The Corporation of the Town of Tillsonburg
COUNCIL MEETING
AGENDA

Monday, February 11, 2019
5:00 PM
Council Chambers
200 Broadway, 2nd Floor

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1. **Call to Order**

2. **Closed Session**

Proposed Resolution #1
Moved By: _____
Seconded By: _____
THAT Council move into Closed Session at 5:00 p.m. to consider a proposed or pending acquisition or sale of land by the Town (Earle Street).

2.1 **Proposed or Pending Land Acquisition or Sale (Earle Street)**

3. **Adoption of Agenda**

Proposed Resolution #2
Moved By: _____
Seconded By: _____
THAT the Agenda as prepared for the Council meeting of Monday, February, 11, 2019, be adopted.

4. **Moment of Silence**

5. **Disclosures of Pecuniary Interest and the General Nature Thereof**

6. **Adoption of Council Minutes of Previous Meeting**

Proposed Resolution #3
Moved By: _____
Seconded By: _____
THAT the minutes of the Council meeting held on Monday, January 28, 2019, be approved.

7. Presentations

8. Public Meetings

8.1 Application for Zone Change - ZN 7-18-12 - 2370392 Ontario Ltd. (Matheson) - 101 Bidwell

Proposed Resolution #4
Moved By: _____
Seconded By: _____
THAT Council approve the zone change application ZN 7-18-12, submitted by 2370392 Ontario Ltd. (Jush Matheson), whereby the lands described as Lots 885 & 886, Plan 500, Town of Tillsonburg, known municipally as 101 Bidwell Street are to be rezoned from 'Entrepreneurial Zone (EC)' to 'Special Entrepreneurial Zone (EC-sp)' to permit the establishment of a restaurant, a brewery and warehousing within an existing building.

9. Planning Applications

10. Delegations

11. Deputation(s) on Committee Reports

12. Information Items

12.1 Community Transportation Grant Program Announcement

Proposed Resolution #5
Moved By: _____
Seconded By: _____
THAT Council receive the correspondence regarding the Community Transportation Grant Program Announcement, as information.

13. Staff Reports

13.1 Chief Administrative Officer

13.2 Clerk's Office

13.2.1 CLK 19-04 - Pregnancy and Parental Leave Policy

Proposed Resolution #6
Moved By: _____
Seconded By: _____

THAT Council receives Report CLK 19-04 Pregnancy & Parental Leave for Council;

AND THAT Council chose Option 1 for remuneration of Council Members while on leave;

AND THAT a By-Law to authorize the policy be brought forward for Council consideration at the February 28, 2019 Council meeting.

13.2.2 CLK 19-05 - Council-Staff Relations Policy

Proposed Resolution #7
Moved By: _____
Seconded By: _____
THAT Council receives Report CLK 19-05 Council-Staff Relations Policy;

AND THAT a By-Law to authorize the policy be brought forward for Council consideration at the February 28, 2019 Council meeting.

13.2.3 CLK 19-06 - Integrity Commissioner/Meeting Investigator

Proposed Resolution #8
Moved By: _____
Seconded By: _____
THAT Report CL 19-06 Integrity Commissioner /Meeting Investigator, be received;

AND THAT By-Laws to authorize Agreements with Gregory Stewart to fill the Integrity Commissioner and Closed Meeting Investigator roles for the Town of Tillsonburg for a five year term, be brought forward for Council consideration.

13.3 Development and Communication Services

13.4 Finance

13.5 Fire and Emergency Services

13.5.1 FRS 19-02 - Fundraising Authorization

Proposed Resolution #9
Moved By: _____
Seconded By: _____
THAT Report FRS 19-02 Fundraising Authorization is received as information;

AND THAT the Tillsonburg Fire Department's Public Education Committee is authorized by Council to fundraise for the purchase of a smoke alarm mascot.

13.6 Operations

13.7 Recreation, Culture & Park Services

13.7.1 RCP 19-09 - General Volunteer Policy

Proposed Resolution #10
Moved By: _____
Seconded By: _____
THAT Council receives Report RCP 19-09 General Volunteer Policy;

AND THAT Council adopts the Town of Tillsonburg General Volunteer Policy.

13.7.2 RCP 19-10 - Update to the Municipal Alcohol Policy

Proposed Resolution #11
Moved By: _____
Seconded By: _____
THAT Council receives Report RCP 19-10 Update to the Municipal Alcohol Policy;

AND THAT Council approves the updated Municipal Alcohol Policy;

AND THAT a By-Law is brought forward for consideration.

14. New Business

15. Consideration of Committee Minutes

15.1 Committee Minutes

Proposed Resolution #12
Moved By: _____
Seconded By: _____
THAT Council receive the minutes of the Parks, Beautification and Cemetery Advisory Committee dated January 31, 2019, and the minutes of the Cultural, Heritage and Special Awards Advisory Committee dated February 5, 2019, as information.

15.2 Tillsonburg Police Services Board Minutes

Proposed Resolution #13
Moved By: _____
Seconded By: _____
THAT Council receive the Tillsonburg Police Services Board minutes dated December 19, 2018, as information.

16. Motions/Notice of Motions

17. Resolutions/Resolutions Resulting from Closed Session

18. By-Laws

18.1 By-Law 4266, Municipal Alcohol Policy (M.A.P)

18.2 By-Law 4267, To Appoint an Integrity Commissioner

18.3 By-Law 4268, To Appoint a Meeting Investigator

18.4 By-Law 4270, To Authorize the Submission of an Application to Ontario Infrastructure and Lands Corporation

Proposed Resolution #14
Moved By: _____
Seconded By: _____
THAT By-Law 4266, to adopt the Town of Tillsonburg Municipal Alcohol Policy; and

By-Law 4267, To Appoint an Integrity Commissioner; and

By-Law 4268, To Appoint a Meeting Investigator; and

By-Law 4270, To Authorize the Submission of an Application to Ontario Infrastructure and Lands Corporation, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

19. Confirm Proceedings By-law

Proposed Resolution #15
Moved By: _____
Seconded By: _____
THAT By-Law 4265, to Confirm the Proceedings of the Council meeting held on February 11, 2019, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

20. Items of Public Interest

21. Adjournment

Proposed Resolution #16

Moved By: _____

Seconded By: _____

THAT the Council meeting of Monday, February 11, 2019, be adjourned at ____ p.m.

MINUTES

Monday, January 28, 2019
6:00 PM
Council Chambers
200 Broadway, 2nd Floor

ATTENDANCE:	Mayor Molnar
	Deputy Mayor Beres
	Councillor Esseltine
	Councillor Gilvesy
	Councillor Parker
	Councillor Rosehart
Regrets:	Councillor Luciani
Staff:	David Calder, CAO
	Donna Wilson, Town Clerk
	Dave Rushton, Director of Finance
	Rick Cox, Director of Recreation, Culture and Parks
	Amelia Jaggard, Legislative Services Coordinator
Regrets:	Kevin De Leebeeck, Director of Operations
	Jeff Smith, Fire Chief

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1. Call to Order

The meeting was called to order at 6:00 p.m.

2. Closed Session

3. Adoption of Agenda

Resolution # 1
Moved By: Councillor Rosehart
Seconded By: Councillor Gilvesy

THAT the Agenda as prepared for the Council meeting of Monday, January 28, 2019, be adopted.

Carried

4. Moment of Silence

5. Disclosures of Pecuniary Interest and the General Nature Thereof

No disclosures of pecuniary interest were declared.

6. Adoption of Council Minutes of Previous Meeting

Resolution # 2
Moved By: Councillor Rosehart
Seconded By: Councillor Gilvesy

THAT the Minutes of the Council Meeting of Monday, January 14, 2019, be approved.

Carried

7. Presentations

8. Public Meetings

8.1 Application for Zone Change - ZN 7-18-11 - K.D. Heckford Developments Inc. (Tillsonburg Developments Inc.) - 87, 89, 91, 93, 95, and 97 Sanders Crescent

Eric Gilbert, County Planner, County of Oxford, appeared before Council and provided an overview of Report CP 2018-357, Application for Zone Change ZN 7-18-11.

Opportunity was given for comments and questions from Council.

The agent, Dominic Bradley, was in attendance and spoke in favour of the application.

No members of the public appeared before Council in support of, or opposition to, the application.

Council passed the following resolution.

Resolution # 3
Moved By: Councillor Gilvesy
Seconded By: Councillor Rosehart

THAT Council approve the zone change application (ZN 7-18-11) submitted by K.D. Heckford Developments Inc. (Tillsonburg Developments

Inc.), to amend the existing 'Low Density Residential - Type 2 Holding Zone (R2)' to vary several development standards for six vacant lots along Sanders Crescent to facilitate the construction of single detached dwellings.

Carried

9. Planning Applications

10. Delegations

10.1 Station Arts Centre

Gale Connor, President of the Tillsonburg District Craft Guild (TDCG) presented to Council and spoke in regards to the proposed Memorandum of Understanding (MOU) between the Town and the TDCG.

The MOU requests a three year commitment, and no operational increase for 2019, only consideration that 2020 and beyond be indexed to inflation.

The TDCG is recommending an addition to the existing Station Arts Centre building which could improve access for the general public to programming and cultural experiences.

The TDCG would be willing to possibly invest, search out grant opportunities and speak with businesses and Station supporters to enable moving the project forward.

Opportunity was given for comments and questions from Council.

Resolution # 4
Moved By: Councillor Gilvesy
Seconded By: Councillor Rosehart

THAT Council receive the delegation from Gale Connor, President of the Station Arts Centre, as information.

Carried

11. Deputation(s) on Committee Reports

12. Information Items

12.1 Correspondence - Trans Canada Trail

Resolution # 5
Moved By: Councillor Parker
Seconded By: Councillor Esseltine

THAT Council receive the correspondence from the Trans Canada Trail, as information.

Carried

12.2 Correspondence - Ontario Good Roads Association Board of Directors Update

Resolution # 6
Moved By: Councillor Parker
Seconded By: Councillor Esseltine

THAT Council receive the correspondence from the Ontario Good Roads Association, as information.

Carried

12.3 Correspondence - BIA Appointment

Resolution # 7
Moved By: Councillor Esseltine
Seconded By: Councillor Parker

THAT Council receive the correspondence from the BIA, as information;

AND THAT a By-Law be brought forward to appoint the BIA for Council Consideration.

Carried

12.4 Correspondence - Regional Government Review

Resolution # 8
Moved By: Councillor Esseltine
Seconded By: Deputy Mayor Beres

THAT the Correspondence from Minister Clark regarding Regional Government Review be received, as information.

Carried

12.5 Correspondence - Town of Ingersoll

Resolution # 9
Moved By: Councillor Parker
Seconded By: Councillor Esseltine

THAT Council receive the correspondence from the Town of Ingersoll, as information.

Carried

12.6 Correspondence - Letter to Heads of Council Bill 66

Resolution # 10
Moved By: Deputy Mayor Beres
Seconded By: Councillor Esseltine

THAT Council receive the correspondence from Minister Clark regarding Bill 66, as information.

Carried

12.7 Correspondence - Township of Zorra Resolution

Resolution # 11
Moved By: Deputy Mayor Beres
Seconded By: Councillor Esseltine

THAT Council receive the correspondence from the Township of Zorra, as information.

Carried

13. Staff Reports

13.1 Chief Administrative Officer

13.1.1 CAO 19-02 - Master Service Agreement

Resolution # 12
Moved By: Deputy Mayor Beres
Seconded By: Councillor Esseltine

THAT Council receive report CAO 19-02 Master Service Agreement between the Corporation of the Town of Tillsonburg and Tillsonburg Hydro Inc., as information;

AND THAT the Master Service Agreement between the Corporation of the Town of Tillsonburg and Tillsonburg Hydro Inc. be approved and effective January 28, 2019 to December 31, 2023;

AND THAT a By-law be brought forward for Council consideration.

Carried

13.2 Clerk's Office

13.3 Development and Communication Services

13.4 Finance

13.5 Fire and Emergency Services

13.6 Operations

13.6.1 OPS 19-01 - Airport Building Permits

Resolution # 13
Moved By: Councillor Gilvesy
Seconded By: Councillor Rosehart

THAT Council receive Report OPS 19-01 Airport Building Permits;

AND THAT the matter be referred to the Airport Advisory Committee for review and comment prior to the matter being brought to Council for consideration.

Carried

13.7 Recreation, Culture & Park Services

13.7.1 RCP 19-06 - Awarding Sole-source Contract to Install LNG Refill Station at TCC

Resolution # 14
Moved By: Councillor Gilvesy
Seconded By: Councillor Rosehart

THAT Council receives Report RCP 19-06 – Awarding Sole-source Contract to Install LNG Refill Station at TCC;

AND THAT Council approves the sole-source installation at the Tillsonburg Community Centre of a Coltri Arena Compressor Package by Hi-Tech Fuel Systems (London) at the quoted price of $38,977.78 before applicable taxes.

Carried

13.7.2 RCP 19-05 - Tillsonburg District Craft Guild MOU Renewal

Resolution # 15
Moved By: Councillor Rosehart
Seconded By: Councillor Gilvesy

THAT Council receives Report RCP 19-05 – Tillsonburg District Craft Guild MOU Renewal;

AND THAT Council appoints the Director of Recreation, Culture & Parks as the liaison between the Town and the Guild;

AND THAT a by-law to authorize the MOU be brought forward for Council consideration.

Carried

13.7.3 RCP 19-07 - 2018 RCP Departmental Activity Reports

Resolution # 16
Moved By: Councillor Rosehart
Seconded By: Councillor Gilvesy

THAT Council receives Report RCP 19-07 – 2018 RCP Departmental Activity Reports, as information.

Carried

14. New Business

15. Consideration of Committee Minutes

15.1 Council Advisory Committee Minutes

Resolution # 17
Moved By: Councillor Parker
Seconded By: Deputy Mayor Beres

THAT Council receive the Heritage, Beautification and Cemetery Advisory Committee minutes dated January 10, 2019, as information.

Carried

15.2 BIA

Resolution # 18
Moved By: Councillor Parker
Seconded By: Deputy Mayor Beres

THAT Council receive the BIA minutes dated January 16, 2019, as information.

Carried

16. Motions/Notice of Motions

17. Resolutions

17.1 Landfill Developments

Resolution # 19
Moved By: Councillor Esseltine
Seconded By: Councillor Parker

THAT the Town of Tillsonburg receives the correspondence from the Town of Ingersoll as information;

AND THAT the Town of Tillsonburg calls upon the Government of Ontario, as part of its “Made-in-Ontario Environment Plan” to formally entrench the right of municipalities to approve or reject landfill projects in or adjacent to their communities;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the Town of Tillsonburg encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action;

AND THAT the MOTION adopted by Council be forwarded to the DEMAND THE RIGHT COALITION OF ONTARIO MUNICIPALITIES.

Carried

18. By-Laws

18.1 By-Law 4253 - Being a By-Law to Amend Zoning By-Law 3295 (ZN 7-18-11, K.D. Heckford Developments)

18.2 By-Law 4258 - To Authorize a Master Service Agreement with THI

18.3 By-Law 4259 - To Authorize a Memorandum of Understanding with Tillsonburg District Craft Guild

18.4 By-Law 4260 - To Appoint Directors to the Board of Management of the BIA

18.5 By-Law 4262 - To Appoint Directors to the Town of Tillsonburg Non-Profit Housing Board

18.6 By-Law 4264 - To Authorize an Agreement with the Province of Ontario for the purpose of receiving funds from the Dedicated Gas Tax Funds for Public Transportation Program

Resolution # 20
Moved By: Councillor Esseltine
Seconded By: Deputy Mayor Beres

THAT By-Law 4253 Being a By-Law to Amend Zoning By-Law 3295 (ZN 7-18-11, K.d. Heckford Developments); and

By-Law 4258 To Authorize a Master Service Agreement with Tillsonburg Hydro Inc; and

By-Law 4259 To Authorize a Memorandum of Understanding with Tillsonburg District Craft Guild; and

By-Law 4260 To Appoint Directors to the Board of Management of the BIA; and

By-Law 4262 To Appoint Directors to the Town of Tillsonburg Non-Profit Housing Board; and

By-Law 4264 To Authorize an Agreement with the Province of Ontario for the purpose of receiving funds from the Dedicated Gas Tax Funds for Public Transportation Program, be read for a first, second, third and final

reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

Carried

18.7 By-law 4251 - A Schedule of Fees for certain Municipal applications, service and permits.

Resolution # 21
Moved By: Deputy Mayor Beres
Seconded By: Councillor Esseltine

THAT By-Law 4251 A Schedule of Fees for certain Municipal applications, be read for a third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

Carried

19. Confirm Proceedings By-law

Resolution # 22
Moved By: Councillor Esseltine
Seconded By: Deputy Mayor Beres

THAT By-Law 4261, to Confirm the Proceedings of the Council meeting held on January 28, 2019, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

Carried

20. Items of Public Interest

The J.L. Scott McLean Outdoor Recreation Pad opened to the public this past weekend.

The next Council Budget Meeting is Tuesday, January 29, 2019 at 9:00 a.m.

Some Tillsonburg Minor Hockey Teams have made it through to the next rounds of the Ontario Minor Hockey Association playoffs. Visit TMHI.org for a full schedule.

The TGO Call-N-Ride community transit service, operated by The BTS Network, is currently being reviewed to define clear routes and designated bus stops. Complaints regarding this service can be directed to Kevin De Leebeeck, Director of Operations and David Calder, CAO who will liaise with the service operator.

Through the Community Transportation Grant program, the province will provide the Town of Tillsonburg with $1,457,732 to develop the Inter-community transportation initiative.

21. Adjournment

Resolution # 23
Moved By: Deputy Mayor Beres
Seconded By: Councillor Esseltine

THAT the Council Meeting of Monday, January 28, 2019, be adjourned at 7:29 p.m.

Carried

Oxford County
Growing stronger together

Report No: CP 2019-35
COMMUNITY PLANNING
Council Date: February 11, 2019

To: **Mayor and Members of Tillsonburg Council**

From: **Heather St. Clair, Development Planner, Community Planning**

Application for Zone Change
ZN 7-18-12 – 2370392 Ontario Ltd. (Jush Matheson)

REPORT HIGHLIGHTS

- The application for zone change proposes to rezone the subject property from 'Entrepreneurial Zone (EC)' to 'Special Entrepreneurial Zone (EC-sp)' to permit several new uses in the former First Baptist Church, including a dance studio, a brewery, a restaurant, an assembly hall and warehousing storage units.

- Planning staff are generally supportive of the proposal, as it is consistent with the policy direction of the Provincial Policy Statement and County Official Plan respecting economic diversification in the Central Area, but staff are recommending approval-in-principle, until such time as the applicant provides a survey sketch to allow for the necessary amending by-law schedule to be prepared.

DISCUSSION

Background

OWNER/ APPLICANT: 2370392 Ontario Ltd. (Jush Matheson)
62 Pine Street, Tillsonburg ON, N4G 0A2

AGENT: a+Link Architecture Inc.
126 Wellington Road, London ON, N6C 4M8

LOCATION:

The subject property is described as Lots 885 & 886, Plan 500, Town of Tillsonburg. The lands are located on the southwest corner of Bidwell Street and Washington Grand Avenue and are municipally known as 101 Bidwell Street in the Town of Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	Entrepreneurial District

TOWN OF TILLSONBURG ZONING BY-LAW NO.3295:

Existing Zoning: Entrepreneurial Zone (EC)

Proposed Zoning: Special Entrepreneurial Zone (EC-sp)

PROPOSAL:

The applicant is proposing to rezone the subject lands from 'Entrepreneurial Zone (EC)' to 'Special Entrepreneurial Zone (EC-sp)' to allow for the conversion of the former First Baptist Church to a number of new commercial type uses. Specifically, the applicant is proposing to add a dance studio, an assembly hall, a restaurant, a brewery and storage units to the list of permitted uses in the 'EC' zone.

The subject property is approximately 2,070 m^2 (22,275 ft^2) in size, with approximately 41 m (135 ft) of frontage on Bidwell Street. The subject lands contain the former First Baptist Church, an existing single detached dwelling and a parking lot. The applicant has indicated that they intend to sever the dwelling from the subject lands while retaining the former church building and the parking lot. According to information provided by the applicant, once severed, the subject lands would be able to accommodate approximately 17 parking spaces.

The subject lands are located at the southwest corner of Washington Grand Avenue and Bidwell Street and surrounding land uses are predominately central commercial type uses to the east, with a variety of office, residential and institutional uses to the north, south and west.

Plate 1, Location Map with Existing Zoning, shows the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, Close-up of Subject Lands (2015 Air Photo), provides an aerial view of the subject property.

Plate 3, Applicant's Sketch, provides a site plan of the subject lands, as submitted by the applicant.

Application Review

PROVINCIAL POLICY STATEMENT:

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions shall be consistent with all policy statements issued under the Act.

Section 1.1.3.1 of the PPS states that settlement areas will be the focus of growth and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion. Land use patterns shall also accommodate a range of uses and opportunities for intensification and redevelopment.

Section 1.1.3.3 of the PPS states that Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs and appropriate development standards should be promoted which facilitate intensification, redevelopment and compact urban form.

Further, Section 1.3 of the Provincial Policy Statement provides that Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long term needs and provide for opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses and take into account the needs of existing and future business. Planning authorities shall also encourage compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

OFFICIAL PLAN:

The subject lands are designated as Entrepreneurial District, according to the Land Use Plan for the Town of Tillsonburg, as contained in the County Official Plan. The Entrepreneurial District is located within the Central Area of the Town of Tillsonburg.

The Central Area of the Town is intended to be the most functionally diverse area of the Town that will serve as the primary business, cultural and administrative centre and includes complementary use sub-areas. This functional diversity will be pursued to promote stability and the health of the downtown area, especially in the Central Area.

It is an objective of the Plan to promote the Central Area as a place of employment and focus of economic activity for the Town. In order to support this objective, Town Council shall facilitate small business opportunities by designating an Entrepreneurial District within the Central Area which will permit the conversion of residences for offices, businesses, health care and personal services, cottage industries and similar types of uses while continuing to permit residential uses. These objectives also include the promotion of major office, cultural and public administration buildings in the Central Area and the limitation of this type of use outside the Central Area through the Zoning By-law.

The policies for lands designated Entrepreneurial District are contained in Section 8.3.2.3.2 of the Official Plan. These policies states that permitted uses in existing buildings include residential uses, commercial uses including offices, personal services, business supply services and repair and service shops as well as clinics, studios, galleries and commercial schools. Additional permitted uses include small-scale business uses, limited distribution and assembly uses as well as minor institutional uses, and it is the intent of the Plan that such uses be located in existing buildings in the Entrepreneurial District in order to preserve and maintain many of the large single family dwellings of an earlier era through renovation and recycling of the buildings.

The subject property contains the former First Baptist Church, which was originally established in 1853. This building has been identified in the County Official Plan as a property of historical or architectural interest and it is an objective of the Plan to provide for the protection, improvement, utilization and management of such heritage resources.

Section 8.3.2.3.2.1 of the Plan provides for the conversion of existing buildings in the Entrepreneurial District and states that it is intended that the business use shall be small-scale in terms of floor area and number of employees and shall not significantly alter the residential character of the neighbourhood. This will be accomplished by restricting non-residential uses primarily to existing dwellings and structures and through site design on an individual basis by requiring all proposal be subject to site plan control.

It is also an objective of the Official Plan to provide a safe, convenient, efficient and integrated transportation system which will promote cycling and walking in the Central Area while continuing to provide adequate facilities to meet vehicular needs in the area. Except where exempted in the Zoning By-law, parking for cars and bicycles will be required when considering development in the Central Area. When reviewing development proposals in the Central Area, Town Council will ensure that the various functions of the Central Area is appropriate, yet encourages the increase use of bicycles and walking. In this regard, Town Council will consider shared parking arrangements involving the joint use of parking facilities by various uses. It is also noted that a cash-in-lieu by-law to permit a cash payment to the Town in lieu of all, or part of the Zoning By-law requirements for parking may be permitted, as per the Planning Act. Money generated shall be used for the payment of interest and principal on any municipal debenture for parking facilities, acquisitions of land and/or the provision of additional municipal parking or for improvements to existing municipal parking facilities.

Within the Entrepreneurial District, it is recognized that existing building locations and access points may contain the ability to provide driveway widths, loading areas and parking spaces in accordance with the provisions of the Zoning By-law. As such, Town Council may establish reduced or altered standards for driveways, loading and parking areas and may consider flexible parking arrangement such as tandem parking for employees, off-site parking or other similar measures provided that such measure do not effect nearby residential uses or interfere with the functionality of the site.

Within the Entrepreneurial District, site plan control will be applied to the conversion of existing buildings, as well as new development, to ensure compatibility with adjacent residential uses. Considerations for design will include the needs of the elderly, persons with disabilities and other special needs groups, parking areas and driveways and signage and lighting is to be controlled in terms of height, size and orientation to minimize the effect on adjacent residential uses. Further, vegetative buffering and the retention of mature vegetation will be encouraged as much as possible.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject property is currently zoned 'Entrepreneurial Zone (EC)' in the Town Zoning By-law. Permitted uses in the 'EC' zone include a wide range of residential uses, as well as a variety of compatible commercial uses such as a business office, a commercial school, a daycare centre, a medical centre, a personal service establishment, a place of worship and a studio (including a dance studio).

Zone provisions for non-residential uses are provided in Table 12.2B, while parking standards are provided in Section 5.24. Parking requirements are based on use and, in most instances are calculated based on the area dedicated to the proposed use. For example a studio (which would include the proposed dance studio) would require one parking space per 20 m^2 (215.3 ft^2) of gross floor area.

The applicant is proposing to rezone the subject lands to allow for a dance studio, an assembly hall, a brewery, a restaurant and storage units. Based on the submitted site sketch, it appears that approximately 17 parking spaces are available on the subject lands. The applicant has indicated that the gross floor area of the building is approximately 1,600 m^2 (17,222 ft^2) and that approximately 60% of this space would be dedicated to an assembly use, while the remaining 40% would be utilized for the proposed storage units. This would result in approximately 960 m^2 (1,033 ft^2) of area dedicated to the assembly use (a dance studio), requiring a minimum of 48 parking spaces, while the storage units may require an additional 16 spaces, for an estimated total parking requirement of 64 spaces, based on assumed calculations of proposed uses.

AGENCY COMMENTS:

The application was circulated to various public agencies considered to have an interest in the proposal.

The County of Oxford Public Works Department has commented that the applicant will be required to comply with the County's Sewer-Use By-law (which is expected to be updated in the near future). The subject lands appear to have only one sanitary sewer service that serves both 97 Bidwell Street and 101 Bidwell Street and each building appears to have separate water services, however both appear to be along the frontage of 97 Bidwell Street. As part of the anticipated future severance, re-servicing to ensure independent services to each proposed lot will be required.

The Town of Tillsonburg Chief Building Official has commented that, if approved, a change of use permit and compliance with the Ontario Building Code will be required prior to the establishment of the proposed uses, and that an assembly use would not be permitted in the same building as a brewery use unless a firewall is installed in accordance with the Ontario Building Code. This Department also commented that the existing parking on the subject lands is deficient, based on the current use, and that the proposed uses shall not result in further non-compliance with the parking requirements of the Zoning By-law.

The Town of Tillsonburg Engineering Services Department indicated that an encroachment agreement will be required to recognize the encroachment of the existing building upon municipal property. No further encroachments will be permitted.

The Town of Tillsonburg Fire Chief has commented that they have no concerns with the proposal, but that the change in use will require a building permit and that some potential occupancies proposed by the applicant will require an approved Fire Safety Plan prior to occupancy.

The Tillsonburg Development Commissioner has commented that they are in support of the proposal, as it will facilitate the conversion of a single-use building into a multi-use building with the potential to add significant elements to the downtown. The Town's Economic Development Strategy identifies the future desirable state of the Downtown as:

> "…stores and business locations in downtown Tillsonburg are occupied with a dynamic mix of activities occurring…Tillsonburg has become the region's most significant commercial and retail centre possessing a unique and attractive identity"

This speaks to the need to allow business uses in the Entrepreneurial Zone to expand, which would in turn enable the growth of the downtown. Moreover, permitting these uses will result in the further animation of the downtown, especially in the evenings, both of which are

desirable. Unique developments such as this will also help the Downtown to become the region's most unique core area.

Tillsonburg's Community Strategic Plan identifies the Goal (2.2) of providing diverse retail services in the downtown and approving these changes will support that goal. Further, the potential microbrewery will support Local Food initiatives already underway throughout the County and add to the vitality of our community.

The Tillsonburg District Chamber of Commerce has commented that considerations should be given to the proposed parking situation, stating that there is a lack of parking in the area.

PUBLIC CONSULTATION:

Notice of complete application and notice of public meeting regarding this application were circulated to surrounding property owners on January 11, 2019 and January 28, 2019.

One letter of concern was received from a neighbouring business owner regarding the amount of parking in the area. This letter also indicated that there is a likelihood that the existing structure contains asbestos.

Planning Analysis

It is the opinion of this Office that the proposed zoning application is consistent with the policies of the Provincial Policy Statement and Official Plan and can therefore be supported from a planning perspective.

The proposal is consistent with the Provincial Policy Statement direction to provide for an appropriate range and mix of employment uses to meet long term needs and staff are of the opinion that the proposal represents compact and compatible development that will aid in diversifying the economic base of the downtown core.

The subject lands are designated as Entrepreneurial District in the County Official Plan, which is located within the Central Area of the downtown commercial core. It is the opinion of staff that approval of the applicant's request can be considered in keeping with the policy direction for lands designated Entrepreneurial District. Staff are satisfied that the proposed uses will have the effect of diversifying economic opportunities in the downtown core and because the proposed uses will be contained within an existing building, approval of the applicant's request is not anticipated to compromise the character of the existing area or the architectural features of the building. To this end, while it is noted that the building on the subject lands is not considered a heritage resource, it has been identified as having heritage interest and as such, Planning staff are of the opinion that utilizing the existing structure is in keeping with the policy direction of the Official Plan to promote the re-use of the existing building, rather than have it be replaced by new development.

With respect to the Town Zoning By-law, the applicant has indicated that sufficient area exists to accommodate 17 parking spaces on the subject lands which, based on preliminary estimates by staff will be insufficient to accommodate the proposed uses on the site. While it is the intent of the Official Plan to promote bicycle and pedestrian traffic in the Central Area, appropriate measures should also be undertaken to accommodate vehicular traffic and off-street parking. As indicated by the Town Chief Building Official, a change of use permit will be required to facilitate the proposed development, at which time a detailed review of parking requirements will be undertaken. Based on information provided by the applicant, it is assumed that the available parking on the subject lands will not be sufficient to maintain the requirements of the Zoning By-

law and as such, staff are recommending that the applicant enter into an agreement with the Town to provide a cash-in-lieu fee to compensate for the lack of available parking on the site.

While staff are generally supportive of the applicant's proposal to facilitate the above-noted uses, the applicant has indicated that they intend to sever the existing dwelling from the subject lands which will result in a re-configuration of the existing lot lines. This reconfiguration may have additional impact on the provisions of the Zoning By-law with respect to such standards as lot coverage and interior side yard setbacks. As the applicant has not provided staff with the exact location of the proposed lot line, Planning staff are recommending that the applicant's proposal be approved, in principle, until such time as additional information is provided with respect to the proposed severance of the property and the exact location of the proposed lot lines, at which time an accurate by-law schedule can be drafted for an amending By-law.

In light of the foregoing, it is the opinion of this office that the applicant's proposal to add a brewery, a restaurant (eating establishment) and warehousing (indoor storage units) to the list of permitted uses in the 'Entrepreneurial Zone' are acceptable from a planning perspective and can be given favourable consideration.

RECOMMENDATION

1. **It is recommended that the Council of the Town of Tillsonburg <u>approve-in-principle</u> the zone change application submitted by 2370392 Ontario Ltd. (Jush Matheson), whereby the lands described as Lots 885 & 886, Plan 500, Town of Tillsonburg, known municipally as 101 Bidwell Street are to be rezoned from 'Entrepreneurial Zone (EC)' to 'Special Entrepreneurial Zone (EC-sp)' to permit the establishment of a restaurant, a brewery and warehousing within an existing building.**

SIGNATURES

Authored by: Heather St. Clair, MCIP RPP,
Development Planner

Approved for submission: Eric Gilbert, MCIP, RPP
Senior Planner

Report Approval Details

Document Title:	ZN 7-18-12_ Rpt.docx
Attachments:	- Report Attachments.pdf - 7-18-12-appl-20181218.pdf
Final Approval Date:	Feb 6, 2019

This report and all of its attachments were approved and signed as outlined below:

David Calder - Feb 6, 2019 - 3:34 PM

Oxford County
Growing stronger together

Plate 1: Location Map with Existing Zoning
File No: ZN 7-18-12 - 2370392 Ontario Limited (Matheson)
Lots 865-866 Plan 500, 101 Bidwell Street, Town of Tillsonburg

Legend

Parcel Lines
- Property Boundary
- Assessment Boundary
- Unit
- Road
- Municipal Boundary

Environmental Protection/Flood Overlay
- Flood Fringe
- Floodway
- Environmental Protection (EP1)
- Environmental Protection (EP2)

Zoning Floodlines/Regulation Limit
- 100 Year Flood Line
- 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines

Zoning (Displays 1:16000 to 1:500)

Notes

0 51 102 Meters

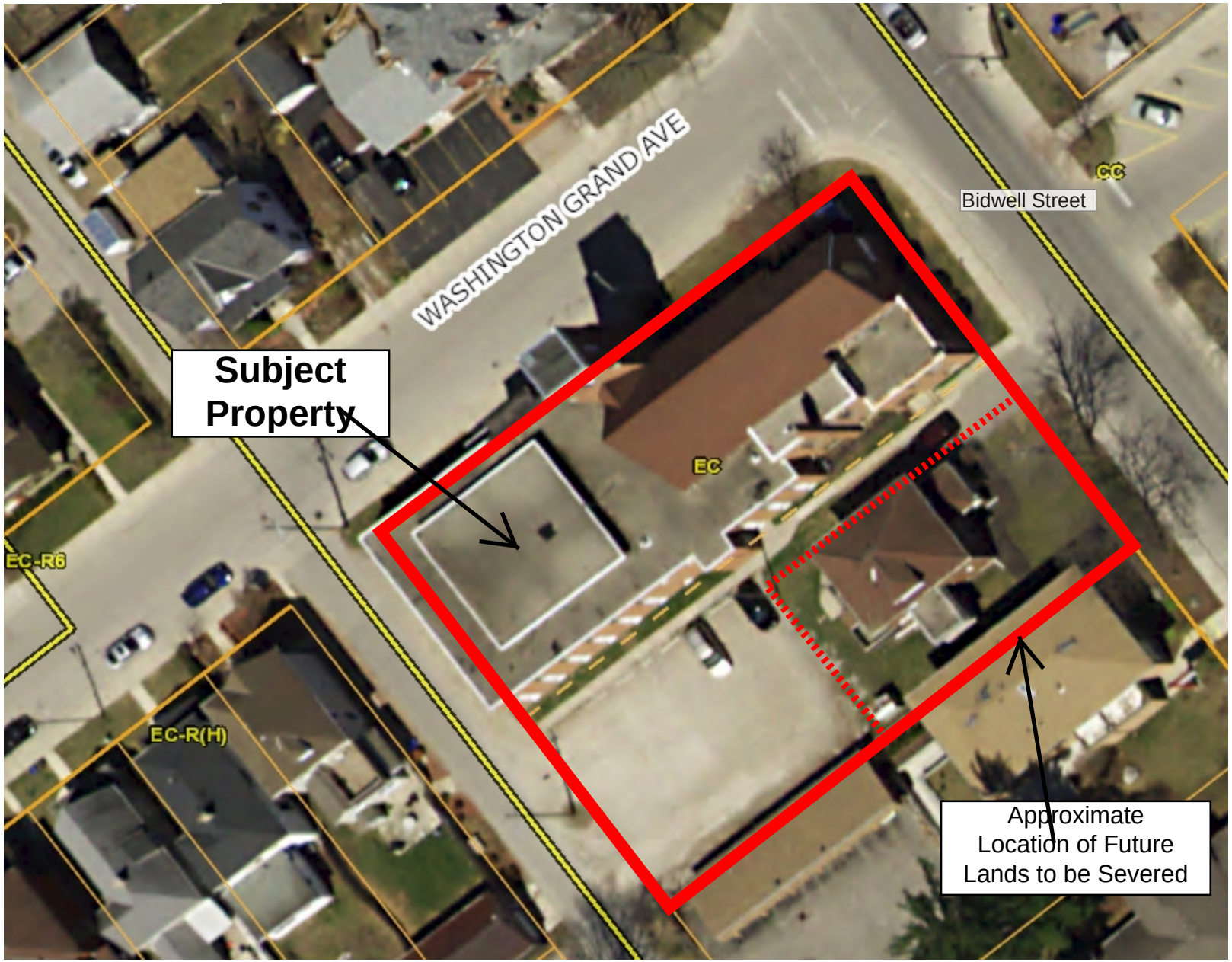
NAD_1983_UTM_Zone_17N

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

January 7, 2019

Oxford County
Growing stronger together

Plate 2: Close-up of Subject Lands (2015 Air Photo)
File No: ZN 7-18-12 - 2370392 Ontario Limited (Matheson)
Lots 865-866 Plan 500, 101 Bidwell Street, Town of Tillsonburg



Legend

Parcel Lines
- Property Boundary
- Assessment Boundary
- Unit
- Road
- Municipal Boundary

Environmental Protection/Flood Overlay
- Flood Fringe
- Floodway
- Environmental Protection (EP1)
- Environmental Protection (EP2)

Zoning Floodlines/Regulation Limit
- 100 Year Flood Line
- 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines

Zoning (Displays 1:16000 to 1:500)

Notes

map it

0 13 26 Meters

NAD_1983_UTM_Zone_17N

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

January 7, 2019

Set No.

NOTES

1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION
2. DO NOT SCALE DRAWINGS
3. REPORT ALL DISCREPANCIES OF ERRORS, OMISSIONS, AND DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER AS APPLICABLE.
4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION"
5. THE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND/OR ENGINEER AND MUST BE RETURNED ON COMPLETION OF THE PROJECT. ANY UNAUTHORIZED USE IS PROHIBITED
6. AREA CALCULATIONS ARE APPROXIMATE
7. DATE FORMAT: YYYY-MM-DD

ISSUE & REVISION DESIGNATION
LETTER (A) = ISSUE , No. (1) = REVISION

No.	Date	Issued For / Revisions
A	2016-12-17	ZONING CHANGE APPLICATION

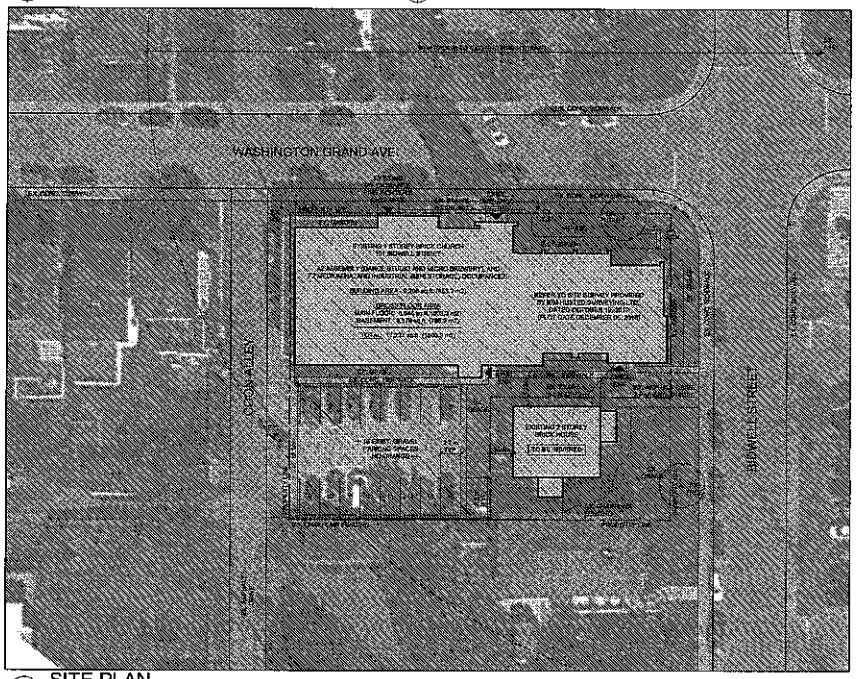
	EXISTING BUILDING		PROPERTY LINE
	SIDEWALK		FENCE
	GRASS		ENTRANCE / EXIT
	GARDEN	EX. / EXIST.	EXISTING
		H.P.	HYDRO POLE
		L.S.	LIGHT STANDARD
		F.H.	FIRE HYDRANT
			STOP SIGN

LEGEND
SCALE: NTS

SITE & ZONING ANALYSIS

EXISTING ZONING:	SC - ENTREPRENEURIAL ZONE
USE:	DANCE STUDIO, MICRO BREWERY, MINI STORAGE
BUILDING AREA (m²):	9,205 sq.ft. (855.2 m²) - EXISTING - NO CHANGE
GROSS FLOOR AREA (m²):	
MAIN FLOOR:	8,640 sq.ft. (803.3 m²)
BASEMENT:	8,578 sq.ft. (796.9 m²)
TOTAL:	17,218 sq.ft. (1600.3 m²) - EXISTING - NO CHANGE
SITE SETBACKS:	
FRONT YARD (m):	SHALL BE THE EXISTING SETBACK FOR THE BUILDING ON THE LOT - EXISTING - NO CHANGE
INTERIOR SIDE YARD (m):	3 m - EXISTING - NO CHANGE
EXTERIOR SIDE YARD (m):	SHALL BE THE EXISTING SETBACK FOR THE BUILDING ON THE LOT - EXISTING - NO CHANGE
REAR YARD (m):	12.5 m - EXISTING - NO CHANGE
BUILDING HEIGHT (m):	10.2 m - EXISTING - NO CHANGE
LANDSCAPED OPEN SPACE (%):	39% - EXISTING - NO CHANGE
LOT COVERAGE (%):	30% - EXISTING - NO CHANGE
PARKING:	
STANDARD STALL SIZE: 2.7 m x 5.5 m	EXISTING: 18 SPACES AT REAR OF BUILDING + 2 SPACES AT DRIVEWAY OF RESIDENCE = 18 SPACES TOTAL; PROPOSED: 18 SPACES - NO CHANGE TO EXISTING

SITE ZONING ANALYSIS
SCALE: N.T.S.



SITE PLAN
SCALE: 1:500

a+LiNK
architecture inc.
preserve + create + sustain
P 519.649.0228 www.aLiNKarch.ca
126 WELLINGTON ROAD, LONDON ON N6C 4N8

Project
Interior Renovation to
101 Bidwell Street
Tillsonburg, ON
For Tillsonburg Mini Storage

Drawing
SITE PLAN, LEGEND & SITE ZONING ANALYSIS

Drawn By: AS	Job Captain: EV	Project No: 1840
Scale: AS SHOWN		
Plot Date: 2016-12-17		Sheet No: A1.1
Current Issue: A	Current Revision:	

Tillsonburg
CONNECTED. ENRICHED. INSPIRED.

FILE NO: ZN 7-18-12
DATE RECEIVED: Dec.18/18

TOWN OF TILLSONBURG

APPLICATION FOR ZONE CHANGE

1. **Registered Owner(s):**
Name: Jush Matheson 2370392 Ontario Ltd. **Phone: Residence:** 519-842-0494
Address: 62 Pine Street **Business:** 519-983-6464
Fax:
Postal Code: N4G 0A2 **E-mail:** TillsonburgStorage@gmail.com

Applicant (if other than registered owner):
Name: **Phone: Residence:**
Address: **Business:**
Fax:
Postal Code: **E-mail:**

Solicitor or Agent (if any):
Name: a+LiNK Architecture Inc. **Phone: Business:** 519-649-0220
Address: 126 Wellington Road , London, Ontario **Fax:** n/a
Postal Code: N6C 4M8 **E-mail:** edv@aLiNKarch.ca

All communications will be sent to those listed above. **If you do not wish correspondence** to be sent to the
☐ Owner, ☐ Applicant, or ☐ Solicitor/Agent, please specify by checking the appropriate box.

Name and address of any holders of any mortgage, charges or other encumbrances (if known):

2. **Subject Land(s):** Survey attached.

a) **Location:**
Municipality Town of Tillsonburg, County of Oxford former municipality
Concession No. Lot(s) 885
Registered Plan No. Judge's Plan Registered as Plan 500 Lot(s) 886
Reference Plan No. Part(s)
The proposed lot is located on the southwest corner side of Bidwell Street Street, lying between Washington Grand Avenuw Street and Street.
Street and/or **Civic Address (911#):** 101 Bidwell Street

b) **Official Plan Designation:** Existing: Entrepreneurial
Proposed: Same

If the proposed designation is different than the existing designation, has an application for Official Plan Amendment been filed with the County of Oxford? ☒ No ☐ Yes

FOR OFFICE USE ONLY
DATE PRESCRIBED INFORMATION COMPLETE
Jan. 11/19

PIN
000320043

REV.APR18

c) **Zoning:** Present: Entrepreneurial (EC)
Proposed: Entrepreneurial (EC) - special

d) **Uses:** Present: Assembly Occupancy - Church
Proposed: (Include description) Assembly Occupancy - Dance Studio, Assemby Hall
Storage Units, Brewery, Restaurant

3. **Buildings/Structures:**
For all buildings/structures, either **existing or proposed** on the subject lands, please supply the following information:
Adaptive reuse of existing building. House lot to be severed.

Existing/Proposed	☒ None Existing Building 1	☐ None Proposed Building 2
Use:	Assembly / Storage	n/a
Date Constructed (if known):	Unknown	n/a
Floor Area: Church building	1,600.3 sm Gross	n/a
Setbacks:		
Front lot line	0.32 m	n/a
Side lot lines	1.55 m easterly encroachment by steps	n/a
Rear lot line	0.80 m	n/a

Please complete for residential, commercial/industrial or institutional uses.

	RESIDENTIAL	COMMERCIAL/ INDUSTRIAL	INSTITUTIONAL
TYPE Apt., semi, townhouse, retail, restaurant, church, etc.	n/a	Dance Studio/ Storage Units	n/a
# OF UNITS	n/a	n/a	N/A
CONVERSION/ADDITION TO EXISTING BUILDING	n/a	n/a	n/a
Describe			
TOTAL # OF UNITS/BEDS	N/A	N/A	
FLOOR AREA by dwelling unit or by type (office, retail common rooms, etc.)	n/a	Gross Area 1,600.3 s.m. Approximately 60% Assembly 40% storage units	n/a
OTHER FACILITIES (playground, underground parking, pool, etc.)	n/a	n/a	n/a
# OF LOTS (for subdivision)	n/a	n/a	N/A
SEATING CAPACITY (for restaurant, assembly hall, etc.)	N/A	60 persons per floor	n/a
# OF STAFF	N/A	4 staff	n/a
OPEN STORAGE REQUIRED?	N/A	Storage Units - Use	N/A
ACCESSORY RESIDENTIAL USE?	N/A	If accessory residential use, complete residential section	If accessory residential use, complete residential section

4. **Site Information (proposed use(s):**

Lot Frontage	Refer to attached survey and	Exterior Side Yard (corner lot)	
Lot Depth	site plan drawing for all	Landscaped Open Space (%)	
Lot Area	information.	No. of Parking Spaces	
Lot Coverage		No. of Loading Spaces	
Front Yard		Building Height	
Rear Yard		Width of Planting Strip	
Interior Side Yard		Driveway Width	

5. Services: (check appropriate box)

		Existing	Proposed
Water supply	Publicly owned and operated piped water system	☒	☐
	Privately owned and operated individual well	☐	☐
	Other (specify) _____	☐	☐
Sewage Disposal	Publicly owned and operated sanitary sewer system	☒	☐
	Privately owned and operated individual septic tank	☐	☐
	Other (specify) _____	☐	☐

Storm Drainage

Municipal Sewers	☒	Ditches	☐
Municipal Drains	☒	Swales	☐

6. Access:

Provincial Highway	☐	Unopened Road Allowance	☐
County Road	☐	Right-of-Way owned by _____	☐
Municipal Road maintained all year	☒	Other (specify) _____	☐
Municipal Road seasonally maintained	☐		

7. General Information:

a) Is the Subject Land the subject of regulations for flooding or fill and construction permits of the Long Point Region Conservation Authority? ☒ No ☐ Yes

If yes, has an Application been filed with the Conservation Authority? ☐ No ☐ Yes

b) Present land use(s) of adjacent properties:
Residential and commercial.

c) Characteristics of subject land (check appropriate space(s) and add explanation, if necessary)

(i) Does the land contain environmental features such as wetlands, woodlots, watercourses, etc.?

☒ No ☐ Yes If yes, describe _____

(ii) Has any part of the land been formally used for any purpose other than agricultural purposes?

☒ No ☐ Yes

If yes, describe former use:

_____

8. Historical Information:

a) Is the subject land the subject of a current Application for Consent to the Oxford County Land Division Committee or a current application for draft plan of subdivision to the County of Oxford?

☒ No ☐ Yes → Application No. _____

b) Have the subject land(s) ever been the subject of any other application under the Planning Act, such as an application for approval of an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order amendment, consent, a minor variance, or approval of a plan of subdivision?

☐ No ☒ Unknown

☐ Yes → File No. _____ Status/Decision _____

c) If known, the date the subject land was acquired by the owner? Nov 30 2018

d) If known, the length of time that the existing uses of the subject land have continued? _____

Authorization of Owner(s) for Applicant/Agent to Make the Application

I/We, _____, am/are the owner(s) of the land that is the subject of this application for zone change and I/We authorize _____, to make this application on my/our behalf.

Date	Signature of Owner(s)	Signature of Owner(s)

THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I/We JOSH MATHESON of the TOWN of Tillsonburg in the County of OXFORD,

DO SOLEMNLY DECLARE THAT:

All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the TOWN of TILLSONBURG in the COUNTY of OXFORD. this 18TH day of DECEMBER 2018

Tracy Carpani
A Commissioner for Taking Affidavits

TRACY CARPANI, a Commissioner, etc., Province of Ontario, for the Corporation of the Town of Tillsonburg

Expires: June 12, 2021

Owner(s)/Applicant

Owner(s)/Applicant

Notes:

1. Applications will not be considered complete until all requested information has been supplied.

2. It is required that **one original** of this application (including the sketch/site plan) be filed, accompanied by the applicable fee of **$700.00** in cash or cheque, payable to the **Treasurer, Town of Tillsonburg.** A fee of $1,200 will be charged if an application is required 'after the fact' (after the use has occupied the site).

Municipal Freedom of Information and Protection of Privacy Act – Notice of Collection & Disclosure

The collection of personal information on this form is legally authorized under Sec.34 of the *Planning Act* and O.Reg.545/06 for the purpose of processing your planning application. Questions about this collection should be directed to the Director of Community Planning at the County of Oxford, 21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3 or at 519-539-9800 (ext.3207).

Pursuant to Sec.1.0.1 of the *Planning Act*, and in accordance with Sec.32(e) of the *Municipal Freedom of Information and Protection of Privacy Act*, it is the policy of the County of Oxford to make all planning applications and supporting material available to the public.

Ministry of Transportation

Office of the Minister

Ferguson Block, 3rd Floor
77 Wellesley St. West
Toronto, Ontario
M7A 1Z8
416-327-9200
www.ontario.ca/transportation

Ministère des Transports

Bureau du ministre

Édifice Ferguson, 3e étage
77, rue Wellesley ouest
Toronto (Ontario)
M7A 1Z8
416-327-9200
www.ontario.ca/transports

JAN 30 2019

Mayor Stephen Molnar
Town of Tillsonburg
10 Lisgar Ave
Tillsonburg ON N4G 5A5

Dear Mayor Molnar:

I am pleased to write to you to confirm that the Government of Ontario will support your municipality through the advancement of the municipal stream of the Community Transportation Grant Program (CT Program).

As a result, I would like to confirm that your municipality is eligible to receive $1,457,732 in provincial funding for your intercommunity transportation project. Please note that funding is subject to the terms and conditions of an executed Transfer Payment Agreement between your municipality and the Ministry of Transportation.

In the days ahead, ministry officials will contact your staff regarding next steps associated with the CT Program and the TPA. In the meantime, should you have questions, please contact Anita Hooper, Director of the Strategic Investments and Programs Branch, by email at Anita.Hooper@ontario.ca or by telephone at 416-585-7637.

I would like to congratulate you as a successful recipient of the CT Program, and look forward to seeing the results of your community project.

Sincerely,

Jeff Yurek
Minister

Encl.

	Report Title	Pregnancy & Parental Leave for Council
	Report No.	CLK 19-04
	Author	Donna Wilson, Town Clerk
	Meeting Type	Council Meeting
	Council Date	February 11, 2019
	Attachments	Pregnancy & Parental Leave for Members of Council Policy

RECOMMENDATION

THAT Council receives Report CLK 19-04 Pregnancy & Parental Leave for Council;

AND THAT Council chose Option 1 for remuneration of Council Members while on leave;

AND THAT a By-Law to authorize the policy be brought forward for Council consideration at the February 28, 2019 Council meeting.

BACKGROUND

Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017, received Royal Assent on May 30, 2017. The Bill made a number of amendments to the Municipal Act, 2001including a requirement for municipalities to adopt and maintain policies regarding "pregnancy leaves and parental leaves of Members of Council". This requirement comes into effect on March 1,2019.

DISCUSSION

The purpose of this policy is to establish guidelines on how the Town of Tillsonburg manages a Council Member's pregnancy or parental leave in a manner that respects a Member's statutory role as an elected official. This policy applies to the Mayor, Deputy Mayor and any Councillor duly elected to serve office in the Town of Tillsonburg.

Section 270 of the Municipal Act, 2001, as revised by Bill 68, requires municipalities to adopt and maintain a policy with respect to the pregnancy and parental leaves for Members of Council.

Council Members are permitted an absence of 20 consecutive weeks or less as a result of a Member's pregnancy, the birth of a Member's child or the adoption of a child by the Member in accordance with the Municipal Act, 2001. A Council Member has the right to return to their regular duties prior to 20 consecutive weeks of an absence if they desire.

Pregnancy and/or parental leave does not require Council approval and their office cannot be declared vacant during their leave. The member must provide written notice of their leave to the Town Clerk and during such leave they shall be counted as part of quorum. Members shall continue to receive regular benefits and insurance premiums will be paid during the leave, however remuneration will cease until the Member returns to their regular schedule of attending meetings.

Members may return to their duties at any time upon written notice to the Town Clerk of their intent to do so. While on leave another member shall be appointed on a temporary basis to fulfil the member's role on Boards and Committees to which they have been appointed.

The Mayor's role would be fulfilled by the Deputy Mayor and if the Deputy Mayor should be on leave then Council shall appoint another Council Member to fulfil the role of Deputy Mayor during that period.

CONSULTATION/COMMUNICATION

A review of a number of municipalities was done to provide some conformity for the practice, particularly within Oxford County, however many municipalities have not yet adopted their policy.

To date Ingersoll and Zorra are considering that the member continue to be paid at their normal rate, with the choice to opt out if it will affect their Employment Insurance (from another employer). Norwich is considering offering a compensation rate comparable to the amount received from Employment Insurance at 55% of their current wage.

Other larger municipalities such as Ottawa and Milton have removed the remuneration during the period of leave.

Consideration is given to the following three options for the remuneration of Council for Pregnancy or Parental Leave:

Option 1 :
Council members on Pregnancy & Parental leave shall receive full remuneration during their leave.

Option 2:
Remuneration for Council members shall be suspended while on Pregnancy & Parental Leave

Option 3:
The municipality shall pay 55% of the approved amount of remuneration to the Council Member while on leave.

FINANCIAL IMPACT/FUNDING SOURCE

Not known at this time.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Section 1 – Excellence in Local Government – informing citizens of Municipal Policies.

CAO

CAO

Report Approval Details

Document Title:	CLK 19-04 Pregnancy and Parental Leave Policy.docx
Attachments:	- 2-011 Parental and Pegnancy Leave Policy.docx
Final Approval Date:	Feb 1, 2019

This report and all of its attachments were approved and signed as outlined below:

David Calder - Feb 1, 2019 - 8:10 AM

CAO

	COUNCIL			
	PREGNANCY & PARENTAL LEAVE FOR MEMBERS OF COUNCIL POLICY			
	Policy Number	2-011		
	Approval Date		**Revision Date**	
	Schedules			

A. POLICY STATEMENT

The Town of Tillsonburg recognizes a Council Member's right to take leave for the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member in accordance with the Municipal Act, 2001.

B. PURPOSE

This policy establishes guidelines on how the Town of Tillsonburg manages a Council Member's pregnancy or parental leave in a manner that respects a Member's statutory role as an elected official.

C. SCOPE

This policy applies to any elected official of Tillsonburg Town Council in need of taking a pregnancy or parental leave. An elected official of the Town of Tillsonburg includes the Mayor, Deputy Mayor and Councillors.

D. AUTHORITY

Section 270 of the Municipal Act, 2001, as revised by Bill 68, requires municipalities to adopt and maintain a policy with respect to the pregnancy and parental leaves for Members of Council.

The Town Clerk shall be responsible for monitoring the application of this policy and for receiving complaints and/or concerns related to this policy.

E. POLICY

Council Members are permitted an absence of 20 consecutive weeks or less as a result of a Member's pregnancy, the birth of a Member's child or the adoption of a child by the Member in accordance with the Municipal Act, 2001. A Council Member has the right to return to their regular duties prior to 20 consecutive weeks of an absence if they desire.

COUNCIL	
PREGNANCY & PARENTAL LEAVE FOR MEMBERS OF COUNCIL POLICY	
Policy Number	2-011

Tillsonburg Town Council supports a Member of Council's right to pregnancy and/or parental leave in keeping with the following principles:

1. A Member of Council is elected to represent the interests of Tillsonburg citizens.
2. A Member's pregnancy and/or parental leave does not require Council approval and their office cannot be declared vacant as a result of the leave.
3. A Member of Council on pregnancy and/or parental leave shall reserve the right to exercise his or her delegated authority at any time during their leave.

Council Members are encouraged to submit a written notification to the Town Clerk as soon as possible before taking pregnancy or parental leave so that the Town can plan accordingly.

Where a Council Member must begin their leave immediately due to unforeseen circumstances, such as illness or complications caused by pregnancy, they must inform the Town Clerk of this absence as soon as possible.

While on leave, the Council Member shall still be counted as part of quorum during roll call for any regular or special Council Meetings.

Regular benefit and insurance premiums will be paid during the leave. Remuneration for attending meetings will remain in place while the Member is on leave and returns to their regular schedule of attendance at meetings.

Notwithstanding, at any point in time during a Member's pregnancy or parental leave, the Member reserves the right to exercise his/her statutory role on matters within the Town. The Member shall provide written notice to the Town Clerk of their intent to exercise their statutory role.

There will be no delegation of authority as the Town of Tillsonburg does not operate using a ward system but rather Council is elected at large to represent the interests of the municipality as a whole. Another member shall be appointed on a temporary basis to fill the role of the member on leave for Boards and Committees

In the event, the Member on leave is the Mayor then these additional office-specific responsibilities shall be delegated to the Deputy Mayor until the Member returns.

In the event, the Member on leave is the Deputy Mayor then those additional responsibilities

COUNCIL	
PREGNANCY & PARENTAL LEAVE FOR MEMBERS OF COUNCIL POLICY	
Policy Number	2-011

shall be delegated to another Council Member (voted by the remainder of Council Members) until the regular Member returns.

Tillsonburg	**Report Title**	Council-Staff Relations Policy
	Report No.	CLK 19-05
	Author	Donna Wilson, Town Clerk
	Meeting Type	Council Meeting
	Council Date	February 11, 2019
	Attachments	Draft Council Staff Relations Policy

RECOMMENDATION

THAT Council receives Report CLK 19-05 Council-Staff Relations Policy;

AND THAT a By-Law to authorize the policy be brought forward for Council consideration at the February 28, 2019 Council meeting.

BACKGROUND

Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017, received Royal Assent on May 30, 2017. The Bill made a number of amendments to the Municipal Act, 2001 including a requirement for municipalities to adopt and maintain policies regarding "the relationship between Members of Council and the officers and employees of the municipality". This requirement comes into effect on March 1, 2019.

DISCUSSION

Section 270 of the Municipal Act, 2001, as revised by Bill 68, requires municipalities to adopt and maintain a policy with respect to the Council - Staff relationship.

Town staff serve Council as a whole in order to deliver quality public services and programs and effective management of Town resources in a way that serves the greater good of all citizens. The Council-Staff Relations Policy offers guidance on Council-Staff relationship issues which may arise and will serve as a guide to dealing with circumstances as they may arise from time to time, and should ensure that Council Members receive objective and impartial advice and professional support from Town staff. This Policy should be used and applied in conjunction with other guiding Town documents. The Policy shall apply to all Town staff and Council members.

Staff have provided Council with a policy that:

- details individual roles;
- supports the spirit of a positive working relationship between Council and Staff;
- identifies that both staff and Council are professionals who govern and direct the Town in different ways but are interdependent;
- clearly identifies that the Town functions best when Council and Staff are respectful of each other's roles.

CONSULTATION/COMMUNICATION

A review of a number of municipalities was done to provide some conformity for the practice, particularly within Oxford County, however many municipalities have not yet adopted their policy and will be doing so in February.

FINANCIAL IMPACT/FUNDING SOURCE

N/A

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Section 1 – Excellence in Local Government – informing citizens of Municipal Policies.

CAO

Report Approval Details

Document Title:	CLK 19-05 Council-Staff Relations Policy.docx
Attachments:	- 2-010 Council Staff Relations Policy (2).docx
Final Approval Date:	Feb 1, 2019

This report and all of its attachments were approved and signed as outlined below:

David Calder - Feb 1, 2019 - 8:20 AM

CAO

	COUNCIL			
	COUNCIL-STAFF RELATIONS POLICY			
	Policy Number	2-010		
	Approval Date		**Revision Date**	
	Schedules			

A. POLICY STATEMENT

The Town of Tillsonburg promotes a respectful and professional relationship and workplace between Council Members and employees of the Town of Tillsonburg.

B. PURPOSE

This policy provides guidance on how the Town of Tillsonburg ensures a respectful, tolerant and harassment-free relationship and workplace between Council Members and employees of the Town of Tillsonburg.

C. SCOPE

The guiding principles contained in this policy shall apply to all municipal employees and elected officials of the Town of Tillsonburg.

D. AUTHORITY

Section 270 of the Municipal Act, 2001, as revised by Bill 68, requires municipalities to adopt and maintain a policy with respect to the relationship between elected officials and municipal employees.

The Town Clerk shall be responsible for administering this policy.

The CAO and Head of Council are responsible for receiving complaints and/or concerns related to this policy.

E. DEFINITIONS

Chief Administrative Officer (CAO) : the head of staff, as the only employee of Council, manages the day-to-day work of staff as directed by Council.

Council: shall mean the members elected as the legislative body of the Town of Tillsonburg.

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Council Members: shall mean the Mayor, Deputy Mayor and the Councillors of the Town of Tillsonburg.

Mayor: the head of Council and the Chief Executive Officer of the Town of Tillsonburg.

Staff: shall mean any full-time, part-time and contract workers employed by the Town of Tillsonburg.

Town: shall mean The Corporation of the Town of Tillsonburg

F. POLICY

Positive relationships between Council and Staff are essential to the provision of public service excellence and effective governance in the Town of Tillsonburg. Successful relationships involve mutual understanding of roles and responsibilities, two-way communication, clarity in reporting relationships and direction from Council to Staff through the CAO. These principles can be achieved when high standards of conduct form the basis of all Council and Staff interaction.

The role of Council is to govern. The role of staff is to advise, implement and manage public service delivery. Council and staff work in partnership with one another, while performing their respective roles. Although the roles of Council and staff are distinct, they are interdependent, each one requiring the other to fulfill the Town's mandate and purpose.

Members of Council and Staff Shall:

- Demonstrate a commitment to accountability and transparency among Council and staff and with the general public;
- Demonstrate leadership by making sound decisions based on knowledge, areas of expertise and sound judgment;
- Demonstrate a high degree of confidentiality, when required;
- Enhance public education about the political process by providing context and process information about decision making;
- Uphold the decisions of Council, regardless of personal opinion or belief, and commit to the implementation of those decisions;
- Refrain from publically criticizing members of Council or staff; and
- Seek to achieve a team approach in an environment of mutual respect and trust, with acceptance of the different roles in achieving Council's objectives.

Respect for Time

Priorities and timelines must be respected by all members of Council and staff. It is expected that all participants will be well prepared for meetings and will prioritize appropriately, according to direction given by management or Council. Staff will spend time on significant projects only once direction is given by Council to do so.

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It is expected that appointments will be made for meetings between staff members and Council members in order to ensure that all parties are available and prepared for the discussion.

Role of Members of Council (Mayor and Councillors):

- Seek to advance the common good of the community which they serve;
- Truly, faithfully and impartially exercise the office to the best of their knowledge and ability;
- Govern and provide political direction;
- Act in a way that enhances public confidence in local government;
- Set strategic objectives and goals for the organization based on consultation with staff and community members;
- Give direction to staff through resolution by Council as a whole;
- Govern the management of the organization through the CAO;
- Respond to concerns from the public and refer concerns to staff members through the Mayor and CAO for action – elected officials do not have an administrative managerial role in the day to day business of the organization;
- Adhere to the Code of Conduct for Members of Council, Committees and Boards and the oath of office sworn at the inaugural meeting of each term of council; and
- Refrain from behaviour that could constitute an act of disorder or misbehaviour; is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; or prejudices the provision of a service or services to the community.

It Is Expected That Council Members Will:

- Acknowledge that only Council as a whole has the capacity to direct staff members, through the CAO, to carry out specific tasks or functions;
- Refrain from using their position to improperly influence members of staff in their duties or functions or to gain an advantage for themselves or others;
- Refrain from publicly criticizing individual members of staff in a way that casts aspersions on their professional competence and credibility;
- Request the CAO’s input prior to making important policy decisions;
- Direct questions or concerns regarding departmental activities to the CAO;
- Discuss issues with the CAO and advise staff of questions that may arise prior to Committee or Council meetings whenever possible;
- Understand that their discussions with staff may be communicated and that a member of Council cannot compel a member of staff to confidentiality;
- Consult with the CAO prior to making commitments to agencies, groups, citizens, or likewise.

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Role of Members of Staff

- Provide timely reports to Council outlining factors that will assist in their decision-making process and provide information based upon professional expertise and good judgement, and free from undue influence from any individual member or members of Council;
- Research policy issues as required;
- Implement Council's decisions;
- Manage and identify the means for achieving corporate goals and outcomes;
- Provide appropriate follow-up to Council inquiries and keep members of Council up-to-date and informed, as appropriate – staff do not have a political role;
- Refrain from behaviour that could constitute an act of disorder or misbehaviour; is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; or prejudices the provision of a service or services to the community.

It Is Expected That Staff Members Will:

- Ensure the Council members are aware of any issues that may impact upon their decision-making process;
- Management will ensure that the CAO is aware of any issues that may impact upon the municipality and of ongoing activities in each department;
- The CAO will ensure that managers are aware of any issues that may impact upon their departments;
- Respond to inquiries from Council members (through the CAO or Mayor, if necessary) in a timely fashion, when appropriate during business hours with the exception of emergencies.
- Present a professional opinion/recommendation in writing or in person, at Council meetings or Committee meetings.
- Notify Council members of changes to legislation and any unexpected impacts of policy decisions through written material circulated electronically or at a Council or Committee meeting; and
- Through the CAO, convey feedback to Council members who may be unaware of existing policies or staff workload demands, and other related issues.

Respectful Reporting Relationship

The formal relationship between staff and members of Council must be respected to ensure that all members of staff and Council are treated equally. There is a chain of command in place to deal with significant issues, and Council members are encouraged to primarily direct questions and concerns to the Mayor and/or CAO for their consideration. Any request for information from a Council member that is not received and answered at a Committee or Council meeting, may be received in writing and circulated in writing (i.e. email) to all Council members.

COUNCIL	
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Related Policies
This policy shall be read and applied in conjunction with the following corporate documents, as updated from time to time:

- Council Code of Conduct
- By-Law 4173 Procedural By-Law
- 2-007 Use of Corporate Resources
- Town Personnel Policy
    - Code of Conduct for Employees of the Town
    - Respect in the Workplace
    - Workplace Violence

G REVIEW

This policy shall be reviewed once per term of Council.
Next revision to be completed in 2022.

Tillsonburg	**Report Title**	Bill 68 Requirements – Integrity Commissioner/Meeting Investigator
	Report No.	CLK 19-06
	Author	Donna Wilson, Town Clerk/ Amelia Jaggard, Legislative Services Coordinator
	Meeting Type	Council Meeting
	Council Date	February 11, 2019
	Attachments	Excerpt from Municipal Act See Agreements under By-Law 4267 and 4268

RECOMMENDATION

THAT Report CL 19-06, Integrity Commissioner/Meeting Investigator, be received;

AND THAT By-Laws to authorize Agreements with Gregory Stewart to fill the Integrity Commissioner and Closed Meeting Investigator roles for the Town of Tillsonburg for a five year term, be brought forward for Council consideration.

EXECUTIVE SUMMARY

This report focuses on the legislated requirement to appoint an Integrity Commissioner in accordance with subsection 223.3 (1) of the *Municipal Act, 2001, S.O. 2001, c. 25* (the "Act") to comply with changes to the Act that will come into effect on March 1, 2019 as a result of Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017,* (the "Bill 68 Amendments") receiving Royal Accent on May 31, 2017.

The report also refers to Section 239.2 of the Act, which states, the municipality is authorized to appoint an investigator who has the function to investigate in an independent manner, on a complaint made to him or her by any person, whether the municipality or a local board has complied with section 239 or a procedure by-law under subsection 238 (2) in respect of a meeting or part of a meeting that was closed to the public, and to report on the investigation.

DISCUSSION

If the municipality does not appoint their own Meeting Investigator then the Ontario Ombudsman is appointed pursuant to the *Ombudsman Act.* The Ombudsman's office encourages resolution at the local level before launching an investigation at the provincial level. Messages from the Ombudsman's office state that Municipality's should have policies or processes in place in order for the public to obtain a means to file a concern with the local municipality.

The process does not preclude any member of the public who are not satisfied with the resolution of the municipality to then take the matter to the Ombudsman's Office for review. The Ombudsman has the discretion not to investigate if they feel an investigation is not warranted.

On March 1, 2019 the municipality will be required to appoint an Integrity Commissioner in accordance with subsection 223.3(1) of the Municipal Act, 2001, S.O. 2001, C. 25 (the "Act") to comply with changes to the Act as a result of Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017, receiving Royal Assent. If at that time the municipality has not appointed an Integrity Commissioner, then the municipality will have to make arrangements for all of the responsibilities set out in subsection 223.3 (1) to be provided by a Integrity Commissioner of another municipality. Also, at that time, if a municipality has appointed an Integrity Commissioner under subsection (1), but has not assigned functions to the Integrity Commissioner with respect to one or more of the responsibilities set out in the subsection, the municipality will have to make arrangements for those responsibilities to be provided by a Integrity Commissioner of another municipality.

Role of the Integrity Commissioner

The Integrity Commissioner is an independent and impartial position that reports directly to Council and whose powers and duties are set out in the Act. The excerpt from the Act is attached to this report for Council's reference. An Integrity Commissioner is required to be independent and impartial with investigative responsibilities prescribed by the Act relating to the ethical conduct of Council and local board members.

Prescribed Responsibilities regarding Ethical Conduct

As of March 1, 2019, subsection 223.3 (1) of the Act will be repealed and the following expanded listing substituted:

Integrity Commissioner

(1) Without limiting sections 9, 10 and 11, those sections 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.

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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).

Inquiries/Complaints

Section 223.4 of the Act enables an Integrity Commissioner to conduct inquiries of alleged breaches of a municipal/board code of conduct and to report whether a contravention has occurred. The Act gives the Integrity Commissioner broad powers of investigation including: access to records of a municipality or local board, the right to compel persons to testify under oath, and the right to compel production of information from the municipality and local boards (with the exclusion of solicitor-client privileged information). After completion of the investigation, if the Integrity Commissioner reports to the municipality or to a local board, whether in his or her opinion, a member of council or the local board has contravened the applicable code of conduct, the Integrity Commissioner may disclose in the report such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

An elector or any person acting in the public interest may apply in writing to the Integrity Commissioner for an inquiry of an alleged contravention. No application for an inquiry can take place in an election year from Nomination Day until the end of Voting Day. An inquiry can only be requested within six weeks of the alleged contravention except if the alleged contravention was within the 6 week period prior to Nomination Day and if the application for inquiry was provided within six weeks after Voting Day. The Integrity Commissioner shall complete the inquiry within 180 days after receiving the completed application.

Upon an Integrity Commissioner's finding that a member has contravened the Code of Conduct, the municipality may choose to reprimand or suspend the pay of a member for up to 90 days.

Applications related to the MCIA

It is important to note that Bill 68 Amendments have also provided the Integrity Commissioner with the authority to make application to a judge under the Municipal Conflict of Interest Act (MCIA) for a determination of whether a member has contravened the MCIA. If the Integrity Commissioner chooses to make application to a judge and the Court finds a contravention occurred, then the municipality (or local board) will be required to pay for the costs of the Integrity Commissioner for the court application.

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In light of the new requirements to appoint or arrange for the services of an Integrity Commissioner, staff recommend that an appointment by-law be prepared establishing the office of the Integrity Commissioner and further detailing the role, responsibilities and duties of the Integrity Commissioner, including reporting requirements.

Confidentiality

When executing the duties, the Integrity Commissioner is obliged by the Act to preserve the secrecy of matters coming into his or her knowledge. There are a few exceptions with respect to this requirement for secrecy. For example, advice given by the Integrity Commissioner could be released with the consent of the member who received the advice or where the member made the information public or for the purpose of disclosing information necessary to publish an annual report. Also, information may be released in the case of certain types of legal proceedings (i.e. criminal proceedings, public meeting for an inquiry, or an application to a judge for a contravention of the MCIA).

SELECTION OF AN INTEGRITY COMMISSIONER

There is not a demonstrated need for a full time Integrity Commissioner or an Integrity Commissioner employed by the Town. In order to ensure that the Town has access to an Integrity Commissioner with flexibility and who is available on an as-needed basis, staff recommend that the Town enter into an agreement with an Integrity Commissioner for a minimum of the term of Council.

It is recommended that the successful proponent will be required to enter into a formal agreement for a term of 5 years and, along with the usual service provider language, the agreement will require the proponent to agree to avoidance of conflict of interest, which shall include avoidance of political campaigning or endorsement. The 5 year term would go beyond the current term of Council and allow the incoming Council to go through a comprehensive selection process during their first year of the term.

The following is a list of Oxford County Integrity Commissioner and Closed Meeting Investigator Appointments.

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Municipality	Integrity Commissioner	Closed Meeting Investigator
Town of Tillsonburg	N/A	Ontario Ombudsman
Township of South-West Oxford	Gregory Stewart	Gregory Stewart
Township of Zorra	Gregory Stewart	Gregory Stewart
Township of East-Zorra Tavistock	Gregory Stewart	Gregory Stewart
Township of Norwich	Gregory Stewart	Gregory Stewart
Township of Blandford Blenheim	Gregory Stewart	Gregory Stewart
City of Woodstock	Gregory Stewart	Gregory Stewart
Town of Ingersoll	Gregory Stewart	Gregory Stewart
Oxford County	Gregory Stewart (appointed until December 2019)	Gregory Stewart (appointed until Dec. 2019)

Suggested options/resolutions for Council to consider at this time are as follows:

Option 1 – Appoint an Integrity Commissioner/Meeting Investigator for a 5 year term**:**

THAT Report CL 19-06, Integrity Commissioner/Meeting Investigator be received;

AND THAT By-Laws to authorize Agreements with Gregory Stewart to fill the Integrity Commissioner and Closed Meeting Investigator roles for the Town of Tillsonburg for a five year term, be brought forward for Council consideration.

Option 2 –Appoint an Integrity Commissioner for 2019 following that to join Oxford County for an RFQ in 2020:

THAT Report CL 19-06, Integrity Commissioner/ be received;

AND THAT a By-Law to authorize Agreements with Gregory Stewart to fill the Integrity Commissioner/Closed Meeting Investigator role for the Town of Tillsonburg for a one year term, be brought forward for Council consideration;

AND THAT the Town partner with Oxford County for an RFQ process to appoint an Integrity Commissioner/Closed Meeting Investigator for the year 2020 and beyond.

CAO

CONSULTATION/COMMUNICATION

At the Oxford County Clerks meeting in December 2018, the appointment of an Integrity Commissioner/Closed Meeting Investigator was discussed. The majority of municipalities, including the County of Oxford had previously appointed Gregory Stewart of Donnelly & Murphy Lawyers. The consensus of the Oxford County Clerks group was that Mr. Stewarts work was well done and that his fees are more than fair. They all indicated they would recommend his services.

Staff has consulted with the County of Oxford regarding partnering on recruitment of a joint Integrity Commissioner and Meeting Investigator through the RFQ process. Five of the eight lower tier municipalities were planning on moving through the RFQ process with the County, however due to the Regional Review taking place by the Province the County decided to re-appoint Gregory Stewart until the end of the year. All of the other municipalities in Oxford County, as set out in the chart above, have now appointed Gregory Stewart, for the term of Council until 2022.

Staff has contacted Gregory F. Stewart at Donnellly & Murphy to inquire if he could include another Oxford County Municipality to his Integrity Commissioner and Closed Meeting Investigator duties. He indicated that if Council wished to secure his services that he would be able to enter into agreements with the Municipality. Mr. Stewart charges $250.00 per hour plus applicable taxes and expenses when performing an investigation or performing any of the duties contained in the roles of Integrity Commissioner & Closed Meeting Investigator. He does not require a retainer for services and there are termination clauses in both agreements.

FINANCIAL IMPACT/FUNDING SOURCE

$5,000 has been added to the 2019 budget. Funds would only be required if an investigation was required or if Council retained the services of the Integrity Commissioner for advice on a matter.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
   - ☒ Demonstrate strong leadership in Town initiatives
   - ☐ Streamline communication and effectively collaborate within local government
   - ☒ Demonstrate accountability

Report Approval Details

Document Title:	CLK 19-06 Integrity Commissioner.docx
Attachments:	- CL 19-06 - Appendix A.docx

CAO

Final Approval Date:	Feb 4, 2019

This report and all of its attachments were approved and signed as outlined below:

David Calder - Feb 4, 2019 - 11:02 AM

CAO

Integrity Commissioner

223.3 (1) Without limiting sections 9, 10 and 11, those sections 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,

(a) the application of the code of conduct for members of council and the code of conduct for members of local boards or of either of them;

(b) 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 or of either of them; or

(c) both of clauses (a) and (b). 2006, c. 32, Sched. A, s. 98.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 223.3 (1) of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 1, s. 19 (1))

Integrity Commissioner

(1) Without limiting sections 9, 10 and 11, those sections 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).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 223.3 of the Act is amended by adding the following subsections: (See: 2017, c. 10, Sched. 1, s. 19 (2))

Provision for functions if no Commissioner appointed

(1.1) If a municipality has not appointed a Commissioner under subsection (1), the municipality shall make arrangements for all of the responsibilities set out in that subsection to be provided by a Commissioner of another municipality. 2017, c. 10, Sched. 1, s. 19 (2).

Provision for functions if responsibility not assigned

(1.2) If a municipality has appointed a Commissioner under subsection (1), but has not assigned functions to the Commissioner with respect to one or more of the responsibilities set out in that subsection, the municipality shall make arrangements for those responsibilities to be provided by a Commissioner of another municipality. 2017, c. 10, Sched. 1, s. 19 (2).

Powers and duties

(2) Subject to this Part, in carrying out the responsibilities described in subsection (1), the Commissioner may exercise such powers and shall perform such duties as may be assigned to him or her by the municipality. 2006, c. 32, Sched. A, s. 98.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 223.3 of the Act is amended by adding the following subsections: (See: 2017, c. 10, Sched. 1, s. 19 (3))

Request for advice shall be in writing

(2.1) A request by a member of council or of a local board for advice from the Commissioner under paragraph 4, 5 or 6 of subsection (1) shall be made in writing. 2017, c. 10, Sched. 1, s. 19 (3).

Advice shall be in writing

(2.2) If the Commissioner provides advice to a member of council or of a local board under paragraph 4, 5 or 6 of subsection (1), the advice shall be in writing. 2017, c. 10, Sched. 1, s. 19 (3).

Content of educational information

(2.3) If the Commissioner provides educational information to the public under paragraph 7 of subsection (1), the Commissioner may summarize advice he or she has provided but shall not disclose confidential information that could identify a person concerned. 2017, c. 10, Sched. 1, s. 19 (3).

Delegation

(3) The Commissioner may delegate in writing to any person, other than a member of council, any of the Commissioner's powers and duties under this Part. 2006, c. 32, Sched. A, s. 98.

Same

(4) The Commissioner may continue to exercise the delegated powers and duties, despite the delegation. 2006, c. 32, Sched. A, s. 98.

Status

(5) The Commissioner is not required to be a municipal employee. 2006, c. 32, Sched. A, s. 98.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 223.3 of the Act is amended by adding the following subsections: (See: 2017, c. 10, Sched. 1, s. 19 (4))

Indemnity

(6) A municipality shall indemnify and save harmless the Commissioner or any person acting under the instructions of that officer for costs reasonably incurred by either of them in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a duty or authority under this Part or a by-law passed under it or an alleged neglect or default in the performance in good faith of the duty or authority. 2017, c. 10, Sched. 1, s. 19 (4).

Interpretation

(7) For greater certainty, nothing in this section affects the application of section 448 with respect to a proceeding referred to in subsection (6) of this section. 2017, c. 10, Sched. 1, s. 19 (4).

Section Amendments with date in force (d/m/y)

Inquiry by Commissioner

223.4 (1) This section applies if the Commissioner conducts an inquiry under this Part,

(a) in respect of a request made by council, a member of council or a member of the public about whether a member of council or of a local board has contravened the code of conduct applicable to the member; or

(b) in respect of a request made by a local board or a member of a local board about whether a member of the local board has contravened the code of conduct applicable to the member. 2006, c. 32, Sched. A, s. 98.

Powers on inquiry

(2) The Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case those sections apply to the inquiry. 2009, c. 33, Sched. 6, s. 72 (1).

Information

(3) The municipality and its local boards shall give the Commissioner such information as the Commissioner believes to be necessary for an inquiry. 2006, c. 32, Sched. A, s. 98.

Same

(4) The Commissioner is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality or a local board that the Commissioner believes to be necessary for an inquiry. 2006, c. 32, Sched. A, s. 98.

Penalties

(5) The municipality may impose either of the following penalties on a member of council or of a local board if the Commissioner reports to the municipality that, in his or her opinion, the member has contravened the code of conduct:

1. A reprimand.
2. Suspension of the remuneration paid to the member in respect of his or her services as a member of council or of the local board, as the case may be, for a period of up to 90 days. 2006, c. 32, Sched. A, s. 98.

Same

(6) The local board may impose either of the penalties described in subsection (5) on its member if the Commissioner reports to the board that, in his or her opinion, the member has contravened the code of conduct, and if the municipality has not imposed a penalty on the member under subsection (5) in respect of the same contravention. 2006, c. 32, Sched. A, s. 98.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 223.4 of the Act is amended by adding the following subsections: (See: 2017, c. 10, Sched. 1, s. 20)

Termination of inquiry when regular election begins

(7) If the Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, the Commissioner shall terminate the inquiry on that day. 2017, c. 10, Sched. 1, s. 20.

Same

(8) If an inquiry is terminated under subsection (7), the Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*, the person or entity who made the request or the member or former member whose conduct is concerned makes a written request to the Commissioner that the inquiry be commenced. 2017, c. 10, Sched. 1, s. 20.

Other rules that apply during regular election

(9) The following rules apply during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act:

1. There shall be no requests for an inquiry about whether a member of council or of a local board has contravened the code of conduct applicable to the member.
2. The Commissioner shall not report to the municipality or local board about whether, in his or her opinion, a member of council or of a local board has contravened the code of conduct applicable to the member.
3. The municipality or local board shall not consider whether to impose the penalties referred to in subsection (5) on a member of council or of a local board. 2017, c. 10, Sched. 1, s. 20.

Section Amendments with date in force (d/m/y)

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2017, c. 10, Sched. 1, s. 21)

Inquiry by Commissioner re s. 5, 5.1 or 5.2 of *Municipal Conflict of Interest Act*

223.4.1 (1) This section applies if the Commissioner conducts an inquiry under this Part in respect of an application under subsection (2). 2017, c. 10, Sched. 1, s. 21.

Application

(2) An elector, as defined in section 1 of the *Municipal Conflict of Interest Act*, or a person demonstrably acting in the public interest may apply in writing to the Commissioner for an inquiry to be carried out concerning an alleged contravention of section 5, 5.1 or 5.2 of that Act by a member of council or a member of a local board. 2017, c. 10, Sched. 1, s. 21.

No application for inquiry during regular election

(3) No application for an inquiry under this section shall be made to the Commissioner during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 1, s. 21.

Timing

(4) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 1, s. 21.

Exception

(5) Despite subsection (4), an application may be made more than six weeks after the applicant became aware of the alleged contravention if both of the following are satisfied:

1. The applicant became aware of the alleged contravention within the period of time starting six weeks before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996,* and ending on voting day in a regular election, as set out in section 5 of that Act.
2. The applicant applies to the Commissioner under subsection (2) within six weeks after the day after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*. 2017, c. 10, Sched. 1, s. 21.

Content of application

(6) An application shall set out the reasons for believing that the member has contravened section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* and include a statutory declaration attesting to the fact that the applicant became aware of the contravention not more than six weeks before the date of the application or, in the case where an applicant became aware of the alleged contravention during the period of time described in paragraph 1 of subsection (5), a statutory declaration attesting to the fact that the applicant became aware of the alleged contravention during that period of time. 2017, c. 10, Sched. 1, s. 21.

Inquiry

(7) The Commissioner may conduct such inquiry as he or she considers necessary. 2017, c. 10, Sched. 1, s. 21.

Public meeting

(8) If the Commissioner decides to conduct an inquiry, the Commissioner may have a public meeting to discuss the inquiry. 2017, c. 10, Sched. 1, s. 21.

Powers on inquiry

(9) The Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case those sections apply to the inquiry. 2017, c. 10, Sched. 1, s. 21.

Information

(10) The municipality and its local boards shall give the Commissioner such information as the Commissioner believes to be necessary for an inquiry. 2017, c. 10, Sched. 1, s. 21.

Same

(11) The Commissioner is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality or a local board that the Commissioner believes to be necessary for an inquiry. 2017, c. 10, Sched. 1, s. 21.

Termination of inquiry when regular election begins

(12) If the Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, the Commissioner shall terminate the inquiry on that day. 2017, c. 10, Sched. 1, s. 21.

Same

(13) If an inquiry is terminated under subsection (12), the Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*, the person who made the application or the member or former member whose conduct is concerned applies in writing to the Commissioner for the inquiry to be carried out. 2017, c. 10, Sched. 1, s. 21.

Timing

(14) The Commissioner shall complete the inquiry within 180 days after receiving the completed application, unless the inquiry is terminated under subsection (12). 2017, c. 10, Sched. 1, s. 21.

Completion

(15) Upon completion of the inquiry, the Commissioner may, if he or she considers it appropriate, apply to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the member has contravened section 5, 5.1 or 5.2 of that Act. 2017, c. 10, Sched. 1, s. 21.

Notice to applicant re decision not to apply to judge

(16) The Commissioner shall advise the applicant if the Commissioner will not be making an application to a judge. 2017, c. 10, Sched. 1, s. 21.

Reasons after inquiry

(17) After deciding whether or not to apply to a judge, the Commissioner shall publish written reasons for the decision. 2017, c. 10, Sched. 1, s. 21.

Costs

(18) The Commissioner's costs of applying to a judge shall be paid by the following:

1. If the member is alleged to have contravened section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* as a member of council of a municipality, the municipality.
2. If the member is alleged to have contravened section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* as a member of a local board, the local board. 2017, c. 10, Sched. 1, s. 21.

Section Amendments with date in force (d/m/y)

Duty of confidentiality

223.5 (1) The Commissioner and every person acting under the instructions of the Commissioner shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Exception

(2) Despite subsection (1), information may be disclosed in a criminal proceeding as required by law or otherwise in accordance with this Part. 2006, c. 32, Sched. A, s. 98.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 223.5 of the Act is amended by adding the following subsections: (See: 2017, c. 10, Sched. 1, s. 22)

Release of advice

(2.1) Advice provided by the Commissioner to a member under paragraph 4, 5 or 6 of subsection 223.3 (1) may be released with the member's written consent. 2017, c. 10, Sched. 1, s. 22.

Partial release by member

(2.2) If a member releases only part of the advice provided to the member by the Commissioner under paragraph 4, 5 or 6 of subsection 223.3 (1), the Commissioner may release part or all of the advice without obtaining the member's consent. 2017, c. 10, Sched. 1, s. 22.

Other circumstances

(2.3) The Commissioner may disclose such information as in the Commissioner's opinion is necessary,

(a) for the purposes of a public meeting under subsection 223.4.1 (8);

(b) in an application to a judge referred to in subsection 223.4.1 (15); or

(c) in the written reasons given by the Commissioner under subsection 223.4.1 (17). 2017, c. 10, Sched. 1, s. 22.

Section prevails

(3) This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act*. 2006, c. 32, Sched. A, s. 98.

Section Amendments with date in force (d/m/y)

Report to council

223.6 (1) If the Commissioner provides a periodic report to the municipality on his or her activities, the Commissioner may summarize advice he or she has given but shall not disclose confidential information that could identify a person concerned. 2006, c. 32, Sched. A, s. 98.

Report about conduct

(2) If the Commissioner reports to the municipality or to a local board his or her opinion about whether a member of council or of the local board has contravened the applicable code of conduct, the Commissioner may disclose in the report such matters as in the Commissioner's opinion are necessary for the purposes of the report. 2006, c. 32, Sched. A, s. 98.

Publication of reports

(3) The municipality and each local board shall ensure that reports received from the Commissioner by the municipality or by the board, as the case may be, are made available to the public. 2006, c. 32, Sched. A, s. 98.

Section Amendments with date in force (d/m/y)

Testimony

223.7 Neither the Commissioner nor any person acting under the instructions of the Commissioner is a competent or compellable witness in a civil proceeding in connection with anything done under this Part. 2006, c. 32, Sched. A, s. 98.

Section Amendments with date in force (d/m/y)

Reference to appropriate authorities

223.8 If the 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* (Canada), the Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to council. 2006, c. 32, Sched. A, s. 98.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 223.8 of the Act is amended by striking out "of any other Act or" and substituting "of any other Act, other than the *Municipal Conflict of Interest Act*, or". (See: 2017, c. 10, Sched. 1, s. 23)

Section Amendments with date in force (d/m/y)

Fundraising Tillsonburg		
	Report Title	Fundraising Authorization
	Report No.	FRS 19-02
	Author	Jeff Smith, Fire Chief
	Meeting Type	Regular Council
	Council Date	February 11, 2019
	Attachments	NIL

RECOMMENDATION

THAT Report FRS 19-02 Fundraising Authorization is received as information;

AND THAT the Tillsonburg Fire Department's Public Education Committee is authorized by Council to fundraise for the purchase of a smoke alarm mascot.

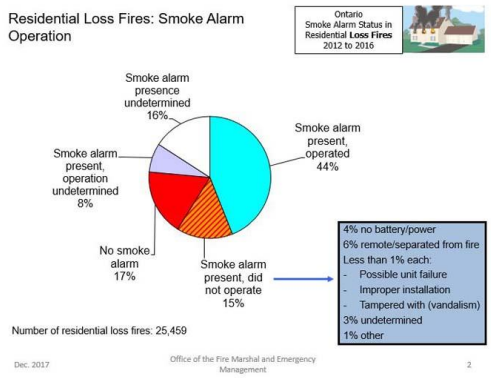
EXECUTIVE SUMMARY

The Fire Department's Public Education Committee is seeking Council permission to fundraise for the purchase of a smoke alarm mascot with the understanding that the mascot will become the property of the Town upon purchase.

BACKGROUND

Traditionally, the Sparky mascot has been the public education face of the fire department. The Sparky mascot is a trademark of the National Fire Protection Association (NFPA) in the USA. While this mascot has fulfilled its main purpose of engaging young children, it does not assist with a targeted fire and life safety message.

Home fires kill eight Canadians a week. While house fires represent 40 percent of all types of fires, they are responsible for 73 percent of the fire deaths across the Country.



In Ontario, a summary of residential fires between 2012 and 2016 show that only 44% of homes had working smoke alarms present. The concerning statistics are that 17% of homes did not have a smoke alarm present and 15% of homes had smoke alarms that did not work. One third of all Ontario homes are not protected by smoke alarms.

This trend is representative of what the fire department sees anecdotally in our community as well. Of the residential homes we attend over the course of a year, less than half of these homes have working smoke alarms. Because of this trend, the Fire Department initiated our "Blitz the Block" campaign after a fire or other significant incident in a

neighbourhood. Within a couple weeks of attending an incident, a group of firefighters re-attends the neighbourhood and conducts a door to door public education campaign, including the offer of a free, non-punitive check of the smoke alarms.

The Public Education Committee believes that a smoke alarm mascot will positively convey a message to young and old alike about the importance of smoke alarms. They intend to use the mascot at community events where the fire department is present as well as the Christmas parade.

The Public Education Committee has committed to raise the necessary funds to purchase the mascot. The mascot will cost approximately $6,000 (tax included) plus shipping and handling.

Once purchased, the mascot will be the property of the fire department. Department staff has been in contact with the manufacturer and have determined that there is no annual maintenance costs associated with ownership. The manufacturer stated that cleaning can be done at the fire hall. The only anticipated costs would be for repairing any damage sustained during use.

The life expectancy of this mascot, assuming normal wear and tear, is 8 to 10 years. At the conclusion of the 8 to 10 year ownership period, the effectiveness of a smoke alarm mascot will have to be evaluated before replacement is considered.

Examples of the smoke alarm mascot:

FINANCIAL IMPACT/FUNDING SOURCE

There will be no cost to the municipality for the purchase of the mascot as the capital cost to purchase will be fundraised by the Public Education Committee of the Tillsonburg Fire Department.

Should damage be sustained that requires repair, the costs would come from the existing Fire Prevention Operating budget. This budget currently supports the cost of cleaning and repairing the Sparky mascot outfit when it is borrowed from a local fire department for use at Tillsonburg events.

CAO

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
   ☒ Demonstrate strong leadership in Town initiatives
   ☐ Streamline communication and effectively collaborate within local government
   ☐ Demonstrate accountability

2. Economic Sustainability
   ☐ Support new and existing businesses and provide a variety of employment opportunities
   ☐ Provide diverse retail services in the downtown core
   ☐ Provide appropriate education and training opportunities in line with Tillsonburg's economy

3. Demographic Balance
   ☐ Make Tillsonburg an attractive place to live for youth and young professionals
   ☐ Provide opportunities for families to thrive
   ☐ Support the aging population and an active senior citizenship

4. Culture and Community
   ☒ Promote Tillsonburg as a unique and welcoming community
   ☐ Provide a variety of leisure and cultural opportunities to suit all interests
   ☐ Improve mobility and promote environmentally sustainable living

CAO

Report Approval Details

Document Title:	FRS 19-02 Fundraising Authorization.docx
Attachments:	
Final Approval Date:	Feb 6, 2019

This report and all of its attachments were approved and signed as outlined below:

Dave Rushton - Feb 5, 2019 - 4:11 PM

David Calder - Feb 6, 2019 - 3:23 PM

Donna Wilson - Feb 6, 2019 - 4:49 PM

CAO

	Report Title	General Volunteer Policy
	Report No.	RCP 19-09
	Author	Rick Cox, Director of Recreation, Culture & Parks
	Meeting Type	Council Meeting
	Council Date	January 28, 2019
	Attachments	Town of Tillsonburg General Volunteer Policy

RECOMMENDATION

THAT Council receives Report RCP 19-09 – General Volunteer Policy;

AND THAT Council adopts the Town of Tillsonburg General Volunteer Policy.

EXECUTIVE SUMMARY

The Town of Tillsonburg recognizes the positive impact volunteers have on making our community a vibrant and unique place to live and work. Volunteers augment the services provided in the following areas: programs, recreation, parks, cemetery, museum and more. Volunteering provides opportunities for new skills, perspectives and demonstrating of particular talents to benefit our community. Enacting a General Volunteer Policy demonstrates the Corporation's commitment to ensuring volunteers helping with Town initiatives are supported properly and recognized for their contribution.

BACKGROUND

The attached General Volunteer Policy was developed in consultation with all Town departments that work with volunteers. Best practices in volunteer management from other municipalities were considered and reflected in the draft policy.

This broad policy framework allows each area to develop appropriate procedures for volunteer management applicable to that function, while ensuring that best practices are applied consistently across all areas.

FINANCIAL IMPACT/FUNDING SOURCE

There is no direct financial impact of this policy. Resources to support volunteer programs, insurance costs, and volunteer recognition are determined through each Department's operational budget process.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
   ☒ Demonstrate strong leadership in Town initiatives
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   ☐ Support new and existing businesses and provide a variety of employment opportunities
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   ☒ Make Tillsonburg an attractive place to live for youth and young professionals
   ☒ Provide opportunities for families to thrive
   ☒ Support the aging population and an active senior citizenship

4. Culture and Community
   ☒ Promote Tillsonburg as a unique and welcoming community
   ☒ Provide a variety of leisure and cultural opportunities to suit all interests
   ☐ Improve mobility and promote environmentally sustainable living

Report Approval Details

Document Title:	RCP 19-09 - General Volunteer Policy.docx
Attachments:	- RCP 19-09 - ATT 01 - General Volunteer policy.January 2019.pdf
Final Approval Date:	Feb 4, 2019

This report and all of its attachments were approved and signed as outlined below:

David Calder - Feb 4, 2019 - 10:19 AM

	Town of Tillsonburg General Volunteer Policy			
	Policy Number	2-007		
	Approval Date	February 2019	**Revision Date**	
	Schedules			

A. POLICY STATEMENT

This policy recognizes the positive impact volunteers have on making our community a vibrant and unique place to live and work. Volunteers augment the services provided in the following areas: programs, recreation, parks, cemetery, museum and more. Volunteering provides opportunities for new skills, perspectives and demonstrating of particular talents to benefit our community.

B. PURPOSE

The purpose of this policy outlines the process for recruiting, appointing, training and supervising volunteers at the Corporation of the Town of Tillsonburg.

C. SCOPE

This policy applies to all persons who volunteer for the Town of Tillsonburg except for those serving on Advisory Committees and all employees who recruit and/or work with volunteers.

D. POLICY

The success of the volunteers depends on coordination of services and provision of training and support. Volunteers may be recruited for specific functions or general interest in volunteering which will be matched with a specific function. Staff will determine which positions are appropriate for volunteers and outline description for each position.

Definition:
Volunteer: a person who, while under the general supervision of the Town of Tillsonburg, voluntarily and without compensation, provides services to the town and community.

Application:
Volunteer applicants are required to complete and submit an application form. Applications will be reviewed by appropriate staff and will be kept on file in accordance with the town's Record Retention Policy.

TOWN OF TILLSONBURG	
General Volunteer Policy	
Policy Number	2-007

Volunteers selected through the process will be interviewed and screened to determine their suitability for and interest in any position. The screening process may require that a volunteer have a Reference Check or Criminal Record Check.
A parent or guardian's written consent is required for volunteers who have not reached the age of majority (18 years) prior to volunteering.

Placement:
Volunteers will be placed in positions in which they expressed interest and/or are best suited for the mutual benefit of the Town and the volunteer.

Orientation and Training:
Appropriate orientation and/or training will be provided where applicable. Corporate policies and procedures will be reviewed. The orientation will also detail the specific roles and responsibilities as well as limits of that volunteer position.

Insurance:
While performing duties as specified in their position, volunteers are covered by the Town's liability insurance against claims from third parties. Volunteers are not covered for personal injury, theft, breakage and vandalism of property. Volunteers must report any accident, injury and/or damage of property immediately to their supervisor, regardless of severity.

Supervision:
Regular supervision of a volunteer's work provides for appropriate direction and support. Volunteers will be provided with the name and contact information of their supervisor.

Recognition:
The municipality will recognize volunteers for their contributions.

Accessibility:
The Town of Tillsonburg is committed to ensuring that people with disabilities enjoy the same opportunities as all who live, work, visit and invest in our community. Persons who require accommodations are required to advise the department representative of their accommodation requirements.

Responsibilities:
Council
Council shall support the volunteer program within the municipality.

Corporation
- Treat volunteers with dignity and respect
- Provide adequate orientation and training and any other necessary tools for a successful experience

TOWN OF TILLSONBURG	
General Volunteer Policy	
Policy Number	2-007

- Manage, promote, support and coordinate volunteers and their activities
- Inform volunteers of any changes in policies and procedures
- Provide recognition and appreciation for the contributions of volunteers on an ongoing basis
- Accommodate accessibility needs as required

Volunteers

- Identify areas of interest, availability and time commitment
- Adhere to the same rules, policies, procedures and standards as Town employees
- Speak with department staff when issues arise
- Work within the scope of the position
- Attend orientation and training sessions
- Wear attire appropriate for the safety and public perception of volunteering
- Treat the public and coworkers in accordance with the Code of Conduct
- Maintain confidentiality of information when required
- Provide feedback and suggestions

Health & Safety

Health and safety are our primary concern. The Town of Tillsonburg will take all reasonable precautions to protect the health and safety of volunteers while performing their volunteer duties. The Town will provide health and safety training and identify hazards within the workplace.

Accidents & Incidents

Volunteers are expected to report all accidents/incidents to their supervisor. The supervisors will complete the accident/incident report form. Volunteers can sign the accident/incident report form as a witness, but a member of staff should complete the form. Incidents should be reported in the following instances:

- Personal injury to a participant, volunteer or staff
- Damages to property or equipment
- Threat of violence or disruptive or abusive behaviour
- Lost or stolen property

Rights:

Every volunteer has the right to volunteer in an environment free from discrimination, harassment or violence.

Confidentiality:

All Town of Tillsonburg information pertaining to participants, staff, volunteers and Corporation business are confidential. Volunteers are expected to comply with the confidentiality agreement included in the Volunteer Package. Volunteers are obligated to follow the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

TOWN OF TILLSONBURG	
General Volunteer Policy	
Policy Number	2-007

Media:
Volunteers are expected to not make any statements and refer any media representatives they are approached by to their supervisor or staff of the Town of Tillsonburg.

Endings:
Should the volunteer decide to move on from volunteering for the Town of Tillsonburg, they are asked to provide their staff supervisor with notice. The volunteer will be invited to provide feedback on their volunteer experience through an exit meeting or a survey.

Dismissal of a volunteer includes but is not limited to a situation where the volunteer is unable to:

- Uphold the conditions of the position;
- Is consistently late;
- Is unable to attend scheduled shifts; or
- Is in violation of the Code of Conduct.

Volunteers may be removed from the Volunteer Program in its entirety as determined by the Town.

	Report Title	Update to the Municipal Alcohol Policy
	Report No.	RCP 19-10
	Author	Rick Cox, Director of Recreation, Culture & Parks
	Meeting Type	Council Meeting
	Council Date	February 11, 2019
	Attachments	Tillsonburg Municipal Alcohol Policy Updated Jan. 2019

RECOMMENDATION

THAT Council receives Report RCP 19-10 – Update to the Municipal Alcohol Policy;

AND THAT Council approves the updated Municipal Alcohol Policy;

AND THAT a by-law is brought forward for consideration.

EXECUTIVE SUMMARY

The last time Tillsonburg's Municipal Alcohol Policy was updated was in 2015. A review of the current Policy by staff identified a series of administrative changes to align the policy with current best practices and clarify some language related to the security provisions in the Policy.

BACKGROUND

In February 2018, Council gave approval on a trial basis for the Tillsonburg Thunder to get a license to serve alcohol in the tiered seating area of the Kinsmen Memorial Arena until the end of the 2017-18 season and playoffs. In September 2018, Council extended that approval for the 2018-19 season and playoffs for both the Tillsonburg Thunder and the Tillsonburg Hurricanes organizations.

During discussion of the above issue, the Tillsonburg Thunder asked the Town to change how licensed functions work at the Tillsonburg Community Centre. Specifically, the request was for the Town to investigate a change from only allowing Special Occasion Permits (SOP) to the Town securing a liquor license for some or all of the facility and implementing a system that would allow functions to work within that license.

One impetus behind the request was the dramatic increase in cost for securing an SOP from $75 per application (which could be for multiple days) to $150 per day. Other municipally operated facilities in South Western Ontario do have a license and the thought was that perhaps a similar approach could be used in Tillsonburg.

Staff reviewed the potential and invested considerable time in researching how these other municipalities operated their licenses. The investigation included visiting the sites to speak directly with staff and see how their bar configurations were deployed. After the investigation, staff believes that the current system in place here in Tillsonburg is the most appropriate and should be continued.

Reasons for this recommendation include:

- The Tillsonburg Community Centre layout is not well-suited to establishing permanent licenced areas because there are many entrance points and barriers to visibility/oversight of potential issues. Other facilities have more focused points of entry and control.
- The potential revenue from liquor sales, when offset by costs of supplies and staff does not seem worth the amount of work it would take to establish the appropriate spaces, procedures, and staff.
- The Tillsonburg Community Centre is well used for many other functions besides licensed events, often at the same time. The current system works well for administrators, users, and other patrons. The only reason to change the current system would be to make it possible for licensed events to be held at a lower cost, but by the time the Town secured a portion of bar revenue to offset administrative and licensing costs, the difference is estimated to be minimal.
- The most successful operator of a municipally licensed facility requires all licensed functions in the facility to use that service, with very few exceptions. In Tillsonburg, that means that events run by service clubs and others which currently use bar proceeds to contribute towards event profits would no longer have that option. While there is some revenue sharing, the service clubs, caterers and others would not have the same revenue as they are used to. Staff believes this change would create major discontent and the resulting issues would outweigh potential revenue to the town.
- The current processes in place in Tillsonburg are sufficient to ensure compliance with the MAP. Enforcing compliance with AGCO regulations is the responsibility of the AGCO, but the process is robust enough to be generally sufficient to avoid enforcement issues.

The review of the MAP and other facility's procedures did identify some administrative changes that should be incorporated into the Town's Municipal Alcohol Policy (MAP) to align with best practices and add some clarity to the security provisions.

FINANCIAL IMPACT/FUNDING SOURCE

There is no financial impact with respect to this report.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

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3. Demographic Balance

☒ Make Tillsonburg an attractive place to live for youth and young professionals
☐ Provide opportunities for families to thrive
☐ Support the aging population and an active senior citizenship

4. Culture and Community
☒ Promote Tillsonburg as a unique and welcoming community
☒ Provide a variety of leisure and cultural opportunities to suit all interests
☐ Improve mobility and promote environmentally sustainable living

Report Approval Details

Document Title:	RCP 19-10 - Update to the Municipal Alcohol Policy.docx
Attachments:	- 2019 MAP Update.FINAL.pdf
Final Approval Date:	Feb 6, 2019

This report and all of its attachments were approved and signed as outlined below:

David Calder - Feb 6, 2019 - 3:28 PM

TOWN OF TILLSONBURG

Municipal Alcohol Policy (M.A.P.)

By-Law 4266
February 2019

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1. INTRODUCTION

The Tillsonburg Council first endorsed a by-law for an Alcohol Management Policy in 1994. This policy has proven to be very effective in Municipal Risk Management and has been included in the contract for all Municipal Facilities rented and licensed for Special Occasion Permits.

The policy is also intended to promote a safe, enjoyable environment for those who use these facilities. By managing and enforcing this policy, the Town of Tillsonburg hopes to reduce any possible risk of litigation.

2. GOAL STATEMENT

In order to reduce alcohol related problems that may arise from alcohol consumption within its facilities and to promote a safe, enjoyable environment for users of these facilities, the Town of Tillsonburg has developed a M.A.P. The Town of Tillsonburg offers a variety of unique recreational experiences for people of all ages. Our goal is to encourage responsible use of alcohol during licensed events to ensure the health and safety of the participants and the protection of Town of Tillsonburg facilities.

3. POLICY OBJECTIVES

To provide appropriate procedures and education to individuals or Event Organizers wishing to hold events in parks and facilities within the Town of Tillsonburg's jurisdiction in order to ensure that all Alcohol & Gaming Commission Board of Ontario legislation pertaining to Special Occasion Permits (SOP) is properly understood and complied with. The policy is based on legislation of the Liquor License Act (LLA) and Best Practices (BP). To encourage and reinforce moderate drinking practices through the development of appropriate operational procedures, controls, training and education.

Town's Best Practice:

1. To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcoholic beverages.

2. To provide a balance use of alcohol through licensed premises or catered events so that alcohol becomes a responsible part of a social function, rather than the reason for it.

3. To provide a balance of licensed and non-licensed programs to ensure that consumers, abstainers, adults, youth and families will be adequately serviced and protected.

4. CONDITIONS OF THE USE OF ALCOHOL IN MUNICIPALLY OWNED AND OPERATED FACILITIES

Anyone who wishes to serve alcohol at a designated site must sign a facility rental contract that stipulates the conditions under which alcohol may be served and acknowledges the requirements. In addition, the responsible person must obtain a Special Occasion Permit (SOP) from the Alcohol & Gaming Commission of Ontario (AGCO). The SOP Holder must comply with the Liquor License Act (LLA), R.S.O. 1990, Chapter L.19, the Sections and all of the provisions of the Town of Tillsonburg M.A.P.

All applications for SOPs must be made online at https://www.agco.ca/

SECTION #1 - MUNICIPAL FACILITIES ELIGIBLE FOR SPECIAL OCCASION PERMIT EVENTS

Tillsonburg Community Centre

Lion's Auditorium

The Auditorium is suitable for holding Special Occasion Permit events. It is equipped with a kitchen area including a stove, dishwasher and freezer compartments. The Auditorium holds up to 400 guests with tables and chairs and is wheelchair accessible.

Lion's Den

The Den is suitable for holding Special Occasion Permit events. It is equipped with a kitchen area including a stove, dishwasher, freezer compartment and separate bar area. The Den holds up to 120 guests with tables and chairs and is wheelchair accessible.

Marwood Lounge

The Lounge is suitable for holding Special Occasion Permit events with seating for 80. This room is ideal for meetings and small social functions.

Memorial Arena Floor and Tiered Seating

The Arena Floor and tiered seating is suitable for holding Special Occasion Permit events with main floor seating for 1400. A variety of events can be held in this facility and is wheelchair accessible with elevator. The use of Marwood Lounge is required for the purpose of main bar when a Special Occasion Permit is approved for tiered seating area in Memorial Arena. Liquor License Act states that applicants can now apply for public event SOP for premises with fixed tiered seating or temporary tiered seating (i.e. bleachers). Conditions may be added to the permit to address identified risks to public safety. SOP applications for tiered seating facilities will be sent to the AGCO for review.

Senior Centre Auditorium

This facility is suitable for holding Special Occasion Permit events with seating for approximately 120 with tables and chairs. This room is ideal for meetings and small social functions.

Parks & Playgrounds

Kiwanis, Optimist, Hardball, Annandale ball diamonds, as well as Memorial Park and Coronation Park are suitable for outdoor Special Occasion permit functions, provided proper approvals have been received and a designated area with proper fencing provided. Designated area will control the people coming in and out. Event Organizer will be required to provide sanitation requirements, accessibility to the area by emergency works and access to telephone (cell phones) for those wishing to arrange for transportation.

Annandale National Historic Site

Meeting Room

This facility is suitable for holding Special Occasion Permit events. It will seat approximately 60 and is ideal for private parties, workshops and general meetings.

Tillsonburg Municipal Airport

The exterior grounds at the airport are suitable for holding Special Occasion Permit events providing a designated area and proper fencing are in place.

Restaurant Area and Boardroom

These areas are suitable for holding licensed events.

SECTION #2 - MUNICIPAL PARKS & FACILITIES NOT ELIGIBLE FOR SPECIAL OCCASION PERMIT EVENTS

- Parks and outdoors areas not listed in policy
- Arena Dressing Rooms
- Arena Lobbies (upper and lower level)
- Arena Ice Surfaces
- Pool Change rooms
- Summer Place
- Gibson House
- Health Club
- Exceptions: Any person wishing to hold a Special Occasion Permit event in a location not listed in this policy must receive written approval from Director of Recreation, Culture & Parks or designate.

Areas Designated Where Alcohol Use Is Prohibited

The consumption of alcoholic beverages is prohibited in the majority of parks, gardens, sports facilities and service facilities within the jurisdiction of the Town of Tillsonburg. **The Town of Tillsonburg has a zero tolerance policy on the consumption of alcohol where proper permits have not been obtained.** The Town may change the designation of any site within its jurisdiction at its discretion.

SECTION #3 - SIGNS

A. Service Practices:

To provide consistent and proper wording which satisfies the Alcohol & Gaming Commission of Ontario (AGCO) requirements, the following permanent signs have been designed and strategically posted.

1. "It is against the Liquor License Act of Ontario for a person to serve customers to intoxication. For this reason, servers in our facilities are required to obey the law and not serve anyone to intoxication. We are also pleased to offer non-alcoholic beverages."

2. "In Ontario, the legal drinking age is 19 years of age. You may be asked for proof of age. Acceptable identification is:
   - Ontario Drivers License
   - Canadian Passport
   - Canadian Citizenship Card with photo
   - Canadian Armed Forces I.D. card
   - Bring Your Identification (B.Y.I.D.) card issued by the Liquor Control Board of Ontario
   - A Secure Indian Status Card issued by the Government of Canada
   - A Permanent Resident Card issued by the Government of Canada
   - A Photo Card issued under the *Photo Card Act, 2008*

3. "No person shall sell or supply liquor or offer to sell or supply liquor from a prescribed premise unless, the premises prominently displays a warning sign containing the prescribed information that cautions women who are pregnant that the consumption of alcohol during pregnancy is the cause of Fetal Alcohol Spectrum Disorder"

B. Accountability:
This will inform patrons as to where to direct concerns. This will include telephone numbers of the Event Organizer(s), local Police Department and the Alcohol & Gaming Commission of Ontario.

> ***RATIONALE**: Having these signs visible to participants eliminates any confusion on who to contact for information or to lodge complaints regarding an event.*

C. Last Call
Last Call will NOT be announced.

D. Ride Signs
Ride signs will be posted at all SOP events providing contact information for local taxi services.

E. Ticket Sales Stop
Starting at 12:00am, only single ticket sales will be made. All ticket sales will stop at 12:45am.

> ***RATIONALE:** Oxford O.P.P. recommends that only single ticket sales be made at 12:00am. This will deter guests from buying multiple tickets and possible over-consumption prior to bar closing.*

SECTION #4 - CONTROLS PRIOR TO EVENT

EVENT ORGANIZERS OF MUNICIPAL FACILITIES WILL BE REQUIRED TO UNDERSTAND THE MUNICIPAL ALCOHOL POLICY PRIOR TO RENTING

According to the Liquor License Act:

A. Private Event Special Occasion Permit
A Private Event is held for invited guests only. Examples include a wedding reception, an anniversary party, baptism or birthday party, among others, where only family, friends and people known to the hosts or permit holders are invited to attend. The public cannot be admitted, and there can be no intention to gain or profit from the sale of alcohol at the event. Private Events cannot be publicly advertised. Information about the event may be shared with invited guests and members only.

B. Public Event Special Occasion Permit
Public Events: For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol.

Town's Best Practice:

A. Special Occasion Permit
The SOP Holder shall post the Special Occasion Permit at the bar area clearly stating the name of the SOP Holder and the telephone numbers for the designated contact person, secondary contact person and the Alcohol & Gaming Commission Board of Ontario.

While the local authorities and Alcohol & Gaming Commission Inspectors are informed of the date and place of the special occasion function, they do not always have an opportunity to drop in and check on the operation of the event.

The SOP Holder shall remain on site at all times. If, for some reason, they cannot, a secondary name must be posted. Concerned participants will know whom to contact immediately on the premises. This can facilitate early correction of potentially risky situations.

B. Control

In order to be eligible for a facility rental for a special occasion function, the Event Organizer must demonstrate to the satisfaction of the Director of Recreation, Culture & Parks or designate that there are sufficient controls in place to prevent under age, intoxicated or rowdy people from entering the event and that the intoxicated participants will be refused services and removed from the event.

> ***RATIONALE:*** *Event Organizers must understand that prevention of intoxication is paramount. Controls must be enforced to allow for an enjoyable and safe atmosphere for all present.*

C. Municipal Alcohol Policy (MAP)

A copy of the MAP will be provided to organizers by Town Staff or designate at the time of booking.

D. Checklist for Event Organizers

A checklist form and a rental contract form will be provided by the municipality at the time of booking. These mandatory forms are to be completed by the Event Organizer and returned to the staff person or designate at least two (2) weeks prior to the event. The use of a Special Occasion Permit may be in jeopardy if forms are not received in the specified time frame. Signatures from both the Event Organizer and the staff person are required on the forms. Please see Appendix "A".

E. List of Trained Persons

The Town will endeavor to have a list of trained persons who have indicated that they may be available to assist at events when the Event Organizer does not have the required SIP/Smart Serve trained personnel.

F. The Special Occasion Permit Signatory

The person who's name is on the SOP must attend the event, and be responsible for decisions regarding the actual operation of the event. If the event is more than 2 days in length then a designate may be assigned and their name(s) must appear on the contract. This person and all event workers must refrain from alcohol consumption during the event, including any clean-up activities.

SECTION #5 - CONTROLS DURING EVENT

All controls and service must be consistent with the provisions of the Alcohol & Gaming Commission Act of Ontario and its Sections.

According to the Liquor License Act:

1. SOP Holder, Event Volunteers/Event Staff must:
   - Abide by all the rules of the M.A.P.
   - Attend the event and be sober before and during the event, including any clean-up activities
   - Ensure that the bartenders and servers do not serve alcohol to any one under age, intoxicated or rowdy at the event

2. Access & Control

The SOP Holder and event volunteers/event staff shall accept the following as proof of age for alcohol purchase or consumption:

- Ontario Drivers License
- Canadian Passport
- Canadian Citizenship Card with photo
- Canadian Armed Forces I.D. card
- Bring Your Identification (B.Y.I.D.) card issued by the Liquor Control Board of Ontario
- A Secure Indian Status Card issued by the Government of Canada

- A Permanent Resident Card issued by the Government of Canada
- A Photo Card issued under the Photo Card Act, 2008

Entry to public functions must be denied to:

- Intoxicated or unruly individuals
- Individuals carrying unsealed alcoholic beverages
- Individuals previously ejected from the event

3. Entry to the event must be monitored by responsible person(s) meeting the age of majority requirements at all times. These person(s) shall further observe for individuals that may be attempting to enter the premises and that appear to be impaired or have a history of causing problems at events.

4. The SOP Holder has the right to deny entry to any individual.

5. The SOP Holder and the person renting the facility are responsible to ensure that the event is properly supervised and will provide enough staff to fulfill this obligation.

6. All signs of sale and service must be cleared from the premises within 45 minutes of the end time stated on the licensed permit. This includes the removal of all partially consumed and empty bottles, and glasses that contained liquor.

Town's Best Practice:

1. All day outdoor events are required to cease the sale of alcohol for a period of one hour to allow for clean-up.

2. The bar area within the premises shall be closed no later than 1:00am and NO service or sale of alcoholic beverages will be allowed after this time.

3. All entertainment within the facility shall cease at 1:00am.

4. The only exception to the 1:00am closing time is during New Year's Eve when bar service will cease serving at 2:00am. Event Organizers must ensure that patrons have vacated the facility by 3:00am.

5. To assist staff and to ensure that no incidents occur on the premises, patrons must vacate the facility by 2:00am. Exception: New Year's Eve Refer to #4.

6. Failure to comply with the above could prevent the SOP holder or organization from further renting of any Town of Tillsonburg facility and where appropriate, the Ontario Provincial Police (OPP) and the Alcohol & Gaming Commission of Ontario (AGCO) will be advised and charges may be laid by the OPP or infractions cited by the AGCO.

7. Bartenders must be Smart Serve trained (further details in Section #6). Event organizers are encouraged to have all event staff SIP/Smart Serve trained.

8. Leftover liquor must be removed from the premises at the end of the event, with exception of multiple-day SOPs.

9. The town limits number of tickets to be sold to any person at one time to 4 each. Unused tickets may be redeemed for cash at any time up until 15 minutes after the bar closes.

SECTION #6 - EVENT – STAFFING REQUIREMENTS

Event Servers And Monitors

The following guideline sets out the ratio of event servers and monitors to event participants. The requirements may be increased or decreased by the Director of Recreation, Culture & Parks or designate having operational jurisdiction over the premises depending on crowd dynamics and type of event.

Trained servers must be certified by a recognized alcohol server training course that has been approved by the Town. This includes Smart Serve program. The sponsor shall ensure all event workers are over the age of 19 years of age. Door and entrance monitors are encouraged to monitor the door for a minimum of 1.5 hours following the advertised admission time and for a minimum of 1.5 hours prior to the advertised departure time.

The type of identification to be worn by event workers must be stated on the "Checklist & Security Plan. See Appendix "A".

Self-serving is prohibited and trained bar personnel are required. Sponsor and all event workers will refrain from alcohol consumption before, during and after the event, including any clean-up activities.

Passive, moderate, high risk and major event classifications are determined by Town of Tillsonburg staff based on event dynamics.

Refer to Appendix B – Event Category Guideline

Category*	Trained Servers**	Door/Entrance Monitors	Floor Monitors/Bar Ticket Sales
PASSIVE	1	The sponsor is responsible to monitor the entrance to the room	The sponsor is responsible to monitor those in attendance
MODERATE	2	1 event worker at the entrance to the room at all times	1 event worker throughout the room at all times
HIGH RISK/ MAJOR EVENT	2 + 2 for every additional 200 participants	1 event worker at every entrance/exit to the room	2 + 2 per every additional 200 participants

*Covers any public or private event

**The server requirement for passive events may be waived at the discretion of the Director of Recreation, Culture & Parks or staff designate when an event has approximately 50 or less participants in attendance.

RATIONALE: *Event Staff requirements are based on 3 criteria: Attendance, Public Event or Private Event. History has shown that these were too vague. Not all Public Events require the same level of event staff as others. Additional event categories were needed to determine sufficient Event Staff. These additional considerations include:*

1. Age Group & Maturity	2. Attendance	3. Incident History
4. Event Dynamics	5. Invitation	6. Food Availability
7. Impact on Neighbourhood	8. Supervision	9. Threats & Concerns

SECTION #7 - ALCOHOL SERVICE

A. Low Alcohol and Non-Alcoholic Options

Town's Best Practice:

1. The SOP Holder will ensure that 30% of the alcoholic beverages offered consist of low alcohol options (i.e. low alcohol beer, light wine, and low alcohol/spirits).Non-alcoholic beverages must be readily available and priced significantly below any alcoholic beverage.

2. The SOP Holder shall provide a sign, which shall be prominently posted identifying the low alcohol and non-alcoholic beverages available at the event.
   RATIONALE: *Low alcohol beverages help prevent intoxication by providing responsible consumers with an opportunity to consume less alcohol and avoid becoming intoxicated. A patron consuming a regular beer (at 5% alcohol) would have to drink two "extra light" beers (at 2.5% alcohol) to ingest the same amount of alcohol. Similarly, "light" beer (at 4% alcohol) represents a 20% reduction in alcohol intake.*

3. Discounts will not be offered for volume purchase of tickets when tickets are sold for alcoholic beverages. The Town limits number of tickets to be sold to any person at one time to 4 each.
   RATIONALE: *By limiting the number of tickets or drinks participants may purchase at one time, the ticket sellers, monitors, bartenders and servers are provided with more opportunities to observe participants for signs of intoxication.*

B. Control Of Alcohol Service

According to the Liquor License Act:

1. Practices which may encourage the immoderate consumption of alcohol are not permitted. Contests or games involving the consumption of liquor are not permitted. (Reg. 389/91 Section 18(1))

2. Liquor cannot be awarded as a prize for any game, contest or raffle. (Reg 389/91 Section 20).

3. Gambling: Games of chance (i.e. poker, crown & anchor, raffles, 50/50 draws, etc) are not permitted unless the proper license has been obtained from the province or municipality. Such licenses are only issued to eligible organizations with charitable or religious purposes. (Section 32). Games of skill are permitted.

4. Guests cannot be required to purchase a minimum number of drinks (or drink tickets) to enter or remain at the event, and no drink containing more than 85 ml of spirits can be sold or served. (Reg. 389/91 Section 16 and Section 13)
5. ***RATIONALE:*** *Table consumption can be moderated by not selling rounds of large numbers of tickets.*

6. The following is not permitted at an SOP event, including adjacent washrooms, liquor and food preparation areas and storage areas of under control of the permit holder:
   - Drunken individuals
   - Illegal gambling
   - Violent or disorderly conduct (fights, etc.)

7. No "Last Call" will be announced prior to the end of the event/sale of alcohol.
8. ***RATIONALE:*** *Announcing, "last call", prior to end sales encourages some patrons to purchase the maximum number of drinks allowed to prolong the event and drinking.*

9. An adequate supply of food must be available to persons attending the event. Snacks such as chips, peanuts or popcorn are not an acceptable substitute for this requirement.

10. There will be no self-serve events; even "Wine & Cheese" functions require a bartender.

Town's Best Practice:

1. Tickets for alcohol must be purchased from designated ticket sellers and must be redeemed at the bar. A maximum of 4 tickets may be sold at one time.

2. Bartenders and servers are required to pour all beverages into plastic or paper disposable cups at the bar. All bottles are to be kept behind the bar. Alcoholic and Non-Alcoholic drinks are to be served in different cups. Exception: Private events by invitation only.

   RATIONALE: *By following the guidelines we will reduce the risk that Event Organizer's automatically assume when running an event. These practices are designed to discourage heavy alcohol consumption. By pouring all beverages into disposable cups, the chance of glass/bottle breakage is minimized.*

3. Any masked events, such as Masques, New Year's Eve parties, Halloween Parties, where masked identity of individuals are in attendance (costumed events), must meet the following conditions:
   - Acceptable type of identification, as listed
   - No one under the age of 19 years admitted

4. A maximum of 2 standard drinks will be served at one time.

5. The Standard Drink means:
   - Bottle of Regular Beer - 12 oz or 341 ml. (beer, cider or cooler)
   - Glass of Wine - 5 oz or 142 ml.
   - Shot of Spirits - 1 oz or 29 ml.
   - Fortified Wine – 3 oz or 85 ml.

6. Only single drinks will be served (no more than one shot in one glass)

C. Advertising Events

According to the Liquor License Act:

SOP holder may advertise that liquor will be sold and/or served, according to the provisions in the Alcohol & Gaming Commission application Guidelines, Section 7(2), Reg. 389/91 regarding alcohol advertising. Reception Events cannot be advertised.

SECTION #8 - INSURANCE

LIABILITY INSURANCE: The SOP holder shall:

- Obtain a minimum of FIVE MILLION ($5,000,000) DOLLARS liability insurance
- Name the Town of Tillsonburg as an additional insured, providing a mandatory copy to the Town at least two weeks prior to the event
- Indemnify and save the Town of Tillsonburg harmless from all claims arising from the permit or event.

The actual insurance limits required may be increased at the discretion of the Director of Recreation, Culture & Parks or designate.

RATIONALE: *If an individual is injured, and if the Town of Tillsonburg were to be*

found "jointly and severally" liable, the Town of Tillsonburg could end up paying part or all of the judgment should the Special Occasion SOP permit holder be inadequately insured or uninsured. In addition to the expense to the municipality to defend any legal action, the municipality might have difficulty obtaining continued insurance coverage.

When the Renter is a corporation or organization:

Commercial General Liability Insurance

Commercial General Liability Insurance satisfactory to the Owner and underwritten by an insurer licensed to conduct business in the Province of Ontario. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury and shall include but not be limited to:

(a) A limit of liability of not less than FIVE MILLION (5,000,000)/occurrence with an aggregate of not less than TWO MILLION ($2,000,000)
(b) Add the Owner as an additional insured with respect to the operations of the Named Insured
(c) The policy shall contain a provision for cross liability and severability of interest in respect of the Named Insured
(d) Non-owned automobile coverage with a limit not less than TWO MILLION ($2,000,000) and shall include contractual non-owned coverage (SEF 96)
(e) Products and completed operations coverage
(f) Broad Form Property Damage
(g) Contractual Liability
(h) Owners and Contractors Protective
(i) Tenants legal liability
(j) The policy shall provide 30 days prior notice of cancellation
(k) Liquor Liability endorsement

When the Renter is an individual:

Homeowner's Liability Insurance

Homeowner's liability insurance satisfactory to the Town and underwritten by an insurer licensed to conduct business in the Province of Ontario is required. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury and shall have a limit of liability of not less than FIVE MILLION ($5,000,000).

The individual must provide proof of a Homeowner's Liability Policy by way of a letter from the Broker. The Town cannot be added as additional insured.

Party Alcohol Liability Insurance

Party Alcohol Liability Insurance in an amount not less than FIVE MILLION ($5,000,000) and underwritten by an insurer licensed to conduct business in the Province of Ontario is required. The municipality shall be added as an additional insured.

Sample Indemnification

The Host shall indemnify and save harmless the Municipality from any and all claims, demands, causes of action, losses, costs or damages that the Municipality may suffer, incur or be liable for, resulting from the Hosts', event workers' and agents' performance, actions and negligent acts or omissions in connection with the holding of an event involving the serving of alcohol on Municipal premises.

SECTION #9 - SAFE TRANSPORTATION

Town's Best Practice:
Only individuals, Event Organizer or organizations implementing a safe transportation strategy will be permitted rental privileges of facilities for SOP functions.

The Event Organizer shall identify the strategies, which will be used on the "Checklist for Event Organizers" form. The Event Organizer shall implement and encourage a Designated Drivers Program. This program shall be advertised at the event so that all patrons are aware this program is available. This program shall consist of the following:

It is suggested that the designated driver be supplied with free soft drinks/coffee during the function. The Event Organizer shall advertise or announce the availability of this program during and, if possible, prior to the event.

Advertise the use of taxi service – The Event Organizer shall advertise or announce the availability of a taxi service to attendees of the event. If not required to provide a taxi service, the Event Organizer shall ensure that appropriate signage is posted at the facility which includes the telephone number and/or use their best efforts to obtain any attendee a taxi upon request.

> ***RATIONALE:*** *The risk of liability is especially high when an impaired driver leaves an alcohol-related even. Event organizers must assume responsibility for promoting safe transportation for all drinking participants. Safe transportation options are essential since the only way to sober up an impaired person is with time.*

The SOP holder is responsible for promoting safe transportation options for all the drinking participants. Examples of safe transportation options are:

- A designated driver provided by the Event Organizer; or
- A taxi paid either by the Event Organizer or the participant.

> ***RATIONALE:*** *The risk of liability is especially high when an impaired driver leaves an alcohol-related event. Event organizers must assume responsibility for promoting safe transportation for all drinking participants. Safe transportation options are essential since the only way to sober up an impaired person is with time.*

SECTION #10 - YOUTH ADMISSION TO ADULT EVENTS

Each rental Event Organizer will be responsible to select a strategy on allowing youth to their event. In all cases, the following guidelines must be adhered to.

According to the Liquor License Act:

> Anyone who appears to be under the age of 25 years will be required to show I.D. before they are allowed into the event/facility.
>
> Individuals under the age of majority will not be allowed to consume alcohol beverages on licensed premises. Anyone serving individuals under the age of majority alcohol will be required to leave the event.

Town's Best Practice:
Two (2) extra floor monitors will be required if persons under the age of majority are allowed to enter Public events.

It is suggested that for events allowing individuals under the age of majority and with over 250 patrons will be required to identify those persons over the age of majority. Event Organizers may choose either stamps or wristbands to identify persons over the age of majority.

SECTION #11 - SECURITY REQUIREMENTS AT SPECIFIC EVENTS

For the purposes of this section, security personnel may be either Paid Duty Police Officers and/or licensed Security Guards that are employed by a registered Security Employer as governed by the Private Security & Investigative Services Act (PSISA) of Ontario. As per the PSISA, a Security Guard is a person who performs work, for remuneration, that consists primarily of guarding or patrolling for the purpose of protecting persons or property. Additionally, no person shall act as a security guard or hold himself or herself out as one unless the person holds the appropriate license under the Act.

CATEGORY*	# OF SECURITY PERSONNEL**
PASSIVE	1
MODERATE	2
HIGH RISK/MAJOR EVENT	2

*Covers any public or private event

**Security requirements for events may be increased or decreased at the discretion of the Director of Recreation, Culture & Parks or designate and with an approved security plan.

According to the Liquor License Act:

The SOP holder must provide security sufficient to ensure that unauthorized persons do not attend the event and to ensure that the conditions of the permit and requirements of the Liquor License Act are observed. In order to determine whether security is sufficient, the permit holder shall consider:

- The nature of the event;
- The size of the premises; and
- The age and number of persons attending the event.

Town's Best Practice

Security must have access or provide a communication link on site to summon emergency services.

Security is not to be involved in serving of alcoholic beverages nor may assist in any way in the liquor operation of the event.

The purpose of security is to:

- Provide high visibility access control at all entrances/exits to licensed area(s);
- Prevent underage patrons from entering licensed area(s);
- Prevent alcohol from leaving licensed area(s);
- Reinforce event rules through verbal interventions;
- Observe, report and document event policy and/or procedural violations;

Note – Security Guards do not have the authority to act as an Agent of the Owner (the Town of Tillsonburg) as per the Trespass to Property Act of Ontario.

Full payment of licensed and bonded security company is the sole responsibility of the Event Organizer. Time Period required is 9:00pm – 2:00am. **Exception:** For Tiered Seating Events during hockey tournaments, games, or carnivals where specific times will vary, the duration of security will be determined by staff.

The Town of Tillsonburg reserves the right to approve or reject licensed and bonded private security companies. Each event will be reviewed on its own merit. If the Event Organizer demonstrates the need for less security at their event, the required number of officers may be reduced or waived at the discretion of the Director of Recreation, Culture & Parks or designate. However, public safety for the patrons of the event will be paramount.

Reportable Incidents

All reportable incidents that occur at the event shall be documented by security personnel and a copy of the incident report shall be forwarded to the Town for their review.

Examples of reportable incidents are as follows:

- Any illegal act as defined by the Criminal Code of Canada;
- Damage to property;
- Any critical injury as defined by the Occupational Health & Safety Act;
- Any other significant incidents not included in the previous bullets.

The incident report shall include all the relevant incident details including;

- Who was involved (full names) & contact information;
- What occurred (chronological account of events with as much detail as possible);
- Where it occurred (specific locations as required);
- When it occurred (date & time of incident, when reported and response times);
- Why it occurred (if known);
- How if occurred (if known);
- Police report number (if Police were involved);
- Security guard name and contact information;
- Any additional relevant information such as actions taken by event organizers etc.

RATIONALE: *Security requirements vary depending on category of event. Dances designed for those over 25 years of age or seniors will differ from those dances geared towards those 25 years and under. Events that have attendance exceeding 300 will require additional security over those events with less than 300. Events that are by invitation only versus general admittance will impact security requirements.*

The overall event dynamics must be considered before security requirements can be imposed. Additional considerations include:

Age Group & Maturity	Attendance	Incident History
Event Dynamics	Invitation	Food Availability
Impact on Neighbourhood	Supervision	Threats & Concerns

Each of the above nine considerations is evaluated and checked off accordingly. Majority dictates category of risk and how the requirements of event staff/security are reached.

Outdoor Events/Festivals

According to the Liquor License Act:

Outdoor events are those which take place outdoors or in a temporary structure, such as a tent or marquee. The outdoor area must be clearly defined and separated from unlicensed areas by a minimum 36" high partition.

Festivals and events can define an area larger than outside beer tents where people can walk around freely with drinks. Local communities are free to customize the events to their needs. AGCO may be involved to discuss public safety issues with the permit holder.

Notification must be made to local municipality, including clerk, police, fire and health department and AGCO 30 days' notice for events where fewer than 5,000 people attend and 60 days' notice for events where 5,000 or more people attend.

If a SOP has been issued for an outdoor event that has both licensed areas (bars, restaurants) and areas to which the SOP applies (i.e. a street on which the event occurs), patrons can move freely between these areas with a single serving of alcohol, under certain conditions and where permission has been granted by the AGCO.

Town's Best Practice:
The Town of Tillsonburg Fire Chief and Building Official will determine maximum capacity for outside tents based on exits and floor area.

For potential problem rentals, the Town reserves the right to require the presence of minimally two (2) guards licensed and bonded Security Company for the duration of an event. Number of security will be based on Section 11 and Appendix C of this M.A.P. This cost will be borne by the Event Organizer or individual. The Town also reserves the right to refuse the issuance of a facility rental permit at their sole discretion.

SECTION #12 - CONSEQUENCES FOR FAILURE TO COMPLY

SOP Holder's Responsibilities

1. In the case of patrons who are intoxicated to the point that they must be cut-off, the SOP holder or designated Event volunteer/staff must make every effort to ensure that the patron does not drive and that he or she will arrive safely at home. In some instances, non-intoxicated friends might agree to drive the person home, or a cab may be called for the patron.

2. In an effort to encourage patrons not to drink and drive, free access to a phone should be made available to persons wishing to call a taxi and the telephone number of a taxi company should be prominently displayed.

3. If an intoxicated person insists on driving, the SOP holder and/or staff may have to attempt to detain the person and call the police.

4. Where anyone is engaged in a disruptive behaviour as a result of alcohol consumption at social events, authorities will be called.

5. The SOP holder is required to report in writing to the Director of Recreation, Culture & Parks or designate within 48 hours all incidents in which patrons are injured or ejected from an event or Police are called.

6. Although police will be called if a situation deems necessary to do so, it is the responsibility of the SOP holder to ensure the proper management of an event.

7. Where persons under the age of majority are found to have consumed or to be consuming alcohol at SOP and non SOP events, the authorities will be called immediately.

Enforcement Procedures For Policy Violation
A violation of this policy occurs when the SOP holders or individual(s) fail to comply with this policy or the conditions of the Liquor License Act, or any other relevant legislation. Intervention can be initiated by a participant at the event, Town of Tillsonburg staff, Police or an Inspector of the AGCO. Random monitoring of events where alcohol is served may be conducted by the Director of Recreation, Culture & Parks or designate having jurisdiction over the premises.

Town's Best Practice:

1. Event Organizer(s), SOP Holder or the monitor(s) may intervene by informing the offending individual of the M.A.P. violation and asking that it stop. Event Organizer members and monitors are encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.

2. A Town of Tillsonburg staff member with recognized authority will intervene whenever he/she encounters a violation of the policy. Depending upon the severity of the policy

infraction, the Town of Tillsonburg staff may ask the organizers of the event to stop the violation or they may close down the SOP portion of the event (especially if there is the potential for harm or loss of enjoyment by non-drinkers). Should the organizers fail to comply; the staff will call the police for enforcement.

Penalties:

Where an SOP holder has violated the MAP, and has been confronted by a Town of Tillsonburg staff member, the sponsoring organization and/or SOP holder will be sent a registered letter by the Director of Recreation, Culture & Parks or designate advising of the violation and indicating that further violations will not be tolerated.

Should the sponsoring organization and/or SOP holder violate the policy within one year of receiving notice of their first violation, the sponsoring organization and event organizers shall be suspended from organized use of a Town of Tillsonburg facility or area for a further one year. The Director of Recreation, Culture & Parks or designate will send a registered letter to the appropriate contact person advising of the suspension. A copy of the letter will be sent to the Chief Administrative Officer.

Where, in the opinion the Director of Recreation, Culture & Parks or designate, there have been repeated violations of a municipal, provincial or federal statute, the sponsoring organization and event organizers shall be immediately suspended from organized use of a Town of Tillsonburg facility or area for a period of one year or longer as are warranted in the circumstances. A registered letter shall be sent and copied to the Chief Administrative Officer or designate and Council.

SECTION #13 - POLICY MONITORING AND REVISIONS

The Municipal Alcohol Policy for the Town of Tillsonburg will be reviewed as required. It is subject to change and updates reflecting changes in laws and the circumstances related to the administration of the MAP.

Contact will be made with local OPP and AGCO agents to review occurrences within our licensed facilities. All reports will be sent to Director of Recreation, Culture & Parks.

CHECK LIST & SECURITY PLAN

Event Location:
Tillsonburg Community Centre
☐ Lion's Auditorium
☐ Lion's Den
☐ Marwood Lounge
☐ Arena Floor

Event Date: _____ Event Time: _____ Function: _____

Contact Name: _____ Phone #: _____

SOP filed: Yes ☐ No ☐ Anticipated Attendance: _____
Proof of Insurance filed: Yes ☐ No ☐

1. Has customer received and read Municipal Alcohol Policy (M.A.P.)? Yes ☐ No ☐

2. List name(s) of trained bartenders, complete with certification numbers.
   a) _____
   b) _____
   c) _____

3. List names of who will be checking identification at the door?
   a) _____
   b) _____
   c) _____

4. List names of who will be monitoring the event, checking washrooms, circulating through the parking lots to ensure that over drinking, supplying minors and self-serving does not occur?
   a) _____
   b) _____
   c) _____

5. List safe transportation strategies for this event:
   a) _____
   b) _____
   c) _____

6. Will security be provided beyond this plan? Yes ☐ No ☐

   Approved Private Security Company? (must attend in full uniform)

7. General Comments:

_____

_____

_____

_____

_____

_____

EVENT CATEGORY GUIDELINE – RISK ASSESSMENT

Name/Organization: _____ **Type of Event:** _____

PRIMARY CONSIDERATION	✓	PASSIVE RISK	✓	MODERATE RISK	✓	HIGH RISK
1. AGE GROUP & MATURITY OF PARTICIPANTS		An adult/senior booking an event that will be predominately attended by persons 25+ yrs.		An adult booking an event that will be predominately attended by persons under 25 years		Any public events which is predominately attended by persons under 25 years of age
2. ATTENDANCE		Under 50		51-300		Licensed security officers and an approved Security Plan required
3. INCIDENT HISTORY		Well known sponsor		Sponsor has frequent organizational experience		Unknown
4. EVENT DYNAMICS		Stage Performance Community or family dinner/banquet held inside a facility		-Open outdoor public gatherings -Indoor public gatherings		-When the event dynamics substantially increases the level of risk or threat to include activities that require care and skill -Games of Skill -Video Dance Parties - Events in tiered seating - Outside Festivals, Beer Gardens
5. INVITATION		Closed – Personal invitation only		Closed – Personal invitation with advanced ticket sales		Open – General admittance
6. FOOD AVAILABILITY		Sit down dinner/banquet served with regular bar		Regular bar with food provided throughout the event on a no charge basis or food is provided in the cost of the ticket		Midnight buffet only Snacks and light meal provided
7. IMPACT ON NEIGHBOURHOOD		Held inside a facility limited to the local community only		Held inside a facility with adequate on-site parking		- Noise control considerations - Substantial parking requirements -Transportation service increased to accommodate expected participant volume
8. SUPERVISION		- Town staff on duty - Private event held inside the facility or in an open area - Sponsor acting as door monitor		- Town staff on duty - Public Event held inside facility or in an open area. - Sponsor acting as door and floor monitors		- Town staff on duty - Public Event held inside facility or in an open area. - Within an enclosed area outside such as a temporary tent, fencing or barricades. - Sponsor acting as door and floor monitors

9. THREATS & CONCERNS		None apparent		Within 100 meters of a residential property Moving motorized vehicles on site Motorized equipment on site		Time of the event When majority of participants arrive after 10:00pm Within close proximity to: Waterfront venues, dunk tank, ice surface, hills, ravines, rugged terrain, heavily forested areas, accessibility to tiered seating, livestock, vehicles/equipment, fireworks
Each of the 9 considerations is valued and checked off accordingly. Majority dictates category of risk.	/9	**Comments:**	/9	**Comments:**	/9	**Comments:**
CHECKS TO BE CONDUCTED & APPROVALS OBTAINED **(Refer to Section 11 – Security Requirements)**		Sponsor is well known to staff, therefore no Class or police check required -Obtain trained server Confirmation - Obtain copy of SOP -Obtain Party Alcohol Liability insurance ($5M)		-Conduct a Class alert warning check -Obtain trained server information - Obtain copy of SOP -Obtain Party Alcohol Liability Insurance ($5M) -Obtain door and floor monitors information		-Conduct a Class alert warning check -When 1000+ are anticipated, additional approvals are required from AGCO -Obtain security /operational plan, to include police, fire & AGCO considerations -Obtain paid duty O.P.P. or approved private security in uniform -Obtain trained server information - Obtain copy of SOP -Obtain Party Alcohol Liability Insurance ($5M) -Obtain door and floor monitor information -Conduct a site inspection, if required
FINAL APPROVAL AUTHORITY **Signature & Date**		Director of Recreation, Culture & Parks designated staff		Director of Recreation, Culture & Parks or designated staff		Director of Recreation, Culture & Parks or designated staff

The Corporation of the Town of Tillsonburg

Parks, Beautification and Cemetery Advisory Committee

January 31, 2019
9:00 a.m.
Suite 203, 200 Broadway, 2nd Floor

MINUTES

Present:
Bob Marsden, Paul Wareing, Christine Nagy, Maurice Verhoeve, Paul De Cleot, Ken Butcher, Donna Scanlan, Sue Saelens, Penny Esseltine

Absent with Regrets:
Marian Smith, Michael Dean

Also Present:
Corey Hill, Donna Wilson, Amelia Jaggard

1. **Call to Order**
   The meeting was called to order at 9:00 a.m.

2. **Adoption of Agenda**
   Resolution #1
   Moved by: Bob Marsden
   Seconded by: Christine Nagy
   THAT the Agenda as prepared for the Parks, Beautification and Cemetery Advisory Committee meeting of January 31, 2019, be adopted.
   Carried

3. **Disclosures of Pecuniary Interest and the General Nature Thereof**
   There were no disclosures of pecuniary interest declared.

4. **Adoption of Minutes of Previous Meeting**
   Proposed Resolution #2
   Moved by: Bob Marsden
   Seconded by: Sue Saelens
   THAT the Parks, Beautification and Cemetery Advisory Committee Meeting Minutes of January 10, 2019, be approved.
   Carried

5. **Presentations/Deputations**

6. General Business & Reports

6.1. Orientation - Donna Wilson, Town Clerk

Amelia Jaggard, Legislative Services Coordinator, provided an overview of the materials available to members of the committee. Donna Wilson provided an overview of the roles of the Chair/ Vice Chair, members, staff and council representative.

6.2. Election of Chair and Vice Chair - Donna Wilson, Town Clerk

Motion
Moved by: Christine Nagy
Seconded by: Sue Saelens
THAT Paul De Cleot be nominated for the position of Chair.
Carried

Motion
Moved by: Paul De Cleot
Seconded by: Christine Nagy
THAT Paul Wareing be nominated for the position of Vice Chair.
Carried

Donna Wilson left the meeting at 9:30 a.m.

6.3. Review of Terms of Reference - Corey Hill, Committee Staff Liaison

To be discussed at the next meeting.

6.4. Summary of previous committee initiatives - Corey Hill, Committee Staff Liaison

The Heritage, Beautification and Cemetery Advisory Committee drafted and submitted to Council an updated cemetery by-law, as well as a Tree By-Law. The committee also started a sub-committee to develop an in-house beautification program which was approved by Council in 2017 and enhanced in 2018.

6.5. “Keep Tillsonburg Beautiful” Event - Corey Hill, Committee Staff Liaison

The Heritage, Beautification and Cemetery Advisory Committee organized an annual event on the first weekend in May called “Keep Tillsonburg Beautiful.” Participation was poor the past couple years.
The Oxford County Trails Council has planned a Trails Festival for the first weekend of June. This event is focused on the unveiling of a memorial bench for Brian Stephenson.

Penny Esseltine suggested that a sub-committee be struck to coordinate the event.

Motion
Moved by: Christine Nagy
Seconded by: Sue Saelens
THAT the two events, Keep Tillsonburg Beautiful and the Trails Festival be combined for 2019;
AND THAT the committee strike a sub-committee to coordinate the event for the first weekend of June.
Carried

Motion
Moved by: Bob Marsden
Seconded by: Donna Scanlan
THAT the committee meet on the first Thursday of every month at 9:00 a.m. at this location.
Carried

7. Correspondence

8. Other Business

9. Next Meeting
Thursday, February 7, 2019 at 9:00 a.m.

10. Adjournment
Resolution #3
Moved by: Paul Wareing
Seconded by: Christine Nagy
THAT the January 31, 2019 Parks, Beautification and Cemetery Advisory Committee meeting be adjourned at 9:54 a.m.
Carried

The Corporation of the Town of Tillsonburg

Cultural, Heritage and Special Awards Advisory Committee

February 5, 2019
2:30 p.m.
Annex Board Room, 200 Broadway, 2nd Floor

MINUTES

Present:
Terry Fleming, Vernon Fleming, James Murphy, Penny Esseltine.

Absent with Regrets:
Collette Takacs, Rosemary Dean, Carrie Lewis.

Also Present:
Amelia Jaggard, Donna Wilson, Erin Getty.

1. **Call to Order**
   The meeting was called to order at 2:33 p.m.

2. **Adoption of Agenda**
   Resolution #1
   Moved by: Terry Fleming
   Seconded by: James Murphy
   THAT the Agenda as prepared for the Cultural, Heritage and Special Awards Advisory Committee meeting of February 5, 2019, be adopted.
   Carried

3. **Disclosures of Pecuniary Interest and the General Nature Thereof**
   There were no disclosures of pecuniary interest declared.

4. **Adoption of Minutes of Previous Meeting**

5. **Presentations/Deputations**

6. **General Business & Reports**
   6.1. Orientation – Donna Wilson, Town Clerk
   Amelia Jaggard, Legislative Services Coordinator, provided an overview of the materials available to members of the committee.
   Donna Wilson provided an overview of the roles of members and general governance for committees.

   6.2. Election of Chair and Vice Chair – Donna Wilson, Town Clerk

The election of the Chair and Vice Chair will be moved to the next meeting of the committee in order to allow all members with the opportunity to take part in the election.

The Town Clerk chaired the remainder of the meeting.

6.3. Meeting location, dates and time
The committee recommended meeting the first Wednesday of each month at 5:30 p.m. at the Corporate Office in Suite 203.

6.4. Terms of Reference
Cultural Grant Process to promote cultural initiatives within the Town to be cited in Terms of Reference.

6.5. Set goals for term
Promote Century Plaque and Special Awards programs.

Plans for Town's 150th Anniversary.

To bring this item forward to the next meeting in order to allow for a more inclusive discussion.

7. Correspondence

8. Other Business

9. Next Meeting
Wednesday, March 6, 2019 at 5:30 at the Corporate Office in Suite 203.

10. Adjournment
Resolution #3
Moved by: Terry Fleming
Seconded by: Penny Esseltine
THAT the February 5, 2019 Cultural, Heritage and Special Awards Advisory Committee meeting be adjourned at 3:29 p.m.
Carried

TILLSONBURG POLICE SERVICES BOARD

Minutes

MEETING: GENERAL MEETING
PLACE: Tillsonburg, OPP Detachment Boardroom
DATE: Wednesday, December 19, 2018
TIME: 8:00 a.m.

AGENDA ITEM	DISCUSSION	OUTCOME/ACTION
1	*Call to Order*	The Chair called the General session of the Board to order at 8:00 am.
2	*Attendance* Present:	Larry Scanlan, Chair Ann Loker Greg Horvath, Vice Chair Mayor Steve Molnar Councilor Chris Rosehart Becky Turrill, Secretary Inspector Hymers
	Regrets:	None
3	*Declaration of Pecuniary Interest*	None declared
4	*Approval of Agenda* The Agenda was presented to the Board for approval.	On motion made by Councilor Rosehart, seconded by Mayor Molnar, and carried, the Agenda was approved.
5	*Issues Arising from previous minutes*	None
6	*Approval of Previous Minutes* The Minutes of a meeting of the Board held on October 17, 2018 were presented to the Board for approval.	On motion made by G. Horvath, seconded by A. Loker and carried the Minutes of the meeting held on October 17, 2018 were approved.
7	*Presentations / Delegations*	None
8	*Correspondence* Thank you letter received from E. Dew -	None
9	*Financial*	None

AGENDA ITEM	DISCUSSION	OUTCOME/ACTION
10	*Detachment Commander Reports* ☐ OPP contract Policing - Tillsonburg Inspector, Hymers presented the October / November 2018 contract statistics and memorandum which reported: • 58/26 provincial offences tickets written • 1/16 By-law • 196.5/216 hours of Cruiser Patrol • 51.25/64 hours of Foot Patrol • 23.00/35.25 hours of School Patrol Members of the OPP attended 226/167 calls for service. The most serious of these calls were: Theft Under – 35/18, Break & Enter – 5/2, Fraud – 0/2 & Mischief – 6/11. ☐ Inspector, Hymers presented the Tickets Written in Tillsonburg for the months of October/November 2018 report: • Speeding, 17/0 • Fail to Stop, 1/1 • Plate/Permit/Insurance, 21/6 • Trespass/Intox in Public, 6/4 • Careless, 1/2 • Seatbelt, 0/0 • Hand Held Device, 2/1 • Fail to Yield / Improper turn, 10/10 • By-law, 1/16 • Cannabis Act. 0/1 • Other, 0/1 Total for October 2018, 58 / November 2018, 26 ☐ Inspector, Hymers presented the OPP Auxiliary Monthly Unit Summary for October/November 2018 • Total Hours within Tillsonburg for, 92.5/193.50 ☐ Crime Stoppers of Oxford Inc. Report Inspector, Hymers presented the report for Oxford Crime Stoppers for October 2018. *Monthly Tip Statistics for October/November 2018* • Total Calls Received, 23/28 • Woodstock PS Tips , 14/17 • OPP Tips, 9 – Tillsonburg received 4/2 • Assigned out to other Crime Stoppers Programs , 0/2 • Not Assigned, 0/0	

AGENDA ITEM	DISCUSSION	OUTCOME/ACTION
10 cont'd		

Meetings/Events Attended in October

- Board Meeting – October 9, 2018 & November 13, 2018

Media Relations

- Crime of the week submissions to local media outlets including print and television as well as social media.

Fundraising

- None

Promotions

- South West Zone Meeting – Belle River – October 16
- Crime Stoppers of Oxford Annual Gala – October 24
- CSI Conference – Hague, Netherlands – October 29-31
- None for November

Upcoming Events

- Santa Claus Parades – Ingersoll, Tillsonburg and Woodstock – November 17
- Annual Christmas Luncheon – Toronto – December 3
- Santa Claus Parade – Plattsville – December 1

☐ Inspector, Hymers presented the High School Resource Officer Month End Report for October /November 2018

October, 2018 – Criminal Code CFS

Incident Type	This Month	YTD Total
Assault	0	2
Mischief	0	0
Threats/Intimidation	0	1
Theft	0	0
Drugs	0	0
Trouble with Youth	0	2
Other	0	2
Total	0	0
Police Action Taken	**This Month**	**YTD Total**
Warnings	0	0
Charges	0	3
Diversions	0	1
Assist Other Officer	0	0

October, 2018 – Provincial Offence CFS

Incident Type	This Month	YTD Total
Highway Traffic Act	0	1
Trespass to Property Act	2	2
Liquor Licence Act	0	0
Mental Health Act	1	1
Other Provincial Act	0	0
Total	0	0

AGENDA ITEM	DISCUSSION	OUTCOME/ACTION
10 con't		

Police Action Taken	This Month	YTD Total
Warnings	0	1
Charges	0	3
Diversions	0	1
Assist Other Officer	0	0

Meetings/Presentations
October:
- Met with guidance staff regarding OPP information for students and community hours
- Driving awareness with Health Unit

November:
- Meeting with VP and principal regarding crossover safety
- Crossover safety for pedestrians and drivers
- Internet safety
- Wellness Fair – Canine attended

School Events
October:
- Teen Safe Driving Awareness Event

November:
- Wellness Fair
- Remembrance Day Ceremony

Officer Comments
October:
- Continue building relationships with staff and students

November:
- Continue building relationships with staff and students
- More Crossover Safety presentations to be conducted

11	*Committee Reports*	None
12	*OAPSB*	None
13	☐ TPSB Annual Dues	On motion made by G. Horvath, seconded by A. Loker, and carried: IT WAS RESOLVED that the OAPSB annual membership fee of $1295.96 be paid to the "OAPSB", as well as the $50.00 OAPSB Zone 4 membership fee be paid to the "OAPSB Zone 4".
	☐ Crime Stoppers – Gala Night	On motion made by A. Loker, seconded by G. Horvath, and carried: IT WAS RESOLVED that the Tillsonburg Police Service Board Chair purchase 4 tickets to the Crime Stoppers Gala, at a cost of $400.00

AGENDA ITEM	DISCUSSION	OUTCOME/ACTION
13 Con't	☐ Cannabis Resolution	On motion made by A. Loker, seconded by G. Horvath, and carried: IT WAS RESOLVED that the Tillsonburg Police Service Board based on the information available to the Board as of this date December 19, 2018 the Tillsonburg Police Services Board unanimously supports Not Opting Out (Option 1) of the retail cannabis sales in the Town of Tillsonburg as allowed under the Cannabis License Act, 2018
	☐ Provincial Appointments	On motion made by G, Horvath, seconded by A. Loker, and carried: IT WAS RESOLVED that the Tillsonburg Police Service Board ask the Town of Tillsonburg to support our concern regarding the Provincial Board Appointments, as well as the current members remain until news of an extension or replacement is received.
14	*Date of Next Meeting*	Wednesday, January 16, 2019
15	*Adjournment*	On motion made by G. Horvath, seconded by A. Loker by and carried, the meeting was adjourned at 9:45 a.m.

Larry Scanlan, Chair

Becky Turill, Secretary

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NUMBER 4266

BEING A BY-LAW to adopt the Town of Tillsonburg Municipal Alcohol Policy and to repeal the former Municipal Alcohol Policy, By-Law 3893.

WHEREAS the Corporation of the Town of Tillsonburg deems it necessary and expedient that there shall be a clear and concise policy governing the sale and consumption of alcoholic beverages in Municipal owned facilities and parks to promote a safe, enjoyable environment for those who use these facilities;

AND WHEREAS the Corporation of the Town of Tillsonburg deems it expedient and necessary to repeal By-Law 3893;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF TILLSONBURG ENACTS AS FOLLOWS:

1. THAT the Municipal Alcohol Policy attached hereto as Schedule “A” forms part of this By-Law;

2. THAT By-Law 3893 is hereby repealed;

3. AND THAT this by-law shall come into full force and effect on the day of passing.

READ A FIRST AND SECOND TIME THIS 11th DAY OF FEBRUARY, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 11th DAY OF FEBRUARY, 2019.

_____
MAYOR – Stephen Molnar

_____
TOWN CLERK – Donna Wilson

TOWN OF TILLSONBURG

Municipal Alcohol Policy (M.A.P.)

By-Law 4266
February 2019

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1. INTRODUCTION

The Tillsonburg Council first endorsed a by-law for an Alcohol Management Policy in 1994. This policy has proven to be very effective in Municipal Risk Management and has been included in the contract for all Municipal Facilities rented and licensed for Special Occasion Permits.

The policy is also intended to promote a safe, enjoyable environment for those who use these facilities. By managing and enforcing this policy, the Town of Tillsonburg hopes to reduce any possible risk of litigation.

2. GOAL STATEMENT

In order to reduce alcohol related problems that may arise from alcohol consumption within its facilities and to promote a safe, enjoyable environment for users of these facilities, the Town of Tillsonburg has developed a M.A.P. The Town of Tillsonburg offers a variety of unique recreational experiences for people of all ages. Our goal is to encourage responsible use of alcohol during licensed events to ensure the health and safety of the participants and the protection of Town of Tillsonburg facilities.

3. POLICY OBJECTIVES

To provide appropriate procedures and education to individuals or Event Organizers wishing to hold events in parks and facilities within the Town of Tillsonburg's jurisdiction in order to ensure that all Alcohol & Gaming Commission Board of Ontario legislation pertaining to Special Occasion Permits (SOP) is properly understood and complied with. The policy is based on legislation of the Liquor License Act (LLA) and Best Practices (BP). To encourage and reinforce moderate drinking practices through the development of appropriate operational procedures, controls, training and education.

Town's Best Practice:

1. To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcoholic beverages.

2. To provide a balance use of alcohol through licensed premises or catered events so that alcohol becomes a responsible part of a social function, rather than the reason for it.

3. To provide a balance of licensed and non-licensed programs to ensure that consumers, abstainers, adults, youth and families will be adequately serviced and protected.

4. CONDITIONS OF THE USE OF ALCOHOL IN MUNICIPALLY OWNED AND OPERATED FACILITIES

Anyone who wishes to serve alcohol at a designated site must sign a facility rental contract that stipulates the conditions under which alcohol may be served and acknowledges the requirements. In addition, the responsible person must obtain a Special Occasion Permit (SOP) from the Alcohol & Gaming Commission of Ontario (AGCO). The SOP Holder must comply with the Liquor License Act (LLA), R.S.O. 1990, Chapter L.19, the Sections and all of the provisions of the Town of Tillsonburg M.A.P.

All applications for SOPs must be made online at https://www.agco.ca/

SECTION #1 - MUNICIPAL FACILITIES ELIGIBLE FOR SPECIAL OCCASION PERMIT EVENTS

Tillsonburg Community Centre

Lion's Auditorium

The Auditorium is suitable for holding Special Occasion Permit events. It is equipped with a kitchen area including a stove, dishwasher and freezer compartments. The Auditorium holds up to 400 guests with tables and chairs and is wheelchair accessible.

Lion's Den

The Den is suitable for holding Special Occasion Permit events. It is equipped with a kitchen area including a stove, dishwasher, freezer compartment and separate bar area. The Den holds up to 120 guests with tables and chairs and is wheelchair accessible.

Marwood Lounge

The Lounge is suitable for holding Special Occasion Permit events with seating for 80. This room is ideal for meetings and small social functions.

Memorial Arena Floor and Tiered Seating

The Arena Floor and tiered seating is suitable for holding Special Occasion Permit events with main floor seating for 1400. A variety of events can be held in this facility and is wheelchair accessible with elevator. The use of Marwood Lounge is required for the purpose of main bar when a Special Occasion Permit is approved for tiered seating area in Memorial Arena. Liquor License Act states that applicants can now apply for public event SOP for premises with fixed tiered seating or temporary tiered seating (i.e. bleachers). Conditions may be added to the permit to address identified risks to public safety. SOP applications for tiered seating facilities will be sent to the AGCO for review.

Senior Centre Auditorium

This facility is suitable for holding Special Occasion Permit events with seating for approximately 120 with tables and chairs. This room is ideal for meetings and small social functions.

Parks & Playgrounds

Kiwanis, Optimist, Hardball, Annandale ball diamonds, as well as Memorial Park and Coronation Park are suitable for outdoor Special Occasion permit functions, provided proper approvals have been received and a designated area with proper fencing provided. Designated area will control the people coming in and out. Event Organizer will be required to provide sanitation requirements, accessibility to the area by emergency works and access to telephone (cell phones) for those wishing to arrange for transportation.

Annandale National Historic Site

Meeting Room

This facility is suitable for holding Special Occasion Permit events. It will seat approximately 60 and is ideal for private parties, workshops and general meetings.

Tillsonburg Municipal Airport

The exterior grounds at the airport are suitable for holding Special Occasion Permit events providing a designated area and proper fencing are in place.

Restaurant Area and Boardroom

These areas are suitable for holding licensed events.

SECTION #2 - MUNICIPAL PARKS & FACILITIES NOT ELIGIBLE FOR SPECIAL OCCASION PERMIT EVENTS

- Parks and outdoors areas not listed in policy
- Arena Dressing Rooms
- Arena Lobbies (upper and lower level)
- Arena Ice Surfaces
- Pool Change rooms
- Summer Place
- Gibson House
- Health Club
- Exceptions: Any person wishing to hold a Special Occasion Permit event in a location not listed in this policy must receive written approval from Director of Recreation, Culture & Parks or designate.

Areas Designated Where Alcohol Use Is Prohibited

The consumption of alcoholic beverages is prohibited in the majority of parks, gardens, sports facilities and service facilities within the jurisdiction of the Town of Tillsonburg. **The Town of Tillsonburg has a zero tolerance policy on the consumption of alcohol where proper permits have not been obtained.** The Town may change the designation of any site within its jurisdiction at its discretion.

SECTION #3 - SIGNS

A. Service Practices:

To provide consistent and proper wording which satisfies the Alcohol & Gaming Commission of Ontario (AGCO) requirements, the following permanent signs have been designed and strategically posted.

1. "It is against the Liquor License Act of Ontario for a person to serve customers to intoxication. For this reason, servers in our facilities are required to obey the law and not serve anyone to intoxication. We are also pleased to offer non-alcoholic beverages."

2. "In Ontario, the legal drinking age is 19 years of age. You may be asked for proof of age. Acceptable identification is:
   - Ontario Drivers License
   - Canadian Passport
   - Canadian Citizenship Card with photo
   - Canadian Armed Forces I.D. card
   - Bring Your Identification (B.Y.I.D.) card issued by the Liquor Control Board of Ontario
   - A Secure Indian Status Card issued by the Government of Canada
   - A Permanent Resident Card issued by the Government of Canada
   - A Photo Card issued under the *Photo Card Act, 2008*

3. "No person shall sell or supply liquor or offer to sell or supply liquor from a prescribed premise unless, the premises prominently displays a warning sign containing the prescribed information that cautions women who are pregnant that the consumption of alcohol during pregnancy is the cause of Fetal Alcohol Spectrum Disorder"

B. Accountability:
This will inform patrons as to where to direct concerns. This will include telephone numbers of the Event Organizer(s), local Police Department and the Alcohol & Gaming Commission of Ontario.

> ***RATIONALE**: Having these signs visible to participants eliminates any confusion on who to contact for information or to lodge complaints regarding an event.*

C. Last Call
Last Call will NOT be announced.

D. Ride Signs
Ride signs will be posted at all SOP events providing contact information for local taxi services.

E. Ticket Sales Stop
Starting at 12:00am, only single ticket sales will be made. All ticket sales will stop at 12:45am.

> ***RATIONALE:** Oxford O.P.P. recommends that only single ticket sales be made at 12:00am. This will deter guests from buying multiple tickets and possible over-consumption prior to bar closing.*

SECTION #4 - CONTROLS PRIOR TO EVENT

EVENT ORGANIZERS OF MUNICIPAL FACILITIES WILL BE REQUIRED TO UNDERSTAND THE MUNICIPAL ALCOHOL POLICY PRIOR TO RENTING

According to the Liquor License Act:

A. Private Event Special Occasion Permit
A Private Event is held for invited guests only. Examples include a wedding reception, an anniversary party, baptism or birthday party, among others, where only family, friends and people known to the hosts or permit holders are invited to attend. The public cannot be admitted, and there can be no intention to gain or profit from the sale of alcohol at the event. Private Events cannot be publicly advertised. Information about the event may be shared with invited guests and members only.

B. Public Event Special Occasion Permit
Public Events: For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol.

Town's Best Practice:

A. Special Occasion Permit
The SOP Holder shall post the Special Occasion Permit at the bar area clearly stating the name of the SOP Holder and the telephone numbers for the designated contact person, secondary contact person and the Alcohol & Gaming Commission Board of Ontario.

While the local authorities and Alcohol & Gaming Commission Inspectors are informed of the date and place of the special occasion function, they do not always have an opportunity to drop in and check on the operation of the event.

The SOP Holder shall remain on site at all times. If, for some reason, they cannot, a secondary name must be posted. Concerned participants will know whom to contact immediately on the premises. This can facilitate early correction of potentially risky situations.

B. Control

In order to be eligible for a facility rental for a special occasion function, the Event Organizer must demonstrate to the satisfaction of the Director of Recreation, Culture & Parks or designate that there are sufficient controls in place to prevent under age, intoxicated or rowdy people from entering the event and that the intoxicated participants will be refused services and removed from the event.

> ***RATIONALE:*** *Event Organizers must understand that prevention of intoxication is paramount. Controls must be enforced to allow for an enjoyable and safe atmosphere for all present.*

C. Municipal Alcohol Policy (MAP)

A copy of the MAP will be provided to organizers by Town Staff or designate at the time of booking.

D. Checklist for Event Organizers

A checklist form and a rental contract form will be provided by the municipality at the time of booking. These mandatory forms are to be completed by the Event Organizer and returned to the staff person or designate at least two (2) weeks prior to the event. The use of a Special Occasion Permit may be in jeopardy if forms are not received in the specified time frame. Signatures from both the Event Organizer and the staff person are required on the forms. Please see Appendix "A".

E. List of Trained Persons

The Town will endeavor to have a list of trained persons who have indicated that they may be available to assist at events when the Event Organizer does not have the required SIP/Smart Serve trained personnel.

F. The Special Occasion Permit Signatory

The person who's name is on the SOP must attend the event, and be responsible for decisions regarding the actual operation of the event. If the event is more than 2 days in length then a designate may be assigned and their name(s) must appear on the contract. This person and all event workers must refrain from alcohol consumption during the event, including any clean-up activities.

SECTION #5 - CONTROLS DURING EVENT

All controls and service must be consistent with the provisions of the Alcohol & Gaming Commission Act of Ontario and its Sections.

According to the Liquor License Act:

1. SOP Holder, Event Volunteers/Event Staff must:
   - Abide by all the rules of the M.A.P.
   - Attend the event and be sober before and during the event, including any clean-up activities
   - Ensure that the bartenders and servers do not serve alcohol to any one under age, intoxicated or rowdy at the event

2. Access & Control

The SOP Holder and event volunteers/event staff shall accept the following as proof of age for alcohol purchase or consumption:

- Ontario Drivers License
- Canadian Passport
- Canadian Citizenship Card with photo
- Canadian Armed Forces I.D. card
- Bring Your Identification (B.Y.I.D.) card issued by the Liquor Control Board of Ontario
- A Secure Indian Status Card issued by the Government of Canada

- A Permanent Resident Card issued by the Government of Canada
- A Photo Card issued under the Photo Card Act, 2008

Entry to public functions must be denied to:

- Intoxicated or unruly individuals
- Individuals carrying unsealed alcoholic beverages
- Individuals previously ejected from the event

3. Entry to the event must be monitored by responsible person(s) meeting the age of majority requirements at all times. These person(s) shall further observe for individuals that may be attempting to enter the premises and that appear to be impaired or have a history of causing problems at events.

4. The SOP Holder has the right to deny entry to any individual.

5. The SOP Holder and the person renting the facility are responsible to ensure that the event is properly supervised and will provide enough staff to fulfill this obligation.

6. All signs of sale and service must be cleared from the premises within 45 minutes of the end time stated on the licensed permit. This includes the removal of all partially consumed and empty bottles, and glasses that contained liquor.

Town's Best Practice:

1. All day outdoor events are required to cease the sale of alcohol for a period of one hour to allow for clean-up.

2. The bar area within the premises shall be closed no later than 1:00am and NO service or sale of alcoholic beverages will be allowed after this time.

3. All entertainment within the facility shall cease at 1:00am.

4. The only exception to the 1:00am closing time is during New Year's Eve when bar service will cease serving at 2:00am. Event Organizers must ensure that patrons have vacated the facility by 3:00am.

5. To assist staff and to ensure that no incidents occur on the premises, patrons must vacate the facility by 2:00am. Exception: New Year's Eve Refer to #4.

6. Failure to comply with the above could prevent the SOP holder or organization from further renting of any Town of Tillsonburg facility and where appropriate, the Ontario Provincial Police (OPP) and the Alcohol & Gaming Commission of Ontario (AGCO) will be advised and charges may be laid by the OPP or infractions cited by the AGCO.

7. Bartenders must be Smart Serve trained (further details in Section #6). Event organizers are encouraged to have all event staff SIP/Smart Serve trained.

8. Leftover liquor must be removed from the premises at the end of the event, with exception of multiple-day SOPs.

9. The town limits number of tickets to be sold to any person at one time to 4 each. Unused tickets may be redeemed for cash at any time up until 15 minutes after the bar closes.

SECTION #6 - EVENT – STAFFING REQUIREMENTS

Event Servers And Monitors

The following guideline sets out the ratio of event servers and monitors to event participants. The requirements may be increased or decreased by the Director of Recreation, Culture & Parks or designate having operational jurisdiction over the premises depending on crowd dynamics and type of event.

Trained servers must be certified by a recognized alcohol server training course that has been approved by the Town. This includes Smart Serve program. The sponsor shall ensure all event workers are over the age of 19 years of age. Door and entrance monitors are encouraged to monitor the door for a minimum of 1.5 hours following the advertised admission time and for a minimum of 1.5 hours prior to the advertised departure time.

The type of identification to be worn by event workers must be stated on the "Checklist & Security Plan. See Appendix "A".

Self-serving is prohibited and trained bar personnel are required. Sponsor and all event workers will refrain from alcohol consumption before, during and after the event, including any clean-up activities.

Passive, moderate, high risk and major event classifications are determined by Town of Tillsonburg staff based on event dynamics.

Refer to Appendix B – Event Category Guideline

Category*	Trained Servers**	Door/Entrance Monitors	Floor Monitors/Bar Ticket Sales
PASSIVE	1	The sponsor is responsible to monitor the entrance to the room	The sponsor is responsible to monitor those in attendance
MODERATE	2	1 event worker at the entrance to the room at all times	1 event worker throughout the room at all times
HIGH RISK/ MAJOR EVENT	2 + 2 for every additional 200 participants	1 event worker at every entrance/exit to the room	2 + 2 per every additional 200 participants

*Covers any public or private event

**The server requirement for passive events may be waived at the discretion of the Director of Recreation, Culture & Parks or staff designate when an event has approximately 50 or less participants in attendance.

RATIONALE: *Event Staff requirements are based on 3 criteria: Attendance, Public Event or Private Event. History has shown that these were too vague. Not all Public Events require the same level of event staff as others. Additional event categories were needed to determine sufficient Event Staff. These additional considerations include:*

1. Age Group & Maturity	2. Attendance	3. Incident History
4. Event Dynamics	5. Invitation	6. Food Availability
7. Impact on Neighbourhood	8. Supervision	9. Threats & Concerns

SECTION #7 - ALCOHOL SERVICE

A. Low Alcohol and Non-Alcoholic Options

Town's Best Practice:

1. The SOP Holder will ensure that 30% of the alcoholic beverages offered consist of low alcohol options (i.e. low alcohol beer, light wine, and low alcohol/spirits).Non-alcoholic beverages must be readily available and priced significantly below any alcoholic beverage.

2. The SOP Holder shall provide a sign, which shall be prominently posted identifying the low alcohol and non-alcoholic beverages available at the event.
   RATIONALE: *Low alcohol beverages help prevent intoxication by providing responsible consumers with an opportunity to consume less alcohol and avoid becoming intoxicated. A patron consuming a regular beer (at 5% alcohol) would have to drink two "extra light" beers (at 2.5% alcohol) to ingest the same amount of alcohol. Similarly, "light" beer (at 4% alcohol) represents a 20% reduction in alcohol intake.*

3. Discounts will not be offered for volume purchase of tickets when tickets are sold for alcoholic beverages. The Town limits number of tickets to be sold to any person at one time to 4 each.
   RATIONALE: *By limiting the number of tickets or drinks participants may purchase at one time, the ticket sellers, monitors, bartenders and servers are provided with more opportunities to observe participants for signs of intoxication.*

B. Control Of Alcohol Service

According to the Liquor License Act:

1. Practices which may encourage the immoderate consumption of alcohol are not permitted. Contests or games involving the consumption of liquor are not permitted. (Reg. 389/91 Section 18(1))

2. Liquor cannot be awarded as a prize for any game, contest or raffle. (Reg 389/91 Section 20).

3. Gambling: Games of chance (i.e. poker, crown & anchor, raffles, 50/50 draws, etc) are not permitted unless the proper license has been obtained from the province or municipality. Such licenses are only issued to eligible organizations with charitable or religious purposes. (Section 32). Games of skill are permitted.

4. Guests cannot be required to purchase a minimum number of drinks (or drink tickets) to enter or remain at the event, and no drink containing more than 85 ml of spirits can be sold or served. (Reg. 389/91 Section 16 and Section 13)
5. ***RATIONALE:*** *Table consumption can be moderated by not selling rounds of large numbers of tickets.*

6. The following is not permitted at an SOP event, including adjacent washrooms, liquor and food preparation areas and storage areas of under control of the permit holder:
   - Drunken individuals
   - Illegal gambling
   - Violent or disorderly conduct (fights, etc.)

7. No "Last Call" will be announced prior to the end of the event/sale of alcohol.
8. ***RATIONALE:*** *Announcing, "last call", prior to end sales encourages some patrons to purchase the maximum number of drinks allowed to prolong the event and drinking.*

9. An adequate supply of food must be available to persons attending the event. Snacks such as chips, peanuts or popcorn are not an acceptable substitute for this requirement.

10. There will be no self-serve events; even "Wine & Cheese" functions require a bartender.

Town's Best Practice:

1. Tickets for alcohol must be purchased from designated ticket sellers and must be redeemed at the bar. A maximum of 4 tickets may be sold at one time.

2. Bartenders and servers are required to pour all beverages into plastic or paper disposable cups at the bar. All bottles are to be kept behind the bar. Alcoholic and Non-Alcoholic drinks are to be served in different cups. Exception: Private events by invitation only.

   RATIONALE: *By following the guidelines we will reduce the risk that Event Organizer's automatically assume when running an event. These practices are designed to discourage heavy alcohol consumption. By pouring all beverages into disposable cups, the chance of glass/bottle breakage is minimized.*

3. Any masked events, such as Masques, New Year's Eve parties, Halloween Parties, where masked identity of individuals are in attendance (costumed events), must meet the following conditions:
   - Acceptable type of identification, as listed
   - No one under the age of 19 years admitted

4. A maximum of 2 standard drinks will be served at one time.

5. The Standard Drink means:
   - Bottle of Regular Beer - 12 oz or 341 ml. (beer, cider or cooler)
   - Glass of Wine - 5 oz or 142 ml.
   - Shot of Spirits - 1 oz or 29 ml.
   - Fortified Wine – 3 oz or 85 ml.

6. Only single drinks will be served (no more than one shot in one glass)

C. Advertising Events

According to the Liquor License Act:

SOP holder may advertise that liquor will be sold and/or served, according to the provisions in the Alcohol & Gaming Commission application Guidelines, Section 7(2), Reg. 389/91 regarding alcohol advertising. Reception Events cannot be advertised.

SECTION #8 - INSURANCE

LIABILITY INSURANCE: The SOP holder shall:

- Obtain a minimum of FIVE MILLION ($5,000,000) DOLLARS liability insurance
- Name the Town of Tillsonburg as an additional insured, providing a mandatory copy to the Town at least two weeks prior to the event
- Indemnify and save the Town of Tillsonburg harmless from all claims arising from the permit or event.

The actual insurance limits required may be increased at the discretion of the Director of Recreation, Culture & Parks or designate.

RATIONALE: *If an individual is injured, and if the Town of Tillsonburg were to be*

found "jointly and severally" liable, the Town of Tillsonburg could end up paying part or all of the judgment should the Special Occasion SOP permit holder be inadequately insured or uninsured. In addition to the expense to the municipality to defend any legal action, the municipality might have difficulty obtaining continued insurance coverage.

When the Renter is a corporation or organization:

Commercial General Liability Insurance

Commercial General Liability Insurance satisfactory to the Owner and underwritten by an insurer licensed to conduct business in the Province of Ontario. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury and shall include but not be limited to:

(a) A limit of liability of not less than FIVE MILLION (5,000,000)/occurrence with an aggregate of not less than TWO MILLION ($2,000,000)
(b) Add the Owner as an additional insured with respect to the operations of the Named Insured
(c) The policy shall contain a provision for cross liability and severability of interest in respect of the Named Insured
(d) Non-owned automobile coverage with a limit not less than TWO MILLION ($2,000,000) and shall include contractual non-owned coverage (SEF 96)
(e) Products and completed operations coverage
(f) Broad Form Property Damage
(g) Contractual Liability
(h) Owners and Contractors Protective
(i) Tenants legal liability
(j) The policy shall provide 30 days prior notice of cancellation
(k) Liquor Liability endorsement

When the Renter is an individual:

Homeowner's Liability Insurance

Homeowner's liability insurance satisfactory to the Town and underwritten by an insurer licensed to conduct business in the Province of Ontario is required. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury and shall have a limit of liability of not less than FIVE MILLION ($5,000,000).

The individual must provide proof of a Homeowner's Liability Policy by way of a letter from the Broker. The Town cannot be added as additional insured.

Party Alcohol Liability Insurance

Party Alcohol Liability Insurance in an amount not less than FIVE MILLION ($5,000,000) and underwritten by an insurer licensed to conduct business in the Province of Ontario is required. The municipality shall be added as an additional insured.

Sample Indemnification

The Host shall indemnify and save harmless the Municipality from any and all claims, demands, causes of action, losses, costs or damages that the Municipality may suffer, incur or be liable for, resulting from the Hosts', event workers' and agents' performance, actions and negligent acts or omissions in connection with the holding of an event involving the serving of alcohol on Municipal premises.

SECTION #9 - SAFE TRANSPORTATION

Town's Best Practice:
Only individuals, Event Organizer or organizations implementing a safe transportation strategy will be permitted rental privileges of facilities for SOP functions.

The Event Organizer shall identify the strategies, which will be used on the "Checklist for Event Organizers" form. The Event Organizer shall implement and encourage a Designated Drivers Program. This program shall be advertised at the event so that all patrons are aware this program is available. This program shall consist of the following:

It is suggested that the designated driver be supplied with free soft drinks/coffee during the function. The Event Organizer shall advertise or announce the availability of this program during and, if possible, prior to the event.

Advertise the use of taxi service – The Event Organizer shall advertise or announce the availability of a taxi service to attendees of the event. If not required to provide a taxi service, the Event Organizer shall ensure that appropriate signage is posted at the facility which includes the telephone number and/or use their best efforts to obtain any attendee a taxi upon request.

> ***RATIONALE:*** *The risk of liability is especially high when an impaired driver leaves an alcohol-related even. Event organizers must assume responsibility for promoting safe transportation for all drinking participants. Safe transportation options are essential since the only way to sober up an impaired person is with time.*

The SOP holder is responsible for promoting safe transportation options for all the drinking participants. Examples of safe transportation options are:

- A designated driver provided by the Event Organizer; or
- A taxi paid either by the Event Organizer or the participant.

> ***RATIONALE:*** *The risk of liability is especially high when an impaired driver leaves an alcohol-related event. Event organizers must assume responsibility for promoting safe transportation for all drinking participants. Safe transportation options are essential since the only way to sober up an impaired person is with time.*

SECTION #10 - YOUTH ADMISSION TO ADULT EVENTS

Each rental Event Organizer will be responsible to select a strategy on allowing youth to their event. In all cases, the following guidelines must be adhered to.

According to the Liquor License Act:

> Anyone who appears to be under the age of 25 years will be required to show I.D. before they are allowed into the event/facility.
>
> Individuals under the age of majority will not be allowed to consume alcohol beverages on licensed premises. Anyone serving individuals under the age of majority alcohol will be required to leave the event.

Town's Best Practice:
Two (2) extra floor monitors will be required if persons under the age of majority are allowed to enter Public events.

It is suggested that for events allowing individuals under the age of majority and with over 250 patrons will be required to identify those persons over the age of majority. Event Organizers may choose either stamps or wristbands to identify persons over the age of majority.

SECTION #11 - SECURITY REQUIREMENTS AT SPECIFIC EVENTS

For the purposes of this section, security personnel may be either Paid Duty Police Officers and/or licensed Security Guards that are employed by a registered Security Employer as governed by the Private Security & Investigative Services Act (PSISA) of Ontario. As per the PSISA, a Security Guard is a person who performs work, for remuneration, that consists primarily of guarding or patrolling for the purpose of protecting persons or property. Additionally, no person shall act as a security guard or hold himself or herself out as one unless the person holds the appropriate license under the Act.

CATEGORY*	# OF SECURITY PERSONNEL**
PASSIVE	1
MODERATE	2
HIGH RISK/MAJOR EVENT	2

*Covers any public or private event

**Security requirements for events may be increased or decreased at the discretion of the Director of Recreation, Culture & Parks or designate and with an approved security plan.

According to the Liquor License Act:

The SOP holder must provide security sufficient to ensure that unauthorized persons do not attend the event and to ensure that the conditions of the permit and requirements of the Liquor License Act are observed. In order to determine whether security is sufficient, the permit holder shall consider:

- The nature of the event;
- The size of the premises; and
- The age and number of persons attending the event.

Town's Best Practice

Security must have access or provide a communication link on site to summon emergency services.

Security is not to be involved in serving of alcoholic beverages nor may assist in any way in the liquor operation of the event.

The purpose of security is to:

- Provide high visibility access control at all entrances/exits to licensed area(s);
- Prevent underage patrons from entering licensed area(s);
- Prevent alcohol from leaving licensed area(s);
- Reinforce event rules through verbal interventions;
- Observe, report and document event policy and/or procedural violations;

Note – Security Guards do not have the authority to act as an Agent of the Owner (the Town of Tillsonburg) as per the Trespass to Property Act of Ontario.

Full payment of licensed and bonded security company is the sole responsibility of the Event Organizer. Time Period required is 9:00pm – 2:00am. **Exception:** For Tiered Seating Events during hockey tournaments, games, or carnivals where specific times will vary, the duration of security will be determined by staff.

The Town of Tillsonburg reserves the right to approve or reject licensed and bonded private security companies. Each event will be reviewed on its own merit. If the Event Organizer demonstrates the need for less security at their event, the required number of officers may be reduced or waived at the discretion of the Director of Recreation, Culture & Parks or designate. However, public safety for the patrons of the event will be paramount.

Reportable Incidents

All reportable incidents that occur at the event shall be documented by security personnel and a copy of the incident report shall be forwarded to the Town for their review.

Examples of reportable incidents are as follows:

- Any illegal act as defined by the Criminal Code of Canada;
- Damage to property;
- Any critical injury as defined by the Occupational Health & Safety Act;
- Any other significant incidents not included in the previous bullets.

The incident report shall include all the relevant incident details including;

- Who was involved (full names) & contact information;
- What occurred (chronological account of events with as much detail as possible);
- Where it occurred (specific locations as required);
- When it occurred (date & time of incident, when reported and response times);
- Why it occurred (if known);
- How if occurred (if known);
- Police report number (if Police were involved);
- Security guard name and contact information;
- Any additional relevant information such as actions taken by event organizers etc.

RATIONALE: *Security requirements vary depending on category of event. Dances designed for those over 25 years of age or seniors will differ from those dances geared towards those 25 years and under. Events that have attendance exceeding 300 will require additional security over those events with less than 300. Events that are by invitation only versus general admittance will impact security requirements.*

The overall event dynamics must be considered before security requirements can be imposed. Additional considerations include:

Age Group & Maturity	Attendance	Incident History
Event Dynamics	Invitation	Food Availability
Impact on Neighbourhood	Supervision	Threats & Concerns

Each of the above nine considerations is evaluated and checked off accordingly. Majority dictates category of risk and how the requirements of event staff/security are reached.

Outdoor Events/Festivals

According to the Liquor License Act:

Outdoor events are those which take place outdoors or in a temporary structure, such as a tent or marquee. The outdoor area must be clearly defined and separated from unlicensed areas by a minimum 36" high partition.

Festivals and events can define an area larger than outside beer tents where people can walk around freely with drinks. Local communities are free to customize the events to their needs. AGCO may be involved to discuss public safety issues with the permit holder.

Notification must be made to local municipality, including clerk, police, fire and health department and AGCO 30 days' notice for events where fewer than 5,000 people attend and 60 days' notice for events where 5,000 or more people attend.

If a SOP has been issued for an outdoor event that has both licensed areas (bars, restaurants) and areas to which the SOP applies (i.e. a street on which the event occurs), patrons can move freely between these areas with a single serving of alcohol, under certain conditions and where permission has been granted by the AGCO.

Town's Best Practice:
The Town of Tillsonburg Fire Chief and Building Official will determine maximum capacity for outside tents based on exits and floor area.

For potential problem rentals, the Town reserves the right to require the presence of minimally two (2) guards licensed and bonded Security Company for the duration of an event. Number of security will be based on Section 11 and Appendix C of this M.A.P. This cost will be borne by the Event Organizer or individual. The Town also reserves the right to refuse the issuance of a facility rental permit at their sole discretion.

SECTION #12 - CONSEQUENCES FOR FAILURE TO COMPLY

SOP Holder's Responsibilities

1. In the case of patrons who are intoxicated to the point that they must be cut-off, the SOP holder or designated Event volunteer/staff must make every effort to ensure that the patron does not drive and that he or she will arrive safely at home. In some instances, non-intoxicated friends might agree to drive the person home, or a cab may be called for the patron.

2. In an effort to encourage patrons not to drink and drive, free access to a phone should be made available to persons wishing to call a taxi and the telephone number of a taxi company should be prominently displayed.

3. If an intoxicated person insists on driving, the SOP holder and/or staff may have to attempt to detain the person and call the police.

4. Where anyone is engaged in a disruptive behaviour as a result of alcohol consumption at social events, authorities will be called.

5. The SOP holder is required to report in writing to the Director of Recreation, Culture & Parks or designate within 48 hours all incidents in which patrons are injured or ejected from an event or Police are called.

6. Although police will be called if a situation deems necessary to do so, it is the responsibility of the SOP holder to ensure the proper management of an event.

7. Where persons under the age of majority are found to have consumed or to be consuming alcohol at SOP and non SOP events, the authorities will be called immediately.

Enforcement Procedures For Policy Violation
A violation of this policy occurs when the SOP holders or individual(s) fail to comply with this policy or the conditions of the Liquor License Act, or any other relevant legislation. Intervention can be initiated by a participant at the event, Town of Tillsonburg staff, Police or an Inspector of the AGCO. Random monitoring of events where alcohol is served may be conducted by the Director of Recreation, Culture & Parks or designate having jurisdiction over the premises.

Town's Best Practice:

1. Event Organizer(s), SOP Holder or the monitor(s) may intervene by informing the offending individual of the M.A.P. violation and asking that it stop. Event Organizer members and monitors are encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.

2. A Town of Tillsonburg staff member with recognized authority will intervene whenever he/she encounters a violation of the policy. Depending upon the severity of the policy

infraction, the Town of Tillsonburg staff may ask the organizers of the event to stop the violation or they may close down the SOP portion of the event (especially if there is the potential for harm or loss of enjoyment by non-drinkers). Should the organizers fail to comply; the staff will call the police for enforcement.

Penalties:

Where an SOP holder has violated the MAP, and has been confronted by a Town of Tillsonburg staff member, the sponsoring organization and/or SOP holder will be sent a registered letter by the Director of Recreation, Culture & Parks or designate advising of the violation and indicating that further violations will not be tolerated.

Should the sponsoring organization and/or SOP holder violate the policy within one year of receiving notice of their first violation, the sponsoring organization and event organizers shall be suspended from organized use of a Town of Tillsonburg facility or area for a further one year. The Director of Recreation, Culture & Parks or designate will send a registered letter to the appropriate contact person advising of the suspension. A copy of the letter will be sent to the Chief Administrative Officer.

Where, in the opinion the Director of Recreation, Culture & Parks or designate, there have been repeated violations of a municipal, provincial or federal statute, the sponsoring organization and event organizers shall be immediately suspended from organized use of a Town of Tillsonburg facility or area for a period of one year or longer as are warranted in the circumstances. A registered letter shall be sent and copied to the Chief Administrative Officer or designate and Council.

SECTION #13 - POLICY MONITORING AND REVISIONS

The Municipal Alcohol Policy for the Town of Tillsonburg will be reviewed as required. It is subject to change and updates reflecting changes in laws and the circumstances related to the administration of the MAP.

Contact will be made with local OPP and AGCO agents to review occurrences within our licensed facilities. All reports will be sent to Director of Recreation, Culture & Parks.

Appendix A – Municipal Alcohol Policy

CHECK LIST & SECURITY PLAN

Event Location:
Tillsonburg Community Centre
☐ Lion's Auditorium
☐ Lion's Den
☐ Marwood Lounge
☐ Arena Floor

Event Date: _____ Event Time: _____ Function: _____

Contact Name: _____ Phone #: _____

SOP filed: Yes ☐ No ☐ Anticipated Attendance: _____
Proof of Insurance filed: Yes ☐ No ☐

1. Has customer received and read Municipal Alcohol Policy (M.A.P.)? Yes ☐ No ☐

2. List name(s) of trained bartenders, complete with certification numbers.
   a) _____
   b) _____
   c) _____

3. List names of who will be checking identification at the door?
   a) _____
   b) _____
   c) _____

4. List names of who will be monitoring the event, checking washrooms, circulating through the parking lots to ensure that over drinking, supplying minors and self-serving does not occur?
   a) _____
   b) _____
   c) _____

5. List safe transportation strategies for this event:
   a) _____
   b) _____
   c) _____

6. Will security be provided beyond this plan? Yes ☐ No ☐

   Approved Private Security Company? (must attend in full uniform)

7. General Comments:

_____

_____

_____

_____

_____

_____

EVENT CATEGORY GUIDELINE – RISK ASSESSMENT

Name/Organization: _____ **Type of Event:** _____

PRIMARY CONSIDERATION	✓	PASSIVE RISK	✓	MODERATE RISK	✓	HIGH RISK
1. AGE GROUP & MATURITY OF PARTICIPANTS		An adult/senior booking an event that will be predominately attended by persons 25+ yrs.		An adult booking an event that will be predominately attended by persons under 25 years		Any public events which is predominately attended by persons under 25 years of age
2. ATTENDANCE		Under 50		51-300		Licensed security officers and an approved Security Plan required
3. INCIDENT HISTORY		Well known sponsor		Sponsor has frequent organizational experience		Unknown
4. EVENT DYNAMICS		Stage Performance Community or family dinner/banquet held inside a facility		-Open outdoor public gatherings -Indoor public gatherings		-When the event dynamics substantially increases the level of risk or threat to include activities that require care and skill -Games of Skill -Video Dance Parties - Events in tiered seating - Outside Festivals, Beer Gardens
5. INVITATION		Closed – Personal invitation only		Closed – Personal invitation with advanced ticket sales		Open – General admittance
6. FOOD AVAILABILITY		Sit down dinner/banquet served with regular bar		Regular bar with food provided throughout the event on a no charge basis or food is provided in the cost of the ticket		Midnight buffet only Snacks and light meal provided
7. IMPACT ON NEIGHBOURHOOD		Held inside a facility limited to the local community only		Held inside a facility with adequate on-site parking		- Noise control considerations - Substantial parking requirements -Transportation service increased to accommodate expected participant volume
8. SUPERVISION		- Town staff on duty - Private event held inside the facility or in an open area - Sponsor acting as door monitor		- Town staff on duty - Public Event held inside facility or in an open area. - Sponsor acting as door and floor monitors		- Town staff on duty - Public Event held inside facility or in an open area. - Within an enclosed area outside such as a temporary tent, fencing or barricades. - Sponsor acting as door and floor monitors

Appendix B – Municipal Alcohol Policy

9. THREATS & CONCERNS		None apparent		Within 100 meters of a residential property Moving motorized vehicles on site Motorized equipment on site		Time of the event When majority of participants arrive after 10:00pm Within close proximity to: Waterfront venues, dunk tank, ice surface, hills, ravines, rugged terrain, heavily forested areas, accessibility to tiered seating, livestock, vehicles/equipment, fireworks
Each of the 9 considerations is valued and checked off accordingly. Majority dictates category of risk.	/9	**Comments:**	/9	**Comments:**	/9	**Comments:**
CHECKS TO BE CONDUCTED & APPROVALS OBTAINED **(Refer to Section 11 – Security Requirements)**		Sponsor is well known to staff, therefore no Class or police check required -Obtain trained server Confirmation - Obtain copy of SOP -Obtain Party Alcohol Liability insurance ($5M)		-Conduct a Class alert warning check -Obtain trained server information - Obtain copy of SOP -Obtain Party Alcohol Liability Insurance ($5M) -Obtain door and floor monitors information		-Conduct a Class alert warning check -When 1000+ are anticipated, additional approvals are required from AGCO -Obtain security /operational plan, to include police, fire & AGCO considerations -Obtain paid duty O.P.P. or approved private security in uniform -Obtain trained server information - Obtain copy of SOP -Obtain Party Alcohol Liability Insurance ($5M) -Obtain door and floor monitor information -Conduct a site inspection, if required
FINAL APPROVAL AUTHORITY **Signature & Date**		Director of Recreation, Culture & Parks designated staff		Director of Recreation, Culture & Parks or designated staff		Director of Recreation, Culture & Parks or designated staff

THE COPORATION OF THE TOWN OF TILLSONBURG
BY-LAW NO. 4267

A BY-LAW TO APPOINT AN INTEGRITY COMMISSIONER FOR THE CORPORATION OF THE TOWN OF TILLSONBURG.

WHEREAS section 223.3 of the Municipal Act, S.O. 2001 c. 25 authorizes the Town 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 WHEREAS the Council of the Town of Tillsonburg deems it expedient to appoint Gregory F. Stewart as the Integrity Commissioner for the Town of Tillsonburg under the authority of the said Municipal Act, to perform the duties and responsibilities of that office pursuant to the terms of the legislation and agreement with Mr. Stewart.

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

1. That pursuant to Section 223.3 of the Municipal Act, S.O. 2001, c. 25, Council hereby appoints Gregory F. Stewart as the Integrity Commissioner for the Town of Tillsonburg.
2. That the Mayor and Clerk are authorized and directed to execute on behalf of the municipality, the agreement with the Gregory F. Stewart substantially in the form attached hereto as Schedule “A”.
3. That the term of such appointment shall be five years commencing the 1st day of January 2019, in accordance with the terms and conditions of the agreement attached to this by-law as Schedule "A".
4. That this by-law shall be effective upon the passing thereof.

READ A FIRST AND SECOND TIME THIS 11TH DAY OF FEBRUARY, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 11TH DAY OF FEBRUARY, 2019.

_____

Mayor – Stephen Molnar

_____

Town Clerk – Donna Wilson

Agreement For Municipal Integrity Commissioner

This Agreement dated this 11th day of February, 2019

BETWEEN:

THE CORPORATION OF THE TOWN OF TILLSONBURG
(hereinafter referred to as the "Town")

- and -

GREGORY F. STEWART
(hereinafter referred to as "Stewart" and or the "Integrity Commissioner")

WHEREAS section 223.3 of the *Municipal Act*, 2001 authorizes the Town 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;

AND WHEREAS the Town 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, 2023 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:

3.1. 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 statues, 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.

3.2. 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.

3.3. 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.

3.4. 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.

3.5. 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.

3.6. 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.

3.7. 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.

3.8. 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.

3.9. 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.

4.1. 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.

4.2. 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 Council.

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.

7. 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.

8. 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:

   8.1. advise the Clerk immediately in writing of the nature of the conflict;
   8.2. refrain from conducting any further investigation or providing advice on the matter at issue until further direction is given by the Clerk

9. No Amendment – This Agreement may only be changed or amended in writing duly executed by the duly authorized representatives of both parties.

10. 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.

11. 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.

12. 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.

13. Notice – Any notice required pursuant to this agreement shall be delivered to the respective parties hereto at the following addresses:
    For the Town:
    Town Clerk
    204-200 Broadway
    Tillsonburg, Ontario
    N4G 5A7
    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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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 sixty (60) days notice if the scope of the duties is materially altered without the Integrity Commissioner's consent.

IN WITNESS WHEREOF the Parties have executed this Agreement.

THE CORPORATION OF THE TOWN OF TILLSONBURG

Per:_____
Stephen Molnar, Mayor

Per:_____
Donna Wilson, Town Clerk
We have authority to bind the Corporation.

_____
GREGORY F. STEWART

THE COPORATION OF THE TOWN OF TILLSONBURG
BY-LAW NO. 4268

A BY-LAW TO APPOINT A MEETING INVESTIGATOR FOR THE CORPORATION OF THE TOWN OF TILLSONBURG.

WHEREAS section 239.2 of the Municipal Act, S.O. 2001 c. 25 authorizes the Town to appoint an investigator to investigate in an independent manner any complaint as to whether the Town has complied with the Act or a Municipal procedural by-law in respect of a meeting (or part of a meeting) that was closed to the public;

AND WHEREAS the investigation of the relevant Town or local board must be undertaken by an Investigator appointed by the Town pursuant to Sections 9, 10, 11 and 239.2 of the Act or by an Ombudsman appointed pursuant to the *Ombudsman Act* if the Town has not appointed an Investigator under the Act;

AND WHEREAS the Town deems it desirable to appoint Gregory F. Stewart as the Investigator to investigate all requests received by the Town after January 1, 2019 pursuant to the Act respecting any meeting of the Council of the Town, a local board or a committee of Council;

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

1. That pursuant to Section 239.2 of the Municipal Act, S.O. 2001, c. 25, Council hereby appoints Gregory F. Stewart as the Meeting Investigator for the Town of Tillsonburg.

2. That the Mayor and Clerk are authorized and directed to execute on behalf of the municipality, the agreement with Gregory F. Stewart substantially in the form attached hereto as Schedule “A”.

3. That the term of such appointment shall be five years commencing the 1st day of January 2019, in accordance with the terms and conditions of the agreement attached to this by-law as Schedule "A".

4. That this by-law shall be effective upon the passing thereof.

READ A FIRST AND SECOND TIME THIS 11TH DAY OF FEBRUARY, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 11TH DAY OF FEBRUARY, 2019.

_____
Mayor – Stephen Molnar

_____
Town Clerk – Donna Wilson

Municipal Meeting Investigator Agreement

This Agreement dated this11th day of February, 2019

BETWEEN:

THE CORPORATION OF THE TOWN OF TILLSONBURG
(hereinafter referred to as the "Town")

- and -

GREGORY F. STEWART
(hereinafter referred to as the "Independent Investigator")

WHEREAS section 239.2 of the *Municipal Act*, S.O. 2001, c.25 (the "Act") authorizes a Town to appoint an investigator to investigate in an independent manner any complaint as to whether the Town has complied with the Act or a Municipal procedural by-law in respect of a meeting (or part of a meeting) that was closed to the public;

AND WHEREAS the investigation of the relevant Town or local board must be undertaken by an Investigator appointed by the Town pursuant to Sections 9, 10, 11 and 239.2 of the Act or by an Ombudsman appointed pursuant to the *Ombudsman Act* if the Town has not appointed an Investigator under the Act;

AND WHEREAS the Town deems it desirable to appoint Gregory F. Stewart as the Investigator to investigate all requests received by the Town after January 1, 2019 pursuant to the Act respecting any meeting of the Council of the Town, a local board or a committee of Council;

AND WHEREAS the Independent Investigator has the skills and ability and is interested in acting as the Investigator for the Town on the terms and conditions set out in this Agreement;

NOW THEREFORE, the parties agree as follows:

1.0 Appointment

1.1 Pursuant to the Act, the Town hereby appoints Gregory F. Stewart to provide the Investigator services, in accordance with the Act, for all requests for an investigation of the Council and Committees of the Town and the Local Boards and/or their Committees. For the purposes of this Agreement, "committee" and "local board" shall have the meaning as defined Section 238 of the Act.

1.2 The Town hereby grants to the Independent Investigator those powers and duties outlined in Section 239.2 of the Act.

1.3 The Town, when subject of an investigation shall provide to the Independent Investigator the following documents for the Town and for the Local Boards where applicable:

1.3.1 A certified copy of the municipal procedure by-law;

1.3.2 A certified copy of the municipal notice by-law, and;

1.3.3 A listing of the applicable Boards and Committees subject to this Agreement.

2.0 Services and Process

2.1 Every request for an investigation by a person shall include all of the following:

2.1.1 Be directed to the Clerk of the Town;

2.1.2 Be in writing;

2.1.3 Include the reasons for the request;

2.1.4 Be signed; and

2.1.5 Include an address and telephone number of the person making the request.

2.2 Upon receipt of a request for an investigation regarding a Meeting, it is agreed that the Clerk of the Town shall forthwith forward the following documents to the Independent Investigator as appropriate.

2.2.1 The original request for an investigation;

2.2.2 A certified copy of the agenda with all relevant attachments relating to the Meeting;

2.2.3 A certified copy of the minutes of the Meeting;

2.2.4 A contact list for all members of the Council/Board/Committee for which the request is made and for all persons present at the Meeting;

2.2.5 Such other information or documentation that the Clerk of the Town deems relevant; and

2.2.6 Such other information or documentation that the Independent Investigator may from time to time deem relevant to the investigation.

2.3 Duties of the Independent Investigator shall be:

2.3.1 To conduct investigations from time to time as requested by the Town upon receipt of a complaint in respect of meetings or part of meetings that are closed to the public to determine compliance with the Act;

2.3.2 To report in writing on such investigations to the Council of the Town;

2.3.3 To proceed without undue delay and with due diligence to investigate a complaint and to consider time to be of the essence with any and all investigations;

2.3.4 To proceed to investigate a complaint independently of the Town and impartially;

2.3.5 To hear or obtain information from such persons as the Independent Investigator sees fit;

2.3.6 To preserve the confidentiality of all matters of the investigation that require secrecy save and except disclosure of such matters as in the Independent Investigator's opinion ought to be disclosed in order to establish grounds for report conclusions and/or recommendations;

2.3.7 If at any time during the course of an investigation it appears to the Investigator that there may be sufficient grounds for a report or recommendation that may adversely affect the Town, a local board or any other individual person, the Investigator shall give him or her an opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel;

2.3.8 To include in the written report whether the meeting (or portion thereof) in question was closed to the public contrary to the Act or Municipal Procedure by-law and to make appropriate recommendations to the Town
in this regard and;

2.3.9 To dismiss a complaint deemed to be vexatious and prepare a report to this effect; and

2.3.10 Upon receipt by the Municipal Council/Committee/Local Board, the report of the Independent Investigator shall be a public record.

3.0 Fees

3.1 The Town agrees to pay fees and expenses of the Independent Investigator at a rate of $250.00 per hour plus applicable taxes during such time as the Independent Investigator is performing the duties as described in this Agreement.

3.2 The Independent Investigator agrees such rate shall be charged only for such time that the Investigator is actively investigating a complaint and preparing and presenting the report with respect hereto.

3.3 The Independent Investigator shall be entitled to be reimbursed for mileage and other reasonable receipted expenses related to these duties. The Independent Investigator shall submit his invoice to the Town.

4.0 Term of the Agreement

4.1 The term of this Agreement is for a fixed five (5) year term commencing the January 1, 2019, and may be renewed by agreement of the parties.

4.2 The Independent Investigator shall provide the Town with a minimum of thirty (30) days' notice prior to the end of the Agreement if the Investigator does not agree to renew the Agreement if such renewal were to be available.

5.0 Termination

5.1 This Agreement may be terminated by either Party on sixty (60) days written notice to the other Party, provided that any investigations commenced prior to the termination date shall be completed pursuant to this Agreement and the appointing by- law and all related fees shall be paid as set out in the Agreement.

IN WITNESS WHEREOF the Parties have executed this Agreement.

THE CORPORATION OF THE TOWN OF TILLSONBURG

Per:_____
Stephen Molnar, Mayor

Per:_____
Donna Wilson, Town Clerk
We have authority to bind the Corporation.

GREGORY F. STEWART

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NUMBER 4270

A BY-LAW TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC") FOR FINANCING CERTAIN ONGOING CAPITAL WORKS OF THE CORPORATION OF THE TOWN OF TILLSONBURG (THE "LOWER-TIER MUNICIPALITY"); TO AUTHORIZE TEMPORARY BORROWING FROM OILC TO MEET EXPENDITURES IN CONNECTION WITH SUCH WORKS; AND TO AUTHORIZE LONG TERM BORROWING FOR SUCH WORKS THROUGH THE ISSUE OF DEBENTURES BY THE COUNTY OF OXFORD (THE "UPPER- TIER MUNICIPALITY") TO OILC

WHEREAS the Municipal Act, 2001 (Ontario), as amended, (the "Act") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Lower-tier Municipality has passed the by-law(s) enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law ("Schedule "A") authorizing the capital work(s) described in column (2) of Schedule "A" (individually a "Capital Work", collectively the "Capital Works", as the case may be) in the amount of the respective estimated expenditure set out in column (3) of Schedule "A", subject in each case to approval by OILC of the financing for such Capital Work(s) that will be requested by the Lower-tier Municipality in the Application as hereinafter defined;

AND WHEREAS before the Council of the Lower-tier Municipality approved the Capital Work(s) in accordance with section 4 of Ontario Regulation 403/02 (the "Regulation"), the Council of the Lower-tier Municipality had its Treasurer calculate an updated limit in respect of its then most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the "Updated Limit"), and, on the basis of the authorized estimated expenditure for the Capital Work or each Capital Work, as the case may be, as set out in column (3) of Schedule "A" (the "Authorized Expenditure" for any such Capital Work), the Treasurer calculated the estimated annual amount payable in respect of the Capital Work or each Capital Work, as the case may be, and determined that the estimated annual amount payable in respect of the Capital Work or each Capital Work, as the case may be, did not cause the Lower-tier Municipality to exceed the Updated Limit, and accordingly the approval of the Ontario Municipal Board pursuant to the Regulation, was not required before any such Capital Work was authorized by the Council of the Lower-tier Municipality;

AND WHEREAS subsection 405(1) of the Act provides, amongst other things, that a municipality may authorize temporary borrowing to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures if, the municipality is a lower-tier municipality in a regional municipality and it has approved the work and the upper-tier municipality has approved the issue of debentures for the work;

AND WHEREAS subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 401(3) of the Act provides that a lower-tier municipality in a regional municipality does not have the power to issue debentures and accordingly the Lower-tier Municipality intends that the Upper-tier Municipality will issue debentures in respect of the Capital Work(s) and will request that the Upper-tier Municipality do so;

AND WHEREAS subsection 403(1) of the Act provides that a by-law of an upper-tier municipality authorizing the issuing of debentures for the purposes or joint purposes of one or more of its lower-tier municipalities may require those lower-tier municipalities to make payments in each year to the upper-tier municipality in the amounts and on the dates specified in the by-law;

AND WHEREAS the Act also provides that a municipality shall authorize long term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act and subsection 403(7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

AND WHEREAS OILC has invited Ontario municipalities desirous of obtaining temporary and long term debt financing in order to meet capital expenditures incurred on or after January 1, 2013 in connection with eligible capital works to make application to OILC for such financing by completing and submitting an application in the form provided by OILC;

AND WHEREAS the Lower-tier Municipality requested the Upper-tier Municipality to issue debentures for the Capital Work(s) and in this connection the Upper-tier Municipality and the Lower-tier Municipality completed and submitted an application to OILC (the "Application") to request financing for the Capital Work(s) by way of long term borrowing pursuant to section 403 of the Act through the issue of debentures by the Upper-tier Municipality to OILC and by way of temporary borrowing by the Lower-tier from OILC pending the issue of such debentures;

AND WHEREAS OILC has accepted and has approved the Application;

AND WHEREAS the Upper-tier Municipality has approved the issue of debentures for the Capital Work(s) to OILC in the maximum aggregate principal amount of $920,000.00 (the "Debentures"); and OILC has indicated that pending the issue of the Debentures it will provide financing by way of temporary advances to the Lower-tier Municipality in respect of the Capital Work(s);

AND WHEREAS the Lower-tier Municipality will enter into a financing agreement with OILC pursuant to the terms of which OILC will provide temporary advances to the Lower-tier Municipality in respect of the Capital Work(s);

NOW THEREFORE THE COUNCIL THE CORPORATION OF THE TOWN OF TILLSONBURG ENACTS AS FOLLOWS:

1. The Council of the Lower-tier Municipality hereby confirms, ratifies and approves the execution by the Treasurer of the Application and the submission by such authorized official of the Application, duly executed by such authorized official, to OILC, in cooperation with the Upper-tier Municipality, for the financing of the Capital Work(s) by way of temporary borrowing from OILC, pending the issue of the Debentures, in the maximum aggregate principal amount of $920,000.00, substantially in the form of Schedule "B" hereto and fanning part of this By-law, with such changes thereon as such authorized official may hereafter approve, such execution and delivery to be conclusive evidence of such approval.

2. The Mayor and the Treasurer are hereby authorized to negotiate and enter into, execute and deliver for and on behalf of the Lower-tier Municipality a financing agreement (a "Financing Agreement") with OILC that provides for temporary borrowing from OILC in respect of the Capital Work(s) on such terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.

3. The Mayor and/or the Treasurer are hereby authorized, pending the substantial completion of the Capital Work or of each Capital Work, as the case may be, or as otherwise agreed with OILC, to make temporary borrowings pursuant to section 405 of the Act in respect of the Capital Work or of each Capital Work, as the case may be, on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree, and to sign such evidence of indebtedness as OILC may require (the "Note") and to deliver the Note to OILC, such execution and delivery to be conclusive evidence of such agreement; and the Treasurer is authorized to sign such certifications as OILC may require in connection with such borrowings in respect of the Capital Work(s); provided that the amount of borrowings allocated to the Capital Work or to each Capital Work, as the case may be, does not exceed the Authorized Expenditure for such Capital Work and does not exceed the related loan amount set out in column (4) of Schedule "A" in respect of such Capital Work.

4. In accordance with the provisions of section 25 of the Ontario Infrastructure and Lands Corporation Act, 2011, as amended from time to time hereafter, as security for the payment by the Lower-tier Municipality of the indebtedness of the Lower-tier Municipality to OILC under the Note, and as security for the payment by the Lower-tier Municipality of any indebtedness of the Lower-tier Municipality to the Upper-tier Municipality in respect of the Debentures issued for any Capital Work (the "Obligations"), the Lower-tier Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Lower-tier Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Lower-tier Municipality, amounts not exceeding the amounts that the Lower-tier Municipality fails to pay to OILC on account of the Obligations and to pay such amounts to OILC from the Consolidated Revenue Fund.

5. For the purposes of meeting the Obligations, the Lower-tier Municipality shall provide for raising in each year as part of the general lower-tier levy the amounts of principal and interest payable in each year under the Note and/or any outstanding Debenture, to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

6.
   a) The Mayor and/or the Treasurer are hereby authorized to execute and deliver the Note, the Mayor and the Treasurer are hereby authorized to enter into, execute and deliver the Financing Agreement, one or more of the Clerk and the Treasurer are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Lower-tier Municipality in order to perform the Obligations of the Lower-tier Municipality under the Financing Agreement and to execute and deliver the Note, and the Treasurer is authorized to affix the Lower-tier Municipality's municipal seal to any such documents and papers.
   b) The money realized in respect of the Note and the Debentures, including any premium, and any earnings derived from the investment of that money after providing for the expenses related to the execution and delivery of the Note and to the issue of the Debentures by the Upper-tier Municipality, if any, shall be apportioned and applied to the respective Capital Work and to no other purpose except as permitted by the Act.

7. This By-Law takes effect on the day of passing.

READ A FIRST AND SECOND TIME THIS 11th day of February, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 11th day of February, 2019.

_____

MAYOR – Stephen Molnar

_____

TOWN CLERK – Donna Wilson

Schedule "A"
to By-Law Number 4270
(Ongoing Capital Works)

(1)	(2)	(3)	(4)
By-Law Number/ Capital Work Number	**Description of Capital Work**	**Estimated Expenditure**	**Loan Amount**
4194	Aerial Platform Fire Truck	**$1,424,500**	**$920,000**

Schedule “B”

to By-Law Number 4270

Webloans Loan Application PDF

FA Number	1358
Application for	Tillsonburg, The Corporation of The Town of

Projects

ID	SIT Project ID	Project Name	Construction/Purchase Start	Construction/Purchase End	Project Cost	OILC Loan Amount
818	1	Aerial Platform Fire Truck	10/09/2018	01/10/2019	$1,424,500.00	920,000.00

Details of Project Aerial Platform Fire Truck

Project Category	Municipal Other Infrastructure
Work Type	Fire
Project Name	Aerial Platform Fire Truck
Construction/Purchase Start	10/09/2018
Construction/Purchase End	01/10/2019
Energy Conservation	☐
Project Address 1	80 Concession Street East
Project Address 2	
City / Town	Tillsonburg
Province	ON
Postal Code	N4G 4Z8
Description	Aerial platform fire apparatus - replacement of Unit 73
Comments and/or Special Requests	
Project Life Span (Years)	20

Project Financial Information

Project Cost (A) $1,424,500.00

Other Project Funding / Financing (B):

Description	Timing	Amount
Reserves	Existing	$504,500.00

Other Project Funding/Financing Total (B) $504,500.00

OILC Loan Amount (A-B) $920,000.00

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.

Required Date	Amount	Term	Type

02/15/2019	$0.00	20	Serial
Long-term Borrowing Total	$0.00		

Debt and Re-payments Summary

Has there been any new/undisclosed debt acquired since last FIR was submitted? ☐ Yes ☑ No

Please describe any re-financing plans for any existing "interest only" debt, if applicable.

Non Re-payments of Loans or Debenture

In the last 10 years, has the borrower ever failed to make a loan payment or debenture repayment on time to any lender, including the Provincial Government?

If yes, please provide details.

OILC Loan Repayment Information

Please indicate the source(s) of revenue you plan to use to repay the OILC Loan

Taxation	100.00
User Fees	0.00
Service Charges	0.00
Development Charges	0.00
Connection Fees	0.00
Repayment Subsidies	0.00
Other	
Total	100.00%

Documentation and Acknowledgements

Please ensure all required documents are submitted with the signed application. OILC requires originals as noted below to be mailed or couriered. Also, please retain a copy of all documents submitted to OILC for your records.

To obtain templates for documents see listed below.

- Loan Application Signature Page signed and dated by the appropriate individual (original to be submitted)
- Certificate and sealed copy of OILC template By-Law authorizing project borrowing and applying for a loan (original with seal)
- Certificate of Treasurer Regarding Litigation using the OILC template (original, signed & sealed)
- Updated Certified Annual Repayment Limit Calculation (original)

☑ I acknowledge and agree that all of the above referenced documents must be submitted in the form required by OILC and understand that the application will not be processed until such documents have been fully completed and received by Infrastructure Ontario.

Please note: OILC retains the right to request and review any additional information or documents at its discretion.

Confidential Information

OILC is an institution to which the Freedom of Information and Protection of Privacy Act (Ontario) applies. Information and supporting documents submitted by the Borrower to process the loan application will be kept secure and confidential, subject to any applicable laws or rules of a court or tribunal having jurisdiction.

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THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NUMBER 4265

BEING A BY-LAW to confirm the proceedings of Council at its meeting held on the 11th day of February, 2019.

WHEREAS Section 5 (1) of the *Municipal Act, 2001, as amended,* provides that the powers of a municipal corporation shall be exercised by its council;

AND WHEREAS Section 5 (3) of the *Municipal Act, 2001, as amended,* provides that municipal powers shall be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Town of Tillsonburg at this meeting be confirmed and adopted by by-law;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF TILLSONBURG ENACTS AS FOLLOWS:

1. All actions of the Council of The Corporation of the Town of Tillsonburg at its meeting held on February 11, 2019, with respect to every report, motion, by-law, or other action passed and taken by the Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this or a separate by-law.

2. The Mayor and Clerk are authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Town of Tillsonburg referred to in the preceding section.

3. The Mayor and the Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the Town of Tillsonburg.

4. This by-law shall come into full force and effect on the day of passing.

READ A FIRST AND SECOND TIME THIS 11th DAY OF FEBRUARY, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 11th DAY OF FEBRUARY, 2019.

_____
MAYOR – Stephen Molnar

_____
TOWN CLERK – Donna Wilson