

Schedule “A”

2020 Annual Report of the Integrity Commissioner for the City of Richmond Hill

The ***Municipal Act, 2001***, S.O. 2001, c. 25, s. 225, provides that it is the role of head of Council (the Mayor) to preside over Council meetings so that its business can be carried out efficiently and effectively. Section 238 mandates that every municipality is to pass “a procedure by-law for governing the calling, place and procedure of meetings”.

The City of Richmond Hill has passed such a **Procedure By-law** (By-law No. 74-12). Section 4.1(a) of that by-law provides that the Mayor shall preside as Chair over meetings of Council. Section 4.6(i) specifies that **the Chair shall enforce on all occasions** the rules and the observance of order and decorum amongst the Members, Town Staff and Persons in attendance at a Meeting. Section 5.7.1 provides that the Chair shall preserve order and decorum and, subject to an appeal to Council by any Member, shall decide questions of procedure and order and all matters related to this by-law.

Section 9.1 of the **Richmond Hill Council Code of Conduct** explicitly states that the Procedure By-law governs conduct at Council and committee meetings: “Members shall conduct themselves with decorum at all Council and committee meetings in accordance with the provisions of the Procedure By-law.” The same provision exists in the Code of Conduct for Members of Toronto City Council, and the Integrity Commissioner for that jurisdiction has concluded that discreditable conduct by councillors at Council meetings falls under the jurisdiction of Council.

Further, section 6.10(a) of the **Integrity Commissioner Procedures** provides that the Integrity Commissioner is without jurisdiction over complaints with respect to matters not covered by the Code of Conduct or “covered by other policies or legislation”.