

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS

BY-LAW NO. 37-2014

Being a by-law to establish a Compliance Audit Committee.

WHEREAS the Municipal Elections Act, S.O. 1996, c. 32 Section 81.1(1) states that a council or local board shall, before October 1 of an election year, establish a compliance audit committee to deal with matters regarding election campaign finances;

AND WHEREAS the committee shall be composed of not fewer than three and not more than seven members and shall not include employees or officers of the municipality or local board, members of the council or local board or any persons who are candidates in the election for which the committee is established;

AND WHEREAS the term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed;

AND WHEREAS it is deemed expedient to establish a Compliance Audit Committee regarding campaign finances;

NOW THEREFORE the Council for the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

1. That the Municipality of Killaloe, Hagarty and Richards establishes a Compliance Audit Committee for the period December 1, 2014 to November 30, 2018.
2. That the following individuals are appointed to the Compliance Audit Committee:

Clarence Shires
Darrel Ryan
Leah Kinghorn
Desmond Quade

3. That this Compliance Audit Committee acts on behalf of the Municipality of Killaloe, Hagarty and Richards, the Municipality of Madawaska Valley and the Municipality of Brudenell, Lyndoch & Raglan, with each individual municipality passing a by-law naming the aforementioned individuals to their committee, and with each individual municipality being responsible for the costs incurred by the committee to deal with matters regarding election campaign finances, as outlined in the Municipal Elections Act, 1996, pertaining to their individual municipality;

4. That the Compliance Audit Committee shall operate in accordance with the Terms of Reference as set out in Schedule "A" attached hereto and forming part of this By-law, and in compliance with the Municipal Elections Act, 1996.

Read a first and second time this 2nd day of September, 2014.

Read a third time and finally passed this 2nd day of September, 2014.


James Wisniski Moore
Mayor

Anna Quade
CAO/Clerk-Treasurer

Schedule "A" to By-law #37-2014

TERMS OF REFERENCE FOR COMPLIANCE AUDIT COMMITTEE
TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS

MANDATE:

The powers and functions of the Committee are set out in Section 81 of the *Municipal Elections Act, 1996*.

1. Within 30 days of receipt of an application requesting a compliance audit, the Committee shall consider the compliance audit application and decide whether it should be granted or rejected;
2. If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
3. The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced; and
4. If the auditor's report indicates that there were no apparent contraventions and if it appears that there were no reasonable grounds for the application, the Committee shall advise Council accordingly.

Members of Council, staff or candidates running for office in the 2014 municipal election are not eligible to be appointed to the Committee. Should an appointed Member accept employment with the municipality or register as a candidate with the municipality, his or her appointment will be immediately terminated.

All Committee Members must agree in writing that they will not work for or provide advice to any candidate running for municipal office in the municipality.

To avoid any potential conflict of interest, applicants with accounting or auditing backgrounds must agree in writing that they will not offer their services to any municipal election candidates.

TERM:

The term of the Committee runs concurrently with that of Council.

CHAIR:

The Committee called to hear a request for a compliance audit shall select one of its Members to act as a Chair at the first meeting.

PROPOSED MEETING SCHEDULE:

The Committee shall meet as needed with meetings to be scheduled by the Clerk, in consultation with the Chair, when a compliance audit application is received.

STAFFING AND FUNDING:

Municipal staff shall provide administrative support to the Committee. The municipality shall be responsible for all associated expenses.

RECORDS:

The records emanating from meetings of the Compliance Audit Committee shall be retained by the municipality in accordance with their Record Retention By-law.

MEETINGS:

Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the provisions in the *Municipal Act, 2001*. The municipal website – www.killaloe-hagarty-richards.ca, as well as municipal staff, will be utilized to communicate the meeting notices and agendas.


Janie Wisneske Moore
Mayor

Lorna Hudson
CAO/Clerk-Treasurer