *Municipal Act, 2001* or a by-law passed under it or for any alleged neglect or default in the performance in good faith of the duty or authority. The Town shall indemnify the Integrity Commissioner by i) assuming the cost of defending the Integrity Commissioner in an action or proceeding; ii) paying any damages or costs awarded against the Integrity Commissioner as a result of an action or proceeding, iii) paying, either by direct payment or by reimbursement, any expenses reasonably incurred by the Integrity Commissioner as a result of an action or proceeding or iv) paying any sum required in connection with the settlement of an action or proceeding, to the extent that such costs, damages, expenses or sums are not assumed, paid or reimbursed under any provision of any insurance maintained by the Town or the Integrity Commissioner for the benefit and protection of him against any liability incurred by him. The Town shall have the right to select and retain the lawyer to represent the Integrity Commissioner in circumstances where he seeks indemnity pursuant to this Agreement and shall have the right to approve any settlement of any action or proceeding. Where the Integrity Commissioner is served with any process issued out of or authorized by any court,

administrative tribunal or other administrative, investigative or quasi-judicial body in connection with any action or proceeding, he shall deliver a copy of the process forthwith to the Clerk if he is seeking indemnity under this Agreement. The Integrity Commissioner shall cooperate fully with the Town and any lawyer retained by the Town to defend such action or proceeding and shall make available to such lawyer all information and documents relevant to the matter subject to applicable requirements of privilege and confidentiality.

9. Conflict of Interest - The Integrity Commissioner acknowledges and advises that he does not have any conflicts of interest that would interfere with carrying out the duties under this Agreement and that he shall be impartial and neutral and shall perform all duties skillfully, competently, independently and in accordance with all applicable law.

If the Integrity Commissioner becomes aware of a situation where a conflict of interest could arise, the Integrity Commissioner shall:

- a) advise the Clerk immediately in writing of the nature of the conflict;
 - b) refrain from conducting any further investigation or providing advice on the matter at issue until further direction is given by the Clerk
10. No Amendment - This Agreement may only be changed or amended in writing duly executed by the duly authorized representatives of both parties.
11. Independent Contractor - Notwithstanding the appointment as a statutory officer, the parties agree and acknowledge that Stewart is a contractor independent of the Town. Nothing within this agreement shall be interpreted to render or create a relationship of employer/employee, partnership, franchise, agency, joint venture or other like arrangement as between Stewart and the Town.
12. Statutory Officer - For purposes of the agreement and solely for the purpose of arranging for errors and omission insurance, the Integrity Commissioner shall be deemed to hold the status of "Statutory Officer" under the Municipal Act.
13. Early Termination - The within agreement may be terminated by either party upon fifteen (15) days' notice by delivery of a written notice of such early termination delivered during the term of this agreement.
14. Notice - Any notice required pursuant to this agreement shall be delivered to the respective parties hereto at the following addresses:

For the Town:
130 Oxford Street, 2nd Floor
Ingersoll, ON
N5C 2V5

Attention: Clerk

For Gregory F. Stewart:
Donnelly Murphy Lawyers Professional Corporation
18 The Square
Goderich, Ontario
N7A 3Y7

Any written notice between the parties hereto pursuant to this agreement which specifically excludes any invoice rendered herein, shall be delivered or sent by pre-paid registered mail addressed to the parties at the respective addresses listed above. Notice shall be deemed to have been received on the date on which notice was delivered to the addresses designated or, in the case of mailing, on the fifth day after the date of mailing.

15. Severability - All paragraphs, terms, and conditions of this agreement are severable and the invalidity, illegality or unenforceability of any such paragraph, term, or condition shall be deemed not to affect the validity, legality, or enforceability of the remaining paragraphs, terms and conditions.

16. Complete Agreement - This agreement constitutes the entire agreement between the parties and supersedes all prior agreements, negotiations and discussions, whether oral or written, with respect to the subject matter of this agreement.
17. Enurement - This agreement shall enure to the benefit of and is binding upon the parties hereto and their respective successors, heirs, executors and permitted assigns.
18. Governing Law -This agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable thereto and shall be treated in all respects as an Ontario contract.
19. Amendments -The Town may in writing at any time after the execution of this Agreement or the commencement of the duties delete, extend, vary or otherwise alter the Code of Conduct and the duties forming the subject of this Agreement. The Town shall consult with the Integrity Commissioner prior to changing the duties. The Integrity Commissioner shall have the option of terminating this Agreement upon giving thirty days notice if the scope of the duties is materially altered without the Integrity Commissioner's consent.

IN WITNESS WHEREOF the parties are to have caused the agreement to be signed and sealed and/or executed by their respective officers which are duly authorized as of the date first written above.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

[Town of Ingersoll]

Per: _____
Edward (Ted) Comiskey, Mayor

Per: _____
Michael Graves, Clerk
We have authority to bind the Corporation

Gregory F. Stewart



**Corporation of the Town of Ingersoll
By-Law 19-5033**

**A bylaw to adopt and confirm all actions and proceedings of the Council of the
Town of Ingersoll at the Council meeting held on January 14, 2019**

WHEREAS Section 5 (3) of The Municipal Act, Chapter, S.O. 2001, c. M.25 as amended, states that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS in many cases, action which is taken or authorized to be taken by Council or Committee of Council does not lend itself to or require an individual by-law

NOW THEREFORE, the Council of the Corporation of the Town of Ingersoll enacts as follows:

1. **THAT** all actions and proceedings of the Council of The Corporation of the Town of Ingersoll at the meeting held on January 14, 2019, are hereby adopted.
2. **THAT** the taking of any action authorized in or by the Council of The Corporation of the Town of Ingersoll are hereby adopted, ratified and confirmed.
3. **THAT** where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the Council of The Corporation of the Town of Ingersoll, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing the taking of the action.
4. **THAT** the Mayor and Officers of The Corporation of the Town of Ingersoll are hereby authorized and directed to do all things necessary to give effect to the recommendations, motions, resolutions, reports, action and other decisions of the Council and the Mayor and Clerk are hereby authorized and directed to execute all necessary documents in the name of The Corporation of the Town of Ingersoll and to affix the seal of the Corporation thereto.
5. **AND FURTHER THAT** this by-law shall become effective and shall come into force after third reading of the by-law.

READ a first and second time in Open Council this 14th day of January, 2018.

READ a third time in Open Council and passed this 14th day of January 2018.

Edward (Ted) Comiskey, Mayor

Michael Graves, Clerk