

**The Corporation of the Township of South Frontenac**

**By-law 2023-71**

**Being a By-law to Appoint an Integrity Commissioner for  
the Corporation of the Township of South Frontenac**

**Whereas** the Municipal Act, 2001, as amended provides that the powers of a municipal corporation are to be exercised by its Council through the adoption of By-laws;

**Whereas** the Municipal Act authorizes the Township to establish Codes of Conduct for members of Council and to appoint an Integrity Commissioner who reports to Council;

**Whereas** South Frontenac Council adopted a Code of Conduct for Council and members of Committees in 2019;

**Whereas** an Integrity Commissioner is responsible for performing in an independent manner the functions assigned by the municipality; and

**Whereas** the *Municipal Act*, requires all municipalities in Ontario to appoint an Integrity Commissioner whose powers and duties are set out in the *Municipal Act, 2001*;

**Therefore Be It Resolved That** the Council of the Corporation of the Township of South Frontenac enacts as follows:

1. **That**, effective December 20, 2023, Tony Fleming, Cunningham Swan Carty Little & Bonham LLP, is hereby appointed as the Township of South Frontenac Integrity Commissioner pursuant to the *Municipal Act*;
2. **That** upon appointment Tony Fleming will have all the functions, powers and duties of an Integrity Commissioner as set out in the *Municipal Act*, and in addition such functions, powers and duties as may be assigned by Council from time to time; subject to an Agreement executed by the Mayor & Clerk and Tony Fleming, Cunningham Swan;
3. **That** the Township of South Frontenac hereby indemnifies and save harmless the Integrity Commissioner or any person acting under the instructions of the Integrity Commissioner for costs reasonably incurred 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 function, duty or authority under the *Municipal Act*, or a By-law passed thereunder, or an alleged neglect or default in the performance in good faith of the function, duty or authority;


4. **That** all actions taken and required to be taken by the Mayor and Clerk on behalf of the Corporation of the Township of South Frontenac to complete this matter including the execution of the Agreement and any other associated documentation are hereby authorized, confirmed and ratified;
5. **That** should any sections of this By-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding;
6. **That** By-law 2018-50, A By-law to Appoint Aird Berlis through its lead John Mascarin as Integrity Commissioner for the Township of South Frontenac is repealed effective December 19, 2023.

**And That** this By-law shall come into force and take effect on December 20, 2023

**Read** a first and second time this 19 day of September, 2023

**Read** a third time and passed this 19 day of September, 2023

  
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Mayor - Ron Vandewal

  
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Clerk - James Thompson