

August 2023

Municipal Governance

AMO Position

- Local governments are a cornerstone of our democratic system: strong, effective and close to the people.
- The collaborative nature of municipal government has long been a strength of our system.
- While AMO has concerns with some “strong mayor” powers – namely those that impact majority rule and public administration – it understands that some of these tools can help municipalities to meet priorities, such as housing.
- Municipalities can be counted on to exercise these powers responsibly.
- Strengthening municipal codes of conduct will enhance local government integrity and public respect.

Overview

Strong Mayor

- The Government of Ontario has made significant changes to the municipal government framework, powers and processes in the last few years.
- The special powers and duties for heads of council are voluntary and subject to certain exceptions. They include powers such as:
 - Creating council committees and appointing chairs and vice-chairs
 - Hiring and firing the CAO
 - Hiring the heads of certain departments and reorganizing administrative structures
 - Proposing the municipal budget for council approval, with veto powers that require a 2/3 council vote to override
 - Vetoing certain by-laws that the head of council believes may interfere with provincial priorities
 - Bringing forward items for council consideration that could advance a provincial priority
- In some circumstances, these powers can be a helpful tool to support progress on priorities such as increasing housing supply.
- AMO has highlighted concerns with two elements of the strong-mayor framework:
 - Majority Rule: Changes to the *Municipal Act* that enable mayors to make law with the support of just one third of Council runs counter to fundamental democratic principles.
 - Public Administration: Powers that enable the head of Council to hire and fire the heads of departments and reorganize municipal administration are at odds with good corporate governance practice.
- These elements are now law, and municipalities can be counted on to use these powers responsibly and in the public interest.

Municipal Codes of Conduct

- All Ontarians expect to work in a safe and respectful environment. Municipal Codes of Conduct are important tools to regulate the respectful behaviour that all council members agree to when they take office
- Municipal governments have limited ability to enforce these Codes in line with members' and the public's expectations.
- AMO has called on the government to table and pass legislation that reflects the following recommendations:
 - Codes of Conduct should be updated to include workplace safety and harassment policies.
 - Codes of Conduct should have an escalating enforcement mechanism through administrative monetary penalties that recognize local circumstances.
 - Integrity Commissioners should have better, standardized training to improve consistency of decisions across the province.
 - In the most egregious cases, such as harassment or assault, municipalities should be able to apply to a judge to remove a sitting member, if recommended by an Integrity Commissioner.
 - A member removed under this process should be unable to sit in another election during the term of office removed and the subsequent term.

Key facts

- Strong-mayor powers were extended to 28 of Ontario's fastest growing communities in July 2023.
- More than 80 municipalities and other municipal organizations, such as the Ontario Big City Mayors, have supported AMO's recommended changes to enhance Municipal Codes of Conduct.

Other resources and reports

- [AMO's advocacy on Codes of Conduct](#)
- [AMO's Comment on the Expansion of Strong Mayor Powers](#)
- [Ontario Announces Expansion of Strong Mayor Powers](#)

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