Authority: Report #2026-A-11

By-law Number 2026-019

of The Regional Municipality of Durham

Being a by-law to appoint Boghosian + Allen LLP as the Integrity Commissioner for the Regional Municipality of Durham.

Whereas pursuant to Part V.1 of the Municipal Act 2001 S.O. c. 25 a municipality is authorized 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;

Now therefore the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That pursuant to section 223.3 (1) of the Municipal Act, 2001, S.O. c. 25, Boghosian + Allen LLP be appointed as the Integrity Commissioner for the Corporation of the Regional Municipality of Durham.

Role

2. That the role of the Regional Integrity Commissioner shall be to perform in an independent manner the functions assigned by the municipality with respect to any or all of the following:

    a. The application of the Code of Conduct for Members of Council and for members of local boards of the municipality;

    b. The application of any procedures, rules and policies of the Region and local boards governing the ethical behavior of Members of Council and of local boards;

    c. The application of sections 5, 5.1, 5.2, and 5.3 of the Municipal Conflict of Interest Act to Members of Council and local boards;

    d. Respond to requests from Members of Council and of local boards for written advice respecting their obligations under the Code of Conduct applicable to the member;

    e. Respond to requests from Members of Council and of local boards for advice respecting their obligations under a procedure, rule or policy of the Region or of a local board, governing the ethical behaviour of members;

    f. Respond to requests from Members of Council and of local boards for advice respecting their obligations under the Municipal Conflict of Interest Act; and

    g. Provide educational information to Members of Council and local boards.

Duties

3. That the Regional Integrity Commissioner shall cause to perform, in an independent manner, the functions of an Integrity Commissioner pursuant to Part V.1 of the Municipal Act, 2001 with respect to the application of the Code of Conduct for Members of Council of the Regional Municipality of Durham, including any legislation, procedures, rules and policies of the Region of Durham governing the ethical behaviour of the Members of Council. The mandate of the Regional Integrity Commissioner will include:

    a. Provisions of advice and education upon request by a Member of Council or by Council as a whole, regarding ethical obligations and responsibilities under their

Code of Conduct, and any other legislation, rules or policies governing their ethical behaviour;

b. Receiving, assessing and investigating where appropriate, complaints made by Council, a member of Council, a member of staff, or a member of the public respecting an alleged breach of the Code of Conduct for the Members of Council of the Regional Municipality of Durham through the provisions of the Code of Conduct and the Complaints Protocol;

c. Receiving, assessing and conducting an inquiry, where appropriate, with respect to requests for inquiry made by an elector or a person demonstrably acting in the public interest concerning an alleged contravention of section 5, 5.1, 5.2, or 5.3 of the Municipal Conflict of Interest Act; and

d. Giving advice on policy issues and the workings of the Regional Integrity Commissioner's office.

Reporting to Council

4. That the Regional Integrity Commissioner shall report directly to Regional Council on the results of investigations, and shall provide an annual report summarizing the year's activities, observations, and any resulting general recommendations.

5. That the Integrity Commissioner may recommend that Regional Council impose penalties in accordance with the Municipal Act, 2001 if in the opinion of the Regional Integrity Commissioner, a Member of Council has contravened the Code of Conduct.

Other General Provisions

6. That should the Regional Integrity Commissioner conduct an investigation or provide any other service, it shall do so in accordance with the terms and conditions of the Agreement executed between it and the Regional Municipality of Durham and shall adhere to all applicable laws, statutes, and established Regional policies.

7. That should the Regional Municipality of Durham desire any further services from the Regional Integrity Commissioner outside what is outlined in this by-law, the Regional Integrity Commissioner may oblige in providing such other services and the Regional Integrity Commissioner will charge their hourly fee in accordance with the Agreement for such other services.

8. That all services provided by the Integrity Commissioner conform to all the statutory requirements of s. 223.3 to 223.8 of the Municipal Act S.O., 2001.

9. That this By-law shall come into effect on November 15, 2026.

10. That By-law #41-2022 shall be repealed effective November 14, 2026.

This By-law Read and Passed on the 29th day of April, 2026.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk