

Authority: Item 3, Audit, Finance &
Administration Committee
Report 22-011
CM: June 8, 2022
Ward: City Wide
Bill No. 147

**CITY OF HAMILTON
BY-LAW NO. 22-**

To Amend By-law No. 16-288, A By-law to Establish and Govern the Office of the Integrity Commissioner and Provide for the Resolution of Allegations of Contraventions of the Code of Conduct by Members of Council

WHEREAS, Council enacted a By-law to Establish and Govern the Office of Integrity Commissioner and Provide for the Resolution of Allegations of Contraventions of the Code of Conduct by Members of Council, being City of Hamilton By-law No.16-288;

WHEREAS, By-law 16-288 requires the complainant to pay to the City Clerk a refundable fee in the amount of \$100.00 upon the filing of a Complaint;

WHEREAS, the refundable fee may penalize complainants for exercising their statutory rights, and may prevent legitimate complaints from being brought forward due to concerns about financial cost;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

That By-law 16-288, being a By-law to Establish and Govern the Office of Integrity Commissioner and Provide for the Resolution of Allegations of Contraventions of the Code of Conduct by Members of Council, be amended by deleting subsections 11.(6)(a), (b) and (c) as follows:

1. 11. ~~(6)(a) A Complainant shall pay to the City Clerk a refundable fee in the amount of \$100.00 upon the filing of a Complaint.~~
~~(b) — The fee payable under paragraph 11(6)(a) shall be refunded to the Complainant when the Integrity Commissioner files their report, except where a Complaint is found to be frivolous, vexatious, or not made in good faith the fee shall not be refunded.~~
~~(c) — Where a Complaint has been stayed, a Complainant may withdraw their Complaint and receive a refund of the fee~~

1. The amendments in this By-law include any necessary indexing, grammatical, numbering and lettering changes.

2. This By-law comes into force on the day it is passed.

PASSED this 8th day of June, 2022.

B. Johnson
Acting Mayor

A. Holland
City Clerk