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AMO Policy Update: Municipal Legislation Review:
Subject Municipal Act, City of Toronto Act and Municipal Conflict of
Interest Act

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Municipal Legislation Review: Municipal Act, City of Toronto Act, and Municipal Conflict of Interest Act

The Minister of Municipal Affairs and Housing, the Honourable Ted McMeekin has begun the consultation process of "Municipal Legislation Review", which includes the *Municipal Act*, the *City of Toronto Act* and the *Municipal Conflict of Interest Act*. Comments are request by August 7. Its [Discussion Guide](#) sets out three themes, including accountability/transparency; municipal financial sustainability; and responsive/flexible municipal government. The Guide poses questions related to the themes as well as a synopsis of the *Acts*.

AMO has asked municipal staff associations and others for input to help it develop a response. From the Association's perspective, there does not appear to be substantive concerns with the *Municipal Act*. The *Act's* broad authority and natural person powers, rather than specifying precise, detailed authorities, remains a sound, appropriate framework for governing. There are several areas in the *Act* that could be expanded or clarified. For example, AMO previously submitted (through Bill 8) that there is an urgent need to better define what is a "meeting" given that the common law definition used by many municipal governments to guide them is different from the definition that is applied by the Ombudsman. Another matter that AMO is pursuing with Municipal Finance Officers Association (MFOA) is the expansion of the 'eligible investment' provisions. The Province is also seeking input about the interest in transferring the City of Toronto's taxation authority to other municipal governments. For some urban municipal governments, this may be helpful to some of their operational and capital needs. The AMO Board does not believe this taxing authority is the full answer to municipal financial sustainability.

In terms of the *Municipal Conflict of Interest Act*, AMO has been working with a number of municipal solicitors and other experts to prepare a response on how to improve this *Act* in a manner that better serves to clarify an elected official's determination of what is a financial interest, what processes might be employed as an alternative to the courts, and how penalties would fit in. AMO is looking at other jurisdictions' approaches for conflict of interest as part of the background work as the Board formulates its position.

We anticipate that AMO will be able to share with its membership the outcomes of the Board's deliberation on this "municipal legislation review" by the end of the month. It will also be in a position to respond to the separate review of the *Municipal Election Act*, including ranked balloting. We welcome members to share with us any advice and to forward to AMO any input that you give to the Province.

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