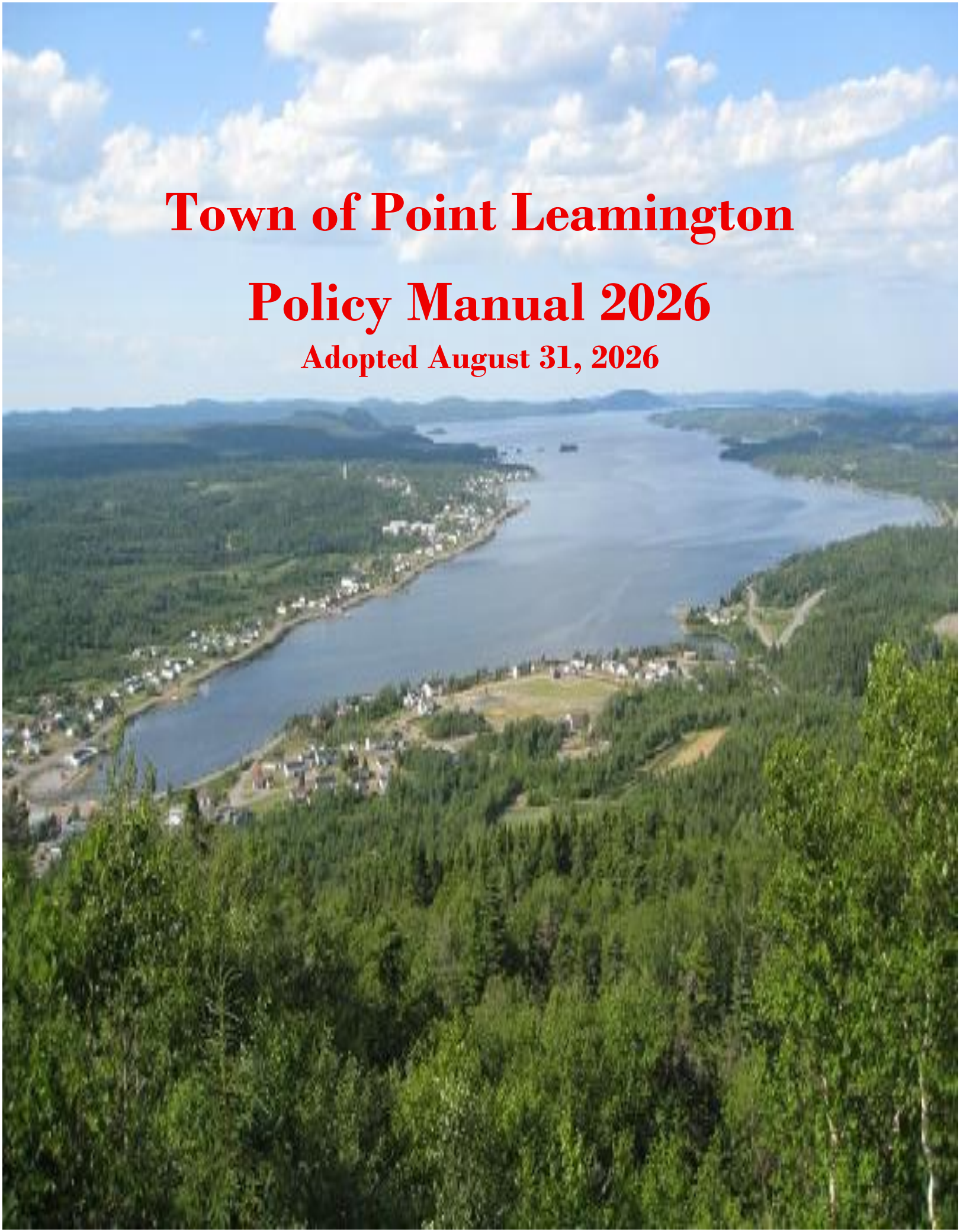


Town of Point Leamington

Policy Manual 2026

Adopted August 31, 2026

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(1)

Accessibility
(added March 19, 2024)

The Town of Point Leamington is committed to fostering a community where people of all abilities can participate in every aspect of public life. All members of our community have the right to access municipal services, supports, spaces and programs in ways that promote independence and dignity.

The Town of Point Leamington is committed to meeting the needs of people with disabilities in a timely manner. We will do so by removing and preventing barriers to accessibility and by meeting our accessibility requirements under Newfoundland's accessibility laws.

(2)

Accountability and Transparency Policy
(March 10, 2025)

Purpose:

The Purpose of this policy is to reinforce the town's commitment to open government, ensuring that all public actions, decisions, and policies are conducted in an environment of openness and responsibility. This commitment is fundamental to fostering trust between the town government and its residents, and to promoting informed public participation.

Statement:

- The town government is committed to upholding both transparency and accountability as core principles in all operations.
- Information regarding town operations, including meeting minutes, budgets, and policy changes, will be made readily available to the public.
- Decision-making processes will be clearly documented and communicated to ensure that residents understand how and why decisions are reached.

Definitions:

- **Transparency** is defined as the openness and clarity with which government activities are conducted. It requires that all decisions, policies, and actions be made accessible to the public in a timely and understandable manner. Transparency entails providing information to residents about how and why decisions are made, thereby facilitating informed community engagement and oversight.

- **Accountability** is defined as the obligations of public officials and institutions to answer for their actions and decisions. This includes a commitment to being responsible for the outcomes of those actions, providing justifications for decisions made, and accepting responsibility for any errors or misconduct. Accountability is achieved through regular reporting, oversight mechanisms, and opportunities for feedback and redress from the public.

(3)

Alcohol and Cannabis use

Employees and authorized personal shall not consume, possess or be impaired by alcohol or cannabis while working, in Town buildings or vehicles, or while operating Town vehicles, machinery or equipment.

Employees must report to work fit for duty and capable of safely performing their assigned duties.

Lawful off-duty use of alcohol or cannabis is permitted provided it does not affect an employee's ability to safely perform their work.

Where medical cannabis or prescribed medication requires accommodation, the Town will consider reasonable accommodation in accordance with applicable legislation. Any employee believed to be impaired while at work may be removed from their duties or from operating Town vehicles or equipment.

Failure to comply with this policy may result in disciplinary action, subject to applicable legislation and employment agreements.

This policy applies to all employees of the town including volunteer firefighters.
(Revised August 31, 2026).

(4)

Ambulance

NL Health Services is responsible for all relations regarding the Ambulance Service.

The Town council will rent out the bay to house the Ambulance. Rental will be reviewed annually. (Revised March 10. 2025).

(5)

ANIMALS

Adoption of Animal Protection Act and Dog Act.

New Dog Control - regulations adopted.

Cattle, chickens, horses and all other farm animals are to be enclosed in a fenced area 100 feet from property line and/or a minimum of 200 feet from residential housing. **(Revised March 10, 2025).**

ARREARS SALE BY-LAW
PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the Towns and Local Service Districts Act, Chapter T-6,2, Section 7(1)(d), the Town of Point Leamington has made the following By-law.

_____
Wilf Mercer
Mayor

BY-LAW

1. TITLE

This By-law shall be known as Arrears Sale By-law.

2. INTERPRETATION

In this by-law:

a) "By-law" means the Town of Point Leamington Arrears Sale By-law.
b) "Council" means the Council of the Town of Point Leamington.
c) "Act" means the Towns and Local Service Districts Act.
d) "Town" means Town of Point Leamington.

3. RESOLUTION

The council of the Town of Point Leamington shall, by resolution, direct that real property be sold by arrears sale upon confirmation by the Town clerk/manager that a Notice of Arrears for the real property was served in accordance with section 146 of the Act where the real property tax, water and sewer fee or a local improvement assessment is in arrears for 18 months and the 90 day period referred to in paragraph 146(2)(d) of the Act has expired.

4. NOTICE OF ARREARS SALE

(1) The Town Clerk/manager shall immediately upon receipt of a copy of the resolution referred to in section 150 of the Act, serve an owner, mortgagee, judgement creditor, lienholder or other person having a charge or encumbrance upon or against the real property with written notice of the arrear's sale.
(2) A person who receives a notice under subsection (1) may, within 14 days of service of the notice, file an appeal with the Town.
(3) Where an appeal has not been filed under subsection (2), the Town Clerk/Manager may advertise the real property referred to in the resolution for
(4)

sale by public auction at a time and place that shall be stated in the advertisement.

(5) Where an appeal has been filed under subsection (2), the Town Clerk/Manager shall not advertise the real property referred to in the resolution for sale by public auction until a decision has been made with respect to the appeal.

(6) An advertisement under this section shall be published in accordance with section 292 of the Act at least 30 days immediately before the date of the arrear's sale.

(7) It is sufficient in the notice and the advertisement to put the street and number of the real property, or to put another short reference by which the real property may be identified, together with a statement that a full description my be seen at the office of the Town hall.

5. ARREARS SALE

The arrears sale will be conducted in compliance with the Towns and Local Service Districts Act.

6. COMPLIANCE WITH OTHER ACTS AND REGULATIONS

Nothing in this By-law serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other By-law of the Town or any statue or regulation of the Province of Newfoundland and labrador, and in such cases where more than one regulation or statute applies the more restrictive regulation or statute shall apply.

7. EFFECTIVE DATE

This By-law shall come into force on the 10 day of March, 2025

In witness whereof the Seal of the Town of Point Leamington has been affixed hereto and the By-law has been signed by the Mayor and Town Manager on behalf of Council on this 10th day of March, 2025.

_____	_____
Wilf Mercer	Wanda Ryan
Mayor	Town Clerk/Manager

(8)

BUILDINGS

Adoption of Building Act. (Attached)

Town is not in a position to provide Building Inspections. Every permit holder is responsible to comply with all Government Regulations according to the Building Act.

Frontage for new building lots is a minimum of 50 feet.

Permits are not required for interior work on buildings unless original purpose for the building is changed. Permits will expire December 31.

Applications for non-residential housing are to be submitted, along with plans to Fire Commissioner for approval. Buildings with three or more family units are to go to the fire commissioner for approval.

Anyone in town moving a building is to ensure all permits are in order. The town will not be liable for any damages that may occur.

Maintenance personnel to check on all building permits to see that application conditions have been met (including overhead wires). A follow-up visit will be made after completion of construction

Number of feet to build from a main water line is 20 feet.

There is to be no building, structure or items of any kind on our service lines**. (Revised February 27, 2023)**

Residential and commercial buildings must be 5 feet from the property line and all secondary buildings (sheds/garages) can be 2 feet from the property line with a one-foot eave.

No construction or digging to start unless a permit has been issued. Permits are required for construction, reconstruction and excavation. (**Revised Feb.1, 2021).**

Residents will incur a $ 100.00 charge, when permits for any work that has been started have not been received and or approved by town office. (**Revised Feb.1, 2021**).

All commercial buildings must have a “permit to occupy” from Council.
Approval must first be received from Government Services and Lands.
All construction, including structures placed on land has to be up to presentable appearances.

(9)

Sea Can containers may be approved for placement on property within town. A building application for sea cans must be provided to council for review. (**Revised March 28, 2024).**

Code of Conduct for Councilors

Part 1: Code of Conduct for Councilors

1. Authority

This Code of Conduct Policy is required by Section 12 of the **Municipal Conduct Act (the "Act")**. Pursuant to section 18(9) of the Act, where this code is amended, municipal officials shall be notified within one month of the changes being made.

2. Definitions

2.1. "Business day" means a day that is not a Saturday, Sunday, or a holiday.

2.2. "Complainant" means any Person making a Complaint including members of the public.

2.3. "Confidential information" means: information in the custody and/or control of the municipality that is prohibited from disclosure pursuant to legislation or court order or any other information regarding to the business of the municipality generally considered to be of a confidential nature, including, but not limited to:

a) information of which the confidentiality is protected by law;

b) personal information that is protected under the **Access to Information and Protection of Privacy Act*, 2015***;

c) information that could cause financial loss or gain to a person or the town, or could jeopardize negotiations leading to an agreement or contract;

d) the proposed or pending acquisition or disposition of land;

e) information that could violate the confidentiality of information obtained from the Government of Canada or from the government of a province or territory;

f) information concerning legal opinions or advice provided to the town council by its lawyer or privileged communications between lawyer and client in a matter of town business;

g) litigation or potential litigation affecting the town or a municipal service delivery corporation or a matter before a board, commission or tribunal that affects the town or a municipal service delivery corporation;

h) the access to or security of buildings and other structures occupied or used by the town or access to or security of systems of the town, including computer or communication systems;

i) information gathered by the Royal Canadian Mounted Police and Royal Newfoundland Constabulary, in the course of investigating any illegal activity or suspected illegal activity, or the source of that information; or

j) labour and employment matters, including the negotiation of collective agreements.

2.4. “Councilor” means an elected or previously elected member of a town or city council, including, the Mayor and Deputy Mayor.

2.5. “Chief Administrative Officer” (CAO) refers to the person appointed to the position of Manager under the **Local Towns and Service Districts Act** In the event a municipality has not established the position of Town Manager/CAO, the duties of the CAO under this Code of Conduct shall be performed by the **Town Clerk.**

2.5.1. Through a motion of council, the Council shall determine an alternate employee, councilor or third party should the CAO be unable to perform the functions prescribed in the Code of Conduct Policy.

2.6. “External Investigator” means an independent, qualified third party hired to investigate a Complaint and submit a report to council.

2.7. "Harassment" means inappropriate vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended, or intimidated.

2.8. “Informal resolution” is intended to be an expeditious process which, if successful, may allow for an issue to be resolved for both parties without the need of a formal decision of council. This process would help to restore a professional municipal relationship, and/or allowing both sides to better understand each other.

2.9. “Information Package” contains the submitted complaint, response to the complaint and any other information requested by council.

2.10. “Municipal Official” means, unless the context indicates otherwise, an employee of a municipality, including the Town Manager and Town Clerk, fire chiefs, fire fighters and all volunteers authorized by the municipality.

3. Application

This Code of Conduct applies to councilors acting in their official capacity as councilors, as well as a councilor off duty conduct that is sufficiently connected to the office of councilor which could reasonably discredit the reputation of the municipality.

4. Standards of Conduct:

4.1. Standards of Professional Behavior

Councilors are encouraged to communicate inclusively to promote equity and the equal participation of the general public, council, and all municipal officials.

4.1.1. Councilors must reasonably abide by the Council's Rules of Procedure.

4.1.2. Councilors must be respectful of the presiding officer, their colleagues, staff, and members of the public at all times, including during all council meetings and proceedings of the municipality.

4.1.3. Councilors must be prepared for meetings, aware of agendas, informed of issues, and contribute to debate in a manner that is meaningful, candid, honest, respectful, and equitable.

4.1.4. Councilors must act in a manner which supports respectful, transparent, and informed debate.

4.1.5. Councilors must use language which is inclusive, respectful, and refrain from using language which could be interpreted as abusive or disrespectful.

4.1.6. Councilors must conduct their official duties in a manner which does not bring disrepute to their position, the Council, or the municipality.

4.1.7. Councilors must not make statements which are oppressive, or discriminatory.

4.2. Use of Influence

4.2.1. Councilors must only use the influence of their position for the exercise of their official duties.

4.2.2. Councilors must not use their authority or influence in a manner that could reasonably be perceived as threatening, coercing, or improperly influencing the actions of a municipal official or in a manner which interferes with the municipal official's responsibilities.

4.2.3. Councilors are prohibited from accepting gifts, favors, or free or discounted services from any individual, vendor, contractor or others which could reasonably be perceived to show undue favor, bias, or disadvantage to any individual or organization or could reasonably be perceived to place the councilor in a conflict of interest.

4.2.4. Councilors must not communicate on behalf of the Municipality unless authorized by council or by virtue of a position or role the councilor has been authorized to undertake by council.

4.3. Misuse of Public Assets and Fraud

4.3.1. Subject to the **Councilor Remuneration Regulations, 2001**, Councilors must report all expenses promptly, accurately, provide adequate detail, and shall maintain all receipts, invoices, and other relevant financial records and details when claiming expenses.

4.3.2. Councilors must ensure that the business of the municipality is conducted efficiently and must avoid waste, abuse, and extravagance in the provision and use of municipal resources.

4.3.3. Councilors must not request, use, or permit the use of municipal-owned vehicles, land, equipment, materials and other property for personal convenience, profit, or any action in violation of Section 5 of the **Municipal Conduct Act**.

4.4. Confidentiality

4.4.1. Councilors must keep confidential any matters discussed in privileged/closed meetings of the town council or town council committee meetings until such time as the matter is discussed at a town council meeting held in public, except as required by law or as authorized by the Municipality to do so.

4.4.2. Councilors must not use confidential information or official information which is not in the public domain for personal or private gain, the private gain of others, or a corporation.

4.4.3. The collection, protection, access, use, disclosure, and disposal of personal information, including a submitted complaint, may only occur in compliance with the **Access to Information and Protection of Privacy Act, 2015** (ATIPPA, 2015).

4.5. Social Media/Public Commentary

4.5.1. Councilors must not engage in conduct on social media platforms or otherwise engage in public commentary in a manner which would bring the integrity of themselves, the council, or the Municipality into disrepute.

4.5.2. Councilors must conduct municipal business through official accounts.

4.6. Harassment and bullying

The obligations in this section are not intended to fulfill the requirement of a municipality as an employer to implement and maintain a Harassment Prevention Plan, under Section 24.1 of the **Occupational Health and Safety Regulations.**

If a complaint relates to harassment, the CAO shall refer to the adopted Harassment Prevention Plan and if necessary, contact OHS for guidance. Depending on the outcome of the process, penalties may be applied pursuant to the **Municipal Conduct Act** and **Regulations**.

4.6.1. Harassment may include, but may not be limited to:

1. Abuse of authority – harassment that occurs through a use of authority serving no legitimate work-related purpose or any legitimate exercise of authority permitted by law and duly authorized by Council.

2. Discriminatory harassment – harassment that is based on actual or perceived prohibited grounds of discrimination as outlined in the **Human Rights Act, 2010**, such as race, color, nationality, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income, or political opinion.

3. Sexual harassment – harassment which is gender-based or of a sexual nature.

4. Bullying – a repeated pattern of mistreatment aimed at a specific person or group.

4.6.2. While conducting municipal business, all members of Council shall ensure that their work environment is free from discrimination, bullying, intimidation and harassment.

4.7. Legislative Compliance

4.7.1. A councilor must reasonably comply with all obligations imposed on councilors by legislation, regulation, and municipal policy and procedures.

4.8. No Adverse Actions or Reprisals

4.8.1. Council or councilors must take no action, and must, to the best of their ability, ensure no action is taken, which would be reasonably perceived as a reprisal against any person acting in good faith who brings forward a complaint or information which leads to a complaint.

4.9. Allegations in Bad Faith

4.9.1. A councilor or municipal official shall not file a complaint under this policy, which is retributive, made in bad faith, or with malicious intent. A complaint will not be deemed to be retributive, made in bad faith, or malicious solely because it is ultimately determined to be unfounded.

4.10. Investigation

4.10.1. A councilor shall not hinder, obstruct, attempt to obstruct, interfere with, threaten, harass, or fail to cooperate with a person investigating under the Act and regulations, and this Code of Conduct.

Part 2: Code of Conduct Complaint Process

Submitting a Complaint

1. Where a person(s) is of the opinion that a Councillor(s) has violated the Municipal Conduct Policy for Councillors, then a complaint filed under this Code of Conduct shall be filed with the Chief Administrative Officer (CAO).

2. A complaint shall be in writing and shall include the following information (See Annex A):
   - The complainant's name and contact information;
   - The names of the person(s) the complaint is about;
   - A summary of the complaint, and any steps taken to resolve it;
   - The date the alleged breach of the code occurred, applicable legislative sections perceived as violated, if known;
   - A description of how the complaint can be resolved informally (See Option 1, if applicable); and
   - Any other information deemed necessary by the CAO.

3. A CAO may accept a complaint confidentially where, in the CAO's opinion, it is reasonable to do so, considering the public interest. In addition, a complaint may be made by other means where the complainant has a limited ability to read or write English or has a disability or condition that impairs their ability to make a written complaint.

4. A complainant may withdraw their complaint to the CAO, at any time, in writing or by other means as per section 3.

5. A person may file a complaint within 6 months of becoming aware of a Code of Conduct violation. The CAO may accept complaints outside of that timeframe in instances of harassment, bullying, financial impropriety, or where it is reasonable to do so, taking into account the public interest.

Responding to a Complaint:

1. CAO receives complaint.
   1.1. Where the CAO cannot act on the complaint process due to conflict-of-interest provisions, then the town shall delegate an alternate or seek legal advice to support the complaint process.

   1.2. Where a complaint alleges criminal behavior, or at any point it becomes apparent that criminal behavior may have occurred, the CAO may seek legal guidance. If the CAO forwards the submitted complaint to the appropriate law enforcement agency, then the CAO shall immediately schedule a privileged/closed meeting where council is notified that a complaint has been subsequently referred.

   The Complainant will be notified in the event it has been referred to a law enforcement agency.

   1.3. If a complaint relates to harassment, the CAO shall refer to the adopted Harassment Prevention Plan and if necessary, contact OHS for guidance. Depending on the outcome of the process, penalties may be applied pursuant to the **Municipal Conduct Act** and **Regulations**.

   The Complainant will be notified should it be supported by the Harassment Prevention Plan.

2. The CAO shall send a copy of the complaint to the councillor(s) no later than five (5) business days after receipt of the complaint.

3. The councillor(s) may provide a written response respecting the complaint to the CAO no later than 10 business days after receipt of a copy of the confidential complaint.

   3.1. The councillors may include the following (See Annex B):
   - The councilors name and contact information;
   - A response to the complaint;
   - Supportive of an informal resolution: See Option 1 (Internal);
   - If applicable, a description of how the complaint can be resolved informally; and
   - Any other information deemed necessary by the councilor.

4. The CAO may extend the timeline for a written response and shall ensure all parties are aware of the extension.

5. Where the councilor provides a written response, the CAO shall send a copy of the written response to the complainant within five (5) business days after receipt of the written response.

6. CAO may decide to group similar code of conduct complaints and shall notify the complainant(s) and councilor(s).

Code of Conduct Complaint Resolution:

Option 1: Informal Resolution (Internal)
The informal resolution applies to internal disputes. If both the Complainant(s) and the Councilor(s) consent, then the CAO may initiate informal dispute resolution. **This is the preferred option to support internal complaints**. External complaints would typically be addressed under Option 2: Referral to Council.

The CAO should refrain from providing a recommendation to the council regarding the merits of a code of conduct complaint.

1. Informal resolution efforts shall be concluded within 20 business days of the initial complaint and may be extended for additional business days with consent of both parties and approval of the CAO.

2. Informal resolution must not be used where there is a significant power imbalance between the complainant and the councilor(s), where there is a reasonable apprehension of harm, where the allegations involve issues of financial impropriety, sexual harassment, violence, criminality, where either party does not consent, or where other circumstances would prevent the success of informal resolution.

3. If the complainant is satisfied by the outcome of the informal steps taken to resolve the matter, then the complainant may confirm the complaint was successfully resolved, otherwise refer to Option 2.

4. As per sections 14 (2) of the Act, where a complaint is successfully resolved the CAO shall inform council during a privileged/closed meeting that a complaint was made by was successfully resolved through the informal resolution process.

5. If complaint has been withdrawn, the Councilor(s) should be notified.

Option 2: Referral to Council

The CAO should refrain from providing a recommendation to the council regarding the merits of a code of conduct complaint. **Option 2 should reasonably address most submitted code of conduct complaints.**

1. Where informal resolution was not an option or the complainant and/or councilor was not satisfied with the outcome.

2. Then, within 30 business days of receiving the initial complaint, the CAO shall:
    2.1. prepare an information package regarding the complaint;
    2.2. refer the complaint to council during a privileged/closed meeting;

2.3. provide a copy of the information package to the council during a privileged/closed meeting; and
2.4. provide written notice of the referral to the complainant and the councillor.

3. A referral to the council may be reasonably extended for additional business days. The councilor and complainant shall be notified of the extension.

4. No later than 10 business days after council receives the confidential information package, then the council shall schedule a regular or special meeting. The information package is discussed during a privileged/closed meeting of council.
   4.1. While recognizing legislated conflict of interest provisions, the council may allow a statement from the complainant(s) and councilor(s) in a privileged/closed meeting.

5. Following the review of the information package during a privileged/closed meeting, the council shall open the meeting to the public and shall, by resolution:
   5.1. re-direct to the CAO for additional information;
   5.2. proceed with Option 3: order a third-party investigation via a motion of council;
   5.3. dismiss the complaint; or
   5.4. decide if the councillor violated the Councillor Code of Code Policy.

6. If the council finds a councilor(s) contravened the code, the council shall, during a public council meeting, by resolution, take an action as set out in Section 15 (Penalties) of the **Municipal Conduct Act**.

7. The CAO shall notify the complainant(s) and Councilor(s) with the decision of council.

Option 3: Formal Investigation, if required

The CAO should refrain from providing a recommendation to the council regarding the merits of a code of conduct complaint. **This option is typically reserved for serious complaints in which council requires an External Investigator to support the decision-making process.**

1. Where the complaint was not resolved utilizing Option 1 or 2, then council can determine to engage an external investigator through a motion of council.

2. There shall be 40 business days to conclude an investigation from the date the informal resolution period has expired.
   2.1. Upon request of the external investigator, the council may approve up to 30 more business days for the investigation.

3. The external investigator will prepare a written report for the council. The report should outline the investigative process, facts, analysis, test (an assessment of the information relative to the Code of Conduct), conclusion, and recommendations. The format is determined by the investigator.

4. The council shall review the report at a privileged/closed meeting,
   4.1. While recognizing legislated conflict of interest provisions, the council may allow for a statement from the complainant(s) and councilor(s) in a privileged/closed meeting.

5. Following the review of a report, the council shall open the meeting to the public and shall, by resolution:
   5.1. Dismiss the complaint; or
   5.2. Make a determination that the councilor contravened the code of conduct.

6. If the council finds that a councilor contravened the code, the council shall, during a public council meeting, by resolution, take an action as set out in Section 15 (Penalties) of the **Municipal Conduct Act**.

7. The CAO shall notify the complainant(s) and Councilor(s) with the decision of council.

Resolution/Motion: _____

Date Approved by Council: _____

Signature of Mayor: _____

Signature of CAO/Town Clerk: _____

ANNEX A: Complaint Form	
Part 1: The complainant's name and contact information.	
Part 2: The names of the person or persons the complaint is about.	
Part 3: A summary of the complaint, and any steps taken to resolve it.	

Part 4: The date that the alleged breach of the code occurred, applicable legislative sections which were perceived to be violated, if known.	
Part 5: A description of how the complaint can be resolved informally, if applicable.	
Part 6: Any other information deemed necessary by the CAO.	
Name of Complainant:	
Date of Complaint:	Click or tap here to enter text.

ANNEX B: Councilor Response Form	
Part 1: The Councilor's name and contact information.	
Part 2: A response to the complaint.	

Part 3 (Internal only): Supportive of an informal resolution to resolve complaint (YES/NO)	
Part 4: Any other information deemed necessary by the CAO.	
Date of Response:	Click or tap here to enter text.

(22)

Code of Conduct – Municipal Officials

Town of Point Leamington

1. Introduction

The purpose of this Code of Conduct is to establish rules of conduct for municipal officials. Part III of the **Municipal Conduct Act, 2022** (the Act), requires that municipalities establish a Code of Conduct to govern the conduct of municipal officials and sets out minimum requirements for the Code of Conduct.
Municipal officials are expected to conduct themselves ethically and professionally, and in accordance with this Code of Conduct. The principles underlying the Code of Conduct are integrity, honesty, impartiality, responsibility and accountability.

2. Application

This Code of Conduct applies to municipal officials acting in their official capacity as municipal officials, as well as a municipal official's off-duty conduct that is sufficiently connected to their position or that could reasonably discredit the reputation of the Municipality.
For the purpose of this Code of Conduct, Municipal Official is defined to mean a chief administrative officer, an employee of a municipality, or any person acting with or without remuneration, under the direction of a municipality, including fire chiefs and fire fighters providing services for or to a municipality.

This Code of Conduct is intended to set out the expectations on municipal officials, and to be read in conjunction with any applicable employment policies or collective agreements. Nothing in this Code of Conduct is to be read in a way to limit an employer's ability to manage the workplace or discipline employees for a breach of this Code of Conduct, regardless of whether a complaint has been made, in accordance with applicable labor and/or employment law.

Interpretation: For the purpose of this policy, Chief Administrative Officer of CAO refers to the person appointed to the position of Manager under the Municipalities Act, 1999. In the event a municipality has not established the position of a town manager, the duties of the CAO under this Code of Conduct shall be performed by the Town Clerk.

PART I
Standards of Conduct

3. Standard of Conduct:

3.1. Standards of Professional Behavior

3.1.1. Municipal officials must adhere to the policies and procedures of the Municipality.

3.1.2. Municipal officials must work in the best interest of the municipality without regard for their personal interests.

3.1.3. Municipal officials must act competently and diligently and perform at a level expected of those working in the public interest.

3.1.4. Municipal officials shall respect other municipal officials, Council, councilors, and members of the public.

3.1.5. Municipal officials must use language which is inclusive, respectful, and refrain from using language which could be interpreted as abusive or disrespectful.

3.1.6. Municipal officials must, in private and public, conduct themselves in a manner which does not bring disrepute to themselves, their position, the Council, or the municipality.

3.1.7. Municipal officials may not make decisions, take positions, or make statements which are unreasonable, unjust, arbitrary, oppressive, or discriminatory.

3.2. Use of Influence

3.2.1. Municipal officials must only use the influence of their position for the exercise of their official duties.

3.2.2. Municipal officials must not use their authority or influence in a manner that could reasonably be perceived as threatening, coercing, or improperly influencing the actions of any person.

3.2.3. Municipal officials are prohibited from accepting gifts, favors, or free or discounted services from any individual, vendor, contractor, or others which could reasonably be perceived to show undue favor, bias, or disadvantage to any individual or organization or could reasonably be perceived to place the official in a conflict of interest.

3.3. Misuse of Public Assets and Fraud

3.3.1. Municipal officials must report all expenses promptly, accurately, provide adequate detail, and shall maintain all receipts, invoices, and other relevant financial records and details when claiming expenses.

3.3.2. Municipal officials must conduct the business of the municipality in a manner that is efficient and must avoid waste, abuse, and extravagance in the provision and use of municipal resources.

3.3.3. Municipal officials must not request, use, or permit the use of municipal-owned vehicles, land, equipment, materials, or other property for personal convenience or profit, except where such privileges are granted to the general public, or except where authorized by Council or the CAO.

3.4. Confidentiality

3.4.1. Municipal officials must not disclose confidential information obtained in the course of their duties, except as required by law or as authorized by the Municipality to do so.

3.4.2. Municipal officials must not use confidential information or official information which is not in the public domain for personal or private gain, the private gain of others, or a corporation.

3.4.3. The collection, protection, access, use, disclosure, and disposal of personal information may only occur in compliance with the **Access to Information and Protection of Privacy Act, 2015.**

3.4.4. Confidential information means: information in the custody and/or control of the municipality that is prohibited from disclosure pursuant to legislation or court order or any other information that pertains to the business of the municipality generally considered to be of a confidential nature, including, but not limited to:

k) Any matter that falls under the exceptions to disclosure identified in the **Access to Information and Protection of Privacy Act** (ATIPPA), whether or not a request for access has been made;
l) Personal information which would constitute an unreasonable invasion of privacy;
m) Potential acquisitions or disposition of real property;

n) Information which would reveal the substance of deliberation of a privileged meeting;
o) Pending contracts including tenders, requests for proposals (RFPs), and records related to potential procurement;
p) Draft documents and legal instruments including reports, policies, bylaws and resolutions that have not been the subject matter of deliberation in a meeting open to the public;
q) Employment and collective bargaining matters;
r) Legal matters;
s) Law enforcement matters.

3.5. Social Media

3.5.1. Municipal officials must not engage in conduct on personal or official social media platforms which would bring the integrity of themselves, the council, or the Municipality into disrepute.

3.5.2. Municipal officials must, where possible, conduct municipal business with residents through official accounts and devices and avoid conducting municipal business on personal devices or through personal accounts.

3.6. Harassment and bullying

3.6.1. The obligations in this section are not intended to fulfill the requirement on a municipality as an employer to implement and maintain a harassment prevention plan, under section 24.1 of the **Occupational Health and Safety Regulations.**

3.6.2. Municipal officials must not engage in harassment or bullying.

3.6.3. All municipal officials shall treat members of the public, one another, staff, and volunteers appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination, bullying and harassment.

3.6.4. Harassment is defined as any objectionable or offensive behavior that is known or ought reasonably to be known to be unwelcome. Harassment may be intended or unintended. Harassment may include, but may not be limited to:

a) Abuse of authority – harassment that occurs through a use of authority serving no legitimate work purpose.

b) Discriminatory harassment – harassment that is based on actual or perceived prohibited ground of discrimination as outlined in the **Human Rights Act, 2010**, such as race, color, nationality, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income, or political opinion.

c) Sexual harassment – harassment which is gender-based or of a sexual nature.

d) Bullying – a repeated pattern or mistreatment aimed at a specific person or group.

3.7. Legislative Compliance

3.7.1. A municipal official must reasonably comply with all obligations imposed on the municipal official by legislation, regulation, and municipal policy and procedures, including but not limited to:

a) **Towns and Local Service Districts Act;**
b) **Municipal Conduct Act;**
c) **Municipal Elections Act;**
d) **Public Procurement Act;**
e) **Urban and Rural Planning Act, 2000;**
f) **Access to Information and Protection of Privacy Act, 2015;**
g) **Occupational Health and Safety Act;**
h) **Human Rights Act, 2010; and**
i) Any accompanying regulations

3.8. No Adverse Actions or Reprisals

3.8.1. Municipal officials must take no action, and must to the best of their ability ensure no action is taken, which would be reasonably perceived as a reprisal against any person acting in good faith who brings forward a complaint or information which leads to a complaint.

3.9. Allegations in Bad Faith

3.9.1. A municipal official shall not file a complaint under this policy which is retributive, made in bad faith, or with malicious intent. A complaint will not be deemed to be retributive, made in bad faith, or malicious solely because it is unfounded.

3.10. Investigation

3.10.1. A municipal official shall not hinder, obstruct, attempt to obstruct, interfere with, threaten, harass or fail to cooperate with a person conducting an investigation under the Act, regulations, and this Code of Conduct.

4. Conduct Complaint and Investigation Procedure

4.1. Process

4.1.1. When a complaint is submitted alleging a breach of conduct under sections 3.2 (use of influence), 3.3 (use of public resources or fraud), or 3.6 (harassment and bullying) the Chief Administrative Officer (CAO) shall follow the procedure set out here.

4.1.2. When a complaint is received regarding another section of the Code of Conduct, the procedure followed is subject to the discretion of the CAO.

4.2. Receiving a Complaint

4.2.1. A complaint filed under this Code of Conduct shall be filed with the CAO.

4.2.2. In the event that the complainant or respondent is the CAO, the complaint shall be filed with the mayor.

4.2.3. Where the complainant or respondent is the CAO, the following process will still apply, but the mayor will act as the CAO for the purpose of administering the complaint.

4.2.4. The complaint shall be in writing.

4.2.5. Notwithstanding section 4.2.4 a complaint may be made by alternate means where the complainant has a limited ability to read or write English or has a disability or condition that impairs their ability to make a complaint.

4.2.6. A complaint shall include the following:

- The complainant's name;
- The names of the person or persons the complaint is about;
- A summary of the complaint, and any steps taken to resolve it;
- The date that the breach of the Code of Conduct occurred, if known; and
- A description of how the complaint can be resolved, if applicable.

4.2.7. Notwithstanding section 4.2.6, a CAO may accept a complaint confidentially where, in the opinion of the CAO, it is reasonable to do so, taking into account the public interest.

4.2.8. A complainant may withdraw their complaint in writing or by other means as per section 4.2.5. Notwithstanding, the CAO or investigator may continue investigating where it is reasonable to do so, taking into account the public interest.

4.2.9. Where a complaint is received alleging criminal behavior, or at any point it becomes apparent that criminal behavior may have occurred, the CAO shall immediately contact law enforcement, and notify the Department of Municipal and Provincial Affairs through the Minister's Office.

4.2.10. A person may file a complaint within 6 months of becoming aware of a Code of Conduct violation. The CAO may accept complaints outside of that timeframe in instances of harassment, bullying, use of public resources or fraud, or where it is reasonable to do so, taking into account the public interest.

4.3. Informal Resolution

4.3.1. Where the CAO determines the complaint to be interpersonal in nature, or relates to a disagreement, the CAO may ask the parties if they wish to resolve the complaint through mediation, or Alternative Dispute Resolution (ADR).

4.3.2. ADR must not be used where there is a significant power imbalance between the complainant and respondent, where there is a reasonable apprehension of harm, where the allegations involve issues of financial impropriety, sexual harassment, violence, criminality, where either party does not consent, or where other circumstances would prevent the success of ADR.

4.3.3. Informal resolution efforts shall be concluded within 20 business days, and may be extended for additional business days with consent of both parties and approval of council.

4.4. Resolution or Agreement of Facts

4.4.1. Where a complaint is successfully resolved or not resolved but complainants agree on the facts, the CAO shall write a report and either dismiss the complaint or make a determination that an official contravened the Code of Conduct.

4.4.2. Where a complaint is against a department head or an employee reporting directly to Council, or where the CAO determines it is necessary, the CAO shall provide the report to council and council shall either dismiss the complaint or make a determination that an official contravened the Code of Conduct.

4.4.3. The CAO or Council may decide upon appropriate penalties in accordance with applicable labor and/or employment law.

4.5. Formal Investigation

4.5.1. Where the complaint is not resolved or the facts are not agreed on, the CAO may investigate or appoint an investigator. There shall be 40 business days to conclude an investigation from the date the informal resolution period has expired. Upon request of the CAO, Council may approve up to an additional 40 business days for the completion of an investigation.

4.5.2. The investigator will notify the respondent within five business days of the failure of informal resolution and provide copy of the complaint.

4.5.3. The respondent may provide a written response to the CAO no later than 10 business days after receipt of a copy of the complaint.

4.5.4. The investigator will prepare a written report for council.

4.5.5. The report shall at a minimum outline the investigative process, facts, analysis, test (an assessment of the facts relative to the Code of Conduct), conclusion. The report may include recommendations.

4.5.6. Council shall review the report at a privileged meeting, and shall within 20 business days, dismiss the complaint or find that a municipal official contravened the Code of Conduct.

4.5.7. Council and/or the CAO may decide upon appropriate disciplinary penalties in accordance with applicable labor law.

5. Conflict of Interest

5.1. Disclosure Statements

5.1.1. A conflict of interest is defined as per section 5 of the Act.

5.1.2. The CAO will file a disclosure statement in accordance with section 4(2) of the Act.

5.1.3. Department heads and those reporting directly to Council shall file disclosure statements with the CAO, in the form set out in subsection 4(3) of the Act. However, disclosure statements from spouses of these municipal officials are not required.

5.1.4. Disclosure statements shall be filed with 30 days of employment, and on or before March 1 each year.

5.1.5. Where there is a change in the information contained in employee disclosure statements, the official must report the change(s) to the CAO within 60 days of becoming aware of the change(s).

5.2. Suspicion of Conflict of interest

5.2.1. Where a municipal official suspect they may be in a conflict of interest as defined by section 5 of the Act:

a) If the official is the CAO or reports directly to council, the CAO or official must disclose the suspected conflict of interest directly to Council and Council shall determine, within a privileged meeting, whether the CAO or official is in a conflict of interest;

b) All other officials, including volunteers, must disclose their suspicion to the CAO, and the CAO shall determine whether the official is in a conflict of interest.

5.3. Conflict of Interest Complaints

5.3.1. Where an individual believes a municipal official has acted in a conflict of interest, the individual may file a complaint with the CAO.

5.3.2. Where an individual believes a CAO has acted in a conflict of interest, the individual may file a complaint with Council.

5.3.3. A complaint shall be in writing and shall include the following information:

a) The complainant's name;
b) The nature of the conflict of interest; and
c) the municipal officials' actions in relation to the conflict of interest.

5.3.4. Notwithstanding section 5.3.3., a complaint may be made by alternate means where the complainant has a limited ability to read or write English or has a disability or condition that impairs their ability to make a complaint.

5.4. Conflict of Interest Investigations

5.4.1. For complaints relating to the CAO, a department head, or an employee reporting directly to council, the procedure below will be followed.

5.4.2. Where a complaint is received relating to another employee, the process followed shall be at the discretion of the CAO.

5.4.3. Where the complaint relates the CAO, Council shall fill the role of the CAO in the procedure outlined below.

5.4.4. The CAO shall send a copy of the complaint to the respondent within five business days after receipt of the complaint.

5.4.5. The respondent may provide a written response to the CAO no later than twenty business days after receipt of a copy of the complaint. The respondent shall be advised that their response will be provided to the complainant.

5.4.6. Where there is a written response, the CAO shall send a copy to the complainant within one business day after receipt of the written response.

5.4.7. The CAO shall review the complaint and the respondent's written response within ten business days after receipt of a written response, or where a written response is not provided, the CAO must review the complaint within ten business days after the time period to file the written response has expired, and must:

a) prepare a written report of the complaint;

b) refer the complaint to Council, along with a copy of the report, to consider in a privileged meeting;

c) advise the complainant in writing, that Council is considering the complaint;

d) within fifteen business days after receiving the report, Council may, by resolution, advise the CAO to:

e) dismiss the complaint;

f) make a determination that the municipal official acted in a conflict of interest; or

g) order a third-party investigation to determine whether the municipal official acted in a conflict of interest.

5.4.8. Where a complaint is made against a CAO, complaints will be made to council. Council will investigate the complaint in the manner described above.

5.4.9. Where a municipal official has been found to be in a conflict of interest, whether through their own disclosure or by complaint and investigation, the CAO and/or council shall take appropriate actions to resolve the conflict of interest. This may include removal of the municipal official from particular duties, decisions, or discussions, or evaluating an affected decision.

5.4.10. Notwithstanding section 5.4.8. and 5.4.9, and in accordance with section 18(5) of the Act, the CAO may provide advice to Council on a matter in which the CAO has a conflict of interest where:

a) The CAO disclosed the conflict of interest and the nature of the conflict of interest to the council; and

b) The council made the request for advice knowing of the CAO's conflict of interest.

5.4.11. Council and/or the CAO may decide upon appropriate disciplinary penalties in accordance with applicable labor and/or employment law.

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Council Matters

Council Rules of Procedure Adopted May 24, 2016. **(attached)**

Municipal Councilor code of conduct adopted March 10, 2025 **(attached)**

Municipal official code of conduct adopted February 27, 2023. **(attached)**

Towns and Local Service Districts Act adopted March 10, 2025.

Arrears sale By-law adopted March 10. 2025.

Pay per diem applied for each Councilor and spouse attending the MNL convention. Claim can be paid in advance. Council will determine how many Councilors and if staff will attend conventions.

Claims can be paid, without going through a meeting, for Council representatives when attending pre-approved meetings or meetings for reps appointed by Council.

Guidelines for Meals during council or town business will be set at $75.00 for a full day or $20.00 breakfast, $20.00 Lunch and $35.00 for Supper. Incidentals $15.00 per day. (**Revised February 27, 2023).**

Councilors are to notify Town Clerk if unable to attend a meeting by 3:00 pm the day of the meeting.

All citizen complaints must be in writing, signed and tabled in Council.

Copies of outgoing correspondence are to be brought in to council meetings if requested.

Any councilor wishing to have something added to the agenda should notify clerk two working days before the next meeting.

Persons wishing to meet with council must inform the Clerk two working days before the next meeting in order to be placed on the agenda. Persons must also let the Clerk know the reason for meeting. One half hour will be the scheduled time for a meeting.

Councilors are encouraged to use the council chambers, instead of the main office, to conduct business.

Beginning January 2006 an annual remuneration is to be paid to Council. Effective January 2025, remuneration will be: Mayor – 4000.00, Deputy Mayor - 2200.00, Councilors - 2000.00 each. **(Revised March 10, 2025).**

$150 a day will be paid to Council members attending Council related functions if they will lose a day's work and pay in doing so (Revised August 31, 2026). Verification of loss of income from employer as well as proof of attendance is required. This will be at Council discretion as well as approved before doing so.

Effective immediately the Town Council of Point Leamington will meet at least once a month as stated in the *Towns and Local Service Districts Act,* Section 39. Any other special meetings will be at the call of the Chair. A half hour can be scheduled for each Arm of Council. Issues to be discussed should be identified before the meeting. 2 - 4 representatives from each Arm of Council. If the Meeting falls on a statutory holiday it will be held the following day (Tuesday)

Minutes of meetings will be advertised on the Town's website. (Added August 31, 2026).

Newsletters are to be issued at the discretion of council - minimum of one per year.

Certificates, if requested, can be issued to citizens on 80th birthday and over and 50th anniversary and over.

(36)

Council Rules of Procedure

Whereas section 46 of the Towns and *Local Service Districts Act* requires that every Council shall adopt rules of procedure for its meetings; therefore, the Council of the Town of Point Leamington enacts the following rules and regulations:

Authority

1. Regular meetings of Council shall be held at least once per month at 7:00 pm in the council Chambers of the Town Hall, unless Council, by resolutions, directs otherwise.

Regular Meetings of Council

2. Special meetings of council may be called by either the mayor or any two members of council by giving written notice to the clerk.

Notice

3. Notice for all meetings shall be by way of the agenda, which shall be provided to all members of council forty-eight hours prior to each meeting. The failure of any councilor to have received notice shall not invalidate a meeting of council.

Meeting on a legal holiday

4. When the day fixed for a meeting of council falls on a legal holiday, the said meeting shall be held on the next day following which is not a legal holiday.

Presiding Officer

5. In accordance with Section 36 of the *Towns and Local Service Districts Act*, the mayor shall preside at all meetings of council. In his absence, the deputy mayor shall preside. In the absence of both the mayor and deputy mayor, the clerk shall take the chair, call the members to order, and if a quorum is present, a chairman shall be appointed from among the councilors present. Such chairman shall preside during the meeting or until the arrival of the mayor or deputy mayor.

Quorum

6. In accordance with section 43 of the *Towns and Local Service Districts Act* a quorum shall consist of a majority of councilors in office.

If no Quorum

6. If there is no quorum present within 15 minutes after the time appointed for holding a meeting, the clerk shall call the roll and take down the names of the members then present. The meeting shall then stand adjourned until the next regular meeting.

Attendance

8. In addition to the mayor and councilors, the town clerk or designate and or the town manager or designate shall attend all meetings of council.

Section 42 of the *Towns and Local Service Districts Act* states the following:

42. (1) A town council may allow a councillor to participate in a town council meeting or town council committee meeting by electronic means.

(2) A councillor participating in a town council meeting or town council committee meeting by electronic means is considered to be in attendance at the meeting.

Procedure:

a. Notify the clerk 3 working days before the meeting.
b. Only attend when in-person is impossible.
c. Any resolution that require a 2/3 vote in-person attendance is required.
d. The chair must always attend in-person.
e. There shall be only (2) councilors per meeting remotely attending. If there are more than two requests, priority will be given to first 2 requests received.
f. If communication is lost, a 10-minute recess will be called to try and re-establish link. If the link cannot be re-established, the electronic participant is deemed to have left the meeting. If this means there is no longer a quorum of councilors in attendance, then the meeting is adjourned.

9. Department Heads and other employees of council shall attend meetings of council when requested to do so by council or the town manager.

Meetings open to the public

10. In accordance with section 41 of the *Towns and Local Service Districts Act*, every meeting of council shall be open to the public, unless it is held as a privileged meeting or declared by a vote of the councilors present at the meeting to be a privileged meeting.

11. Where a meeting is held as or declared to be a privileged meeting, all members of the public present at the meeting shall leave.

12. In accordance with section 41 of the *Towns and Local Service Districts Act*, where a decision is made by the councilors at a privileged meeting, the decision, in order to be valid, shall be ratified at the next public meeting of council.

Minutes

13. Minutes of meetings of council shall be recorded by the town clerk or designate. Such minutes shall contain:

(a) All Motions and resolutions coming before council, including the names of the movers and seconders thereof;
(b) The names of all council members voting in favor or against each motion, and the names of those abstaining;
(c) The title or brief description of all reports, petitions, and other documents submitted to council. Reports accepted by council shall be attached to the minutes.

Audio and video Recording at Council meetings

This Policy allows the Town clerk to audio and or video record open council and committee meetings to assist in the preparation of minutes. The Town must advise attendees when recording begins, and recording must stop when the meeting is closed to the public. Recordings are administrative aides only. The approved written minutes remain the official record. Town recordings are to be retained for six (6) months.

Members of the public may also record open meetings, provided their recording does not disrupt the meeting, obstruct anyone, create excessive noise, or interfere with participation. The Chair may require recording equipment to be moved or modified if it materially interferes with the meeting, but may only direct recording to stop for such interference or when the meeting is properly closed. Participants should also be aware that open meetings may be recorded, while privacy protections continue to apply to information that is legally protected from disclosure.

Correction of Minutes

14. If any member of council objects to any portion of the minutes of the preceding meeting, that member shall state the grounds of objection, and if council agrees, the motion adopting the minutes shall contain the necessary corrections.

Agenda

15. Prior to each regular meeting of council, the clerk shall prepare an agenda of all business to be brought before the council. As indicated in rule 3, the agenda is to be distributed to councilors forty-eight hours prior to council meetings.

16. Any member of council, up until noon of the Friday prior to the council meeting, may submit to the town clerk an item for inclusion on the agenda.

17. The format of the agenda shall be as follows:

(a) Calling of meeting to order
(b) Adoption of agenda and minutes
(c) Business arising from minutes
(d) Delegations
(e) Committee reports
(f) Correspondence
(g) Finances
(h) Regulations
(i) General Business
(j) Notices of Motion
(k) Adjournment

Agenda for special meetings

18. When a special or privileged meeting is called for the consideration of some particular matter, the order of business as set out in Rule 17 shall apply. Council shall proceed immediately to consideration of the business for which the meeting was called, and only the business specified in the notice calling the meeting shall be dealt with, unless otherwise decided by majority vote.

Order and Decorum

19. The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.

Disorderly Persons

20. The presiding officer may expel and exclude from a meeting any member of council or other person who is guilty of improper conduct at the meeting. In the case of the exclusion of a member of council, an entry shall be made in the minutes of the reason for such exclusion.

21. Any member expelled from a meeting under the provisions of Rule 20 may be permitted, by a majority vote of councilors at the meeting in progress, to resume his place after making an apology to the presiding officer.

Notice of Motion

22. Every notice respecting the passing of a regulation shall be in writing and be placed on the agenda by moving a motion at the previous meeting.

Motions during debate

23. When a question is under debate, the following non-written motions shall be in order:
    (a) To extend the time of the meeting
    (b) To refer or commit

€ To amend
(d) To lay on the table
€ To postpone indefinitely
(f) To move the previous question

Motions to be seconded

24. Every motion shall be seconded before being put on debate.

Withdrawal of Motions

25. When a motion has been moved and seconded, it cannot be withdrawn except with the permission of council and the mover and seconder, and then only before a decision has been taken or an amendment made.

Division of Motion

26. Any motion or question which contains several distinct propositions may, by the direction of the presiding officer or upon the request of any member be divided if the sense of the motion permits. The vote on each such division shall be taken separately. If a motion cannot reasonably be so divided, any request to do so shall be declared out of order by the presiding officer.

Addressing the motion

27. Members of council shall address their remarks to the presiding officer and continue themselves to the question at hand.

Entitlement to speak

28. If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak.

Call to order

29. The presiding officer may call a member to order while debate is in progress. The debate shall then be suspended and the member called to order shall not speak again until the point of order has been decided.

Appeal on a point of order

30. The decision of the presiding officer on point of order is subject to an appeal to council which is to be decided by majority vote without debate.

Member speaking not to be interrupted

31. When a member is speaking or a question is being put, no member shall hold any private discourse or make any noise or disturbance or interrupt a speaker, except to raise a point of order, explain, or ask a question.

Length of debate

32. No member, without the consent of council, shall speak longer than five minutes at any one time, or more than once on any motion, or amendment thereto. The mover of a motion, however, may speak twice. Debate shall be closed after this second occasion.

Rereading of motion

33. Any member of council may require the question or motion under discussion to be read for information at any period during the debate, but not so as to interrupt a member speaking.

Voting

34. All decisions of council, unless otherwise specified either under the *Municipalities Act* or under these rules, shall be by majority vote of the members present.

Recorded Vote

35. In accordance with Section 212(4) of the *Municipalities Act,* the clerk shall record the names of those voting in favor of the motion, those voting against the motion, and those abstaining.

No secret ballots

36. No vote shall be taken in council by ballot or by any other method of secret voting.

Reconsideration

37. Any question, except one of indefinite postponement, or one that has resulted in a tie vote, may be reconsidered, providing a notice of motion of reconsideration is given in accordance with Rule 22.

38. If the motion to reconsider is carried by a majority of members present and voting, the main question shall then be read and will be open to debate the same as an original motion.

Tie vote

39. In accordance with section 44 of the *Towns and Local Service Districts Act*, where there is a tie vote on a question, the question shall be considered to have been defeated.

Motion to adjourn

40. A motion to adjourn is always in order except when:
    (a) A member is addressing the chair,
    (b) A vote is being taken; and
    (c) It has been decided that the previous questions shall be taken.

41. A motion to adjourn the council meeting or adjourn the debate cannot be amended and is not debatable. However, a motion to adjourn the council meeting or the debate to a given day may be amended and is open to debate.

42. No Second motion to adjourn the council meeting or the debate shall be made until some intermediate proceedings have transpired.

Previous Question

43. The “previous questions” shall preclude all amendments of the main question and shall be put in the following words “The question now be put”. If the motion is resolved in

the affirmative, the original question shall be voted on immediately without amendment or debate. If the motion is defeated, then the main question may then be debated and amended.

Motion to postpone indefinitely

44. A Motion to postpone indefinitely shall not be amended, and when any question before council has been postponed indefinitely, it shall not be taken up again during the same meeting.

Motion to lay on the table

45. A motion to lay a question on the table shall not be debatable. However, a motion “to lay on the table’ with addition, qualification or opinion, shall be subject to amendment and debate.

Motion to suspend the rules

46. A Motion to suspend the rules requires a two-thirds vote of members present.

Privilege

47. Whenever a matter of privilege arises it shall be dealt with immediately by council.

Motion to refer or commit

48. A motion to refer or commit a matter under discussion shall preclude all amendments of the main question until it is decided.

Authority to form

49. In accordance with Section 47 of the *Towns and Local Service Districts Act,* council may from time to time appoint committees. The mayor shall be an ex-officio member of all committees.

Standing committees

50. Standing committees of council shall remain in effect for the life of the council, and members shall be appointed at the first council meeting of each year.

Special committees

51. Special committees of council shall remain in effect only until the purpose for which they were set up has been accomplished. Special committees will automatically expire at the end of each year, unless struck again by council.

Committee of the whole

52. Council may, by majority vote, resolve itself into a committee of the Whole whereby it will operate under the rules for committees as set out hereunder. The deputy mayor will assume the chair, and if the deputy mayor is absent, another member of council shall be elected as chairman.

Committee membership

53. Membership on all committees of council is limited to members of council.

Quorum of committees

54. A majority of the members of any committee shall constitute a quorum.

Committee chairman

55. When council appoints a committee, it shall also appoint one of its members to be chairman of that committee.

Committee Secretary

56. The town clerk (or designate) shall act as secretary to each committee of council.

Committee minutes

57. Prior to the next meeting of the committee, the secretary shall prepare minutes of the previous meeting for submission to and confirmation by the committee.

58 Following every committee meeting, the secretary shall prepare for the chairman a report on all matters which require council action.

Conduct of business in committees

59. The following rules and regulations shall apply to the proceedings in committees:

(a) The chairman shall preside at every meeting. In the absence of the chairman, one of the other members of the committee shall be elected by the members present to preside during the chairman's absence;
(b) The chairman may vote on all questions. In case of a tie vote on any motion, the question shall be deemed lost;
(c) No motion need be seconded;
(d) The previous question will not be allowed;
(e) There shall be no limit on the number of times a member may speak; and
(f) The votes of members on any question shall be recorded if requested by any member.

Minority reports

60. Members of a committee dissenting from a report which has been adopted by the majority of a committee may make and present to council a minority report. Such report must be presented at the same meeting of council to which the majority report is submitted and must be signed by the dissenting member(s).

CLARIFICATION AND AMENDMENT PROCEDURE

Clarification of rules

61. In all cases where these rules and regulations do not make provision or adequate provision, then Roberts *Rules of Order* shall apply.

Amendment of rule

62. Any motion to amend these rules must be presented to council in accordance with Rule 22, and must be passed by a two-thirds majority of members present.

Effective Date

63. These rules and resolutions shall become effective upon the date of enactment.

_____ _____ _____

Mayor Clerk Date

(45)

Christmas Light up and Santa Claus Parade

A Christmas Light- up will be held each Christmas with the following themes and prizes.
(**Revised March 19, 2024**)

LIGHT UP

Traditional Christmas Theme	Prize $ 100.00
Christian Theme	Prize $ 100.00
Children's Theme	Prize $ 100.00

SANTA CLAUS PARADE

1st Prize	Prize $100.00
2nd Prize	Prize $75.00
3rd Prize	Prize $50.00

Judges will be determined by Council and Fire dept.
(Revised August 2026).

(46)

Disability

Council policy is that any employee or volunteer member unable to work and being under the care of a doctor, whether on workers compensation, disability insurance or any other form of insurance, is automatically excused from active duties from the first day of the disability and during the full period of disablement. **(Revised February 27, 2023)**

Full clearance must be received from the doctor before the member can resume regular active duty with his/her organization. **(Revised August 31, 2026).**

(47)

Donations

Annual donations of the following amounts will be given to support the Point Leamington Library Board $300.00 **(Revised March 19, 2024**), Point Leamington Academy Awards Program $150.00, Minor Hockey Association in Botwood $150.00 and Legion Poppy Campaign $150.00. **(Added March 10, 2025)**

High School graduates will receive a $50.00 congratulatory gift.
(**Added March 19, 2024**).

Donations “in memory of” for past and present Council members is $100.00 and will be made to a charity of their choice, if charity is not specified, given to family.
(Added March 19, 2024).

All other donations will be made at the discretion of Council.

Employees

Maintenance Personnel responsible for regular check of local roads, lift stations, hydrants, as well as garage & permits etc. (**Revised August 2026).**

Town Maintenance Personnel are responsible for carrying out duties, outside of w/s that Council deems necessary in operating the Town.

Sick Leave: 1 ¼ sick days per month. An accumulation of 5 days (1 Week) can be carried over to next year. This is not to exceed 25 days (5 weeks) more than the regular yearly amount.
Days entitlement is prorated based on regular weekly work hours. (Added March 10, 2025)

Holidays: Must be taken on year given unless approved by Council. Holidays to be taken rather than being paid by Council. - Holidays – same as Provincial Government. Council must be notified of vacation holiday schedule before March 31. Employees may take two consecutive weeks of vacation leave at one time. Any vacation leave requested beyond the initial two-week period must receive prior approval from the employee's immediate supervisor. **(Revised August 2026).**

Vacation Time: (**Revised Feb. 1,2021).**

1	Years continuous service	2 weeks
2- 7	Years continuous service	3 weeks
8-15	Years continuous service	4 weeks
16 +	Years continuous service	5 weeks

Insurance: Council pays 2/3 and Employees 1/3(council will pay half of LTD). Full time employees only. **(Revised March 28, 2022).**

Pension: Council pays ½ and Employees ½. (Full time employees only).

Employees will be given one call out per two-hour period.

Maintenance Staff will be paid their overtime as accumulated on a weekly basis thus not permitting any buildup in excess of 60 hours. Special consideration can be given at the request of an employee. **(Revised March 19, 2024).**

Christmas Bonuses will be tabled in Council meeting each November.

One employee to be designated as Occupational Health & Safety Representative.

Maintenance staff are to oversee project programs.

Project workers are not to use the Town equipment without permission.
Town will rent or purchase any tools we need rather than borrowing and replacing.

Breaks will consist of 15 minutes in the morning and 15 minutes in the afternoon. Lunch breaks are to be taken from 12-1 for office and 12-1 or 1-2 for maintenance, all efforts are to be made to take this to avoid overtime. **(Revised March 10, 2025).**

There has to be one maintenance worker in town at all times during regular working hours unless absolutely necessary. **(March 10, 2025)**

Town Clerk and Maintenance Supervisor are given permission to issue orders of Council in accordance with section 404.6 of the Municipalities Act.

The town will pay $600.00 once per year for a clothing allowance when 2040 hours has been worked. One pair of Rubber boots will be provided to Maintenance supervisor upon employment. Council will provide safety vests, safety glasses and hard hats. **(Revised March 10, 2025).**

Maintenance Employees are to wear safety equipment as per Occupational Health & Safety requirements and to ensure all safety courses required for work are up to date.

Employees working alone using power equipment must notify Town Office of location before commencing job and expected time of duration.

Bereavement Leave: as per provincial guidelines

Maintenance staff is required to keep a detailed log of daily activities, lift stations, and all vehicles

Maintenance Staff are required to follow the winter storm schedule when a storm is on.

Town Vehicles are to be driven by town staff only.

Maintenance staff that is on call will have the town vehicle.

Maintenance weekend on call status begins 4:30 pm on Friday. **(Addition February 18, 2019).**

Maintenance is responsible for daily checks of water at pump house.

(50)

Finance

Town Clerk or designate as well as Mayor and/or Deputy Mayor must sign all cheques written on behalf of the Town.

All arms of Council are required to have a signing officer from that organization as well as a signing officer from the Town for all cheques issued.

The Town Office is responsible for all record keeping of the Arms of Council. The Auditor will audit all books with the Town Office Audit.

Town will pay $20.00 to anyone bringing items from out of town at the town's request.
(Revised February 18, 2019). (Revised March 19, 2024).

(51)

Fire Department

Fire Department By-laws adopted.

Adoption of Fire Regulations (attached)

Expenses of Fire Dept. are the responsibility of Town Council. A requisition will be issued by Town Clerk upon request from Fire Chief for articles needed. All Purchases have to be pre-approved by council. **(Revised August 2026).**

Travel claims are required for all travel related expensed. These are to be filled out and presented to clerk. **(Revised August 2026).**

When Fire Dept. receives a complaint regarding buildings in town the complaint must then be submitted in writing to Council.

Fire Chief is required to forward a copy of all inspection reports to the Town.

If a fire occurs outside the Town's jurisdiction sufficient equipment & firefighters are to remain in Town in case of a fire within the town boundaries. The newer Fire truck is to remain in town.

Fire Chief allowed to attend Conventions along with 2 firefighters. Current policy is to pay up to $ 1200.00 for costs upon submission of invoices.

New members of Fire Dept. must be 18 and over. A medical note is required. The cost of this, if any, will be paid for by Council.

A valid driver's license is required to be a member of the Fire Department. **(Added March 19, 2024).**

New members are required to supply to council a recent criminal code of conduct. Council will pay for the cost of this. **(Revised March 10, 2025).**

The complement of firefighters will be a maximum of twenty -five with preference given to people living in the province at least 6 months of the year.

Fire Dept. Policy guidelines adopted.

Firefighters under the age of 25 are permitted to drive the fire vehicles under the guidelines of our insurance.

Any member who is off work and cannot work because of doctor orders will be excused from fire related duties until clearance is received from the doctor.

Any member that misses 3 consecutive meetings (1st Tuesday of every month) without a valid reason will automatically cease membership. In some cases, discretion shall be with the Fire Chief (Added March 10, 2025).

Anyone required to lose a day's pay due to Emergency Training will be reimbursed up to $150.00 per day with a note from the employer verifying the loss of income and also proof of completion of training.

If accommodation fees are paid and the person does not give enough advance notice for cancellation and reimbursement of funding then the Fire Department will be responsible for the funds out of their budget.

Signing Officers - All cheques will be signed by the Town Clerk or a member of Council and a member of the Fire Department.

The Town Office is responsible for all record keeping of the Fire Department. The Auditor will audit all books with the Town Office Audit.

Bank deposits will be done as necessary.

All spending is required to be documented into the minutes.

Emergency fire equipment and supplies cannot be removed from the Fire Hall for loan or rent. Should it be necessary for the Town to use any equipment, the Fire Chief or Officer in charge of equipment will be notified. If they cannot be contacted a note will be left where the equipment was taken from.

We will provide fire protection to the Local Service District of Pleasantview. Charges to Pleasantview will be based on a per capita cost.

A fee of $200.00 per emergency call out will be charged to residents within our fire boundary that do not pay fire fees. (**Added February 18, 2019).**

Inventory of all equipment is to be submitted to Council by December 31st of each year.

Fire Department members will be paid $ 20.00 per meeting for a maximum of 26 meetings. Also, a $ 300.00 bonus for Chief and $ 200.00 bonus for Assistant Chief will be given at year end. Proper record keeping of time is required. Members only showing for half the time **per meeting** are to only be paid half the amount and anything less than half the time will count as 0. In certain situations, such as working, this can be waived and will be at discretion of Fire chief **(Revised August 2026).**

The fire hall is not to be rented out for any occasion other than work related courses and or functions relating to fire dept or town. **(Revised February 27, 2023).**

(53)

HARASSMENT PREVENTION PLAN FOR THE TOWN OF POINT LEAMINGTON (Revised August 2026)

Statement of Position

The Town of Point Leamington is committed to providing a safe, respectful and harassment-free work environment for all staff and customers. No one has the right to harass anyone, at work or in any situation related to employment with this organization.

Definition of Harassment

Workplace harassment means inappropriate, vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated.

It can take place at work or in a situation connected to work; it can happen repeatedly or only once; be intended or unintended; and can be written, verbal, physical, a gesture or display, or any combination of these. It can include electronic messages to a person or social media posts.

Conditions Considered Harassing

Examples of harassing behavior may include:

- Unwelcome conduct, comments, gestures or contact which causes offense or humiliation
- Misusing power or authority
- Referring to a person using terms or pronouns that do not align with the person's affirmed gender
- Physical or psychological bullying which creates fear or mistrust, or which ridicules or devalues the individual
- Excluding, intimidating or isolating individuals
- Making inappropriate gestures/comments
- Making inappropriate sexual advances
- Discriminating based on gender
- Cyberbullying, such as posting offensive or intimidating messages through social media or email
- Deliberately setting the individual up to fail

Reasonable and fair actions taken by an employer or supervisor, in a respectful manner, to manage and direct workers is NOT harassment.
Examples of this include:

- Changing work assignments
- Scheduling, assessing and evaluating work performance
- Inspecting workplaces
- Implementing health and safety measures
- Taking disciplinary action such as dismissing, suspending, demoting, or reprimanding with just cause

SECTION 22 – 24.2 of the Newfoundland and Labrador OHS Regulations requires every workplace to have a harassment prevention plan.

Employer/Supervisor Responsibilities

The Town of Point Leamington is committed to eliminating, where possible, or otherwise, minimizing the hazard of workplace harassment.

Managers and supervisors are responsible for a safe work environment, free of harassment. The employer, supervisors and managers are required to apply and comply with the harassment prevention plan and associated procedures.

Reported incidents of workplace harassment will be investigated in accordance with the procedure outlined below.

The Town of Point Leamington will protect workers from retaliation and provide support to workers when workplace harassment occurs.

Worker Rights and Responsibilities

Workers are entitled to work free of harassment with the Town of Point Leamington.

Workers have the responsibility to treat each other with respect and not engage in bullying or workplace harassment. We ask that anyone who experiences harassment or see another person harassed report it to a supervisor, manager or designate.

Workers are responsible to:

- Not engage in bullying or workplace harassment
- Report observations or experiences of bullying or harassment
- Participate in education and training
- Comply with the prevention plan and associated procedures

Confidentiality and Workers' Rights Under Various Laws

The Town of Point Leamington and its managers will not identify a complainant, an alleged harasser or any circumstances about a complaint, including personal information, to anyone, unless, it is necessary:

- For the purpose of the investigation
- For corrective action relating to the complaint
- Where required by law

This plan is not intended to discourage a worker from exercising his or her rights under the Human Rights Act, 2010, the Criminal Code (Canada) or any other law of the province or of Canada.

The prohibited grounds outlined in the Human Rights Act, 2010 include discrimination based on:

- Race
- Color
- Nationality
- Ethnic Origin
- Social Origin
- Religious Creed
- Religion
- Disability (including perceived disability)
- Age
- Sex (including discrimination on the basis that a woman is or may become pregnant)
- Sexual Orientation
- Gender Identity
- Gender Expression
- Marital Status
- Family Status
- Source of Income
- Political Opinion

Reporting Procedures

If you believe you are being harassed, tell the person harassing you to stop, if it is safe and you feel comfortable doing so, (you can do this in person or in writing). If you cannot deal with them directly, or if your request is unsuccessful, follow the procedures for reporting harassment.

Report the incident or situation to your supervisor, manager or designate.

Harassment by Employer/Supervisor

Report the incident or situation to a supervisor, manager or designate.

Incidents of harassment should be reported as soon as possible, but no later than 12 months after the most recent incident.

Protection Against Retaliation

Any person has the legal right at any time to raise the issue of harassment without fear of reprisal.

Investigation

The purpose of the investigation is to gather additional information related to the reported incident of harassment and to determine whether harassment has occurred.

Once the complaint has been received, it will be investigated thoroughly and promptly by the designated representatives (committee)within the following timelines:

- When a complaint is received by the supervisor or the external third party, a meeting will be scheduled with the complainant within five days to begin the investigation process.
- Interviews with the complainant, the alleged harasser and any witnesses will be conducted to confirm the details of the alleged harassment within 15 business days.
- Investigation report will be available within 90 days to the complainant and the alleged harasser.
- Both parties will have 14 business days to respond to report. After this time has expired, corrective actions may be taken.

Where this timeline cannot be met, reasons for the delay and the projected new date of completion must be documented for the file.

Notification of Results

When the investigation is complete, the designated representatives (committee) will inform the person who filed the complaint and the alleged harasser or the results of the investigation in a timely manner.

Corrective Action for Harassers

Employees who harass another person will be subject to corrective action by the employer. Corrective actions include but not limited to disciplinary action including possible termination.

Support for Workers

Employees who have been affected by workplace harassment may be supported through: 24/7 crisis lines (1-800-726-2743 for End Sexual Violence NL), free Victim Services (709-729-0900), and specialized legal support through The Journey Project. Immediate safety services include the Domestic Violence Help Line (1-888-709-7090), shelters like Iris Kirby House, and police assistance (RNC/RCMP).

Immediate Safety and Crisis Support

- **Emergency:** Call 911 immediately if you are in danger.
- **Domestic Violence Help Line:** 1-888-709-7090 (24/7, connects to transition houses).

- **End Sexual Violence NL (ESVNL):** 1-800-726-2743 (24/7 crisis and support line).
- **Lifewise Provincial Warm Line:** 1-855-753-2560 (peer support, 10 a.m. – midnight).
- **Mental Health Crisis Line:** 1-888-737-4668.

Victim Services and Legal Support

- **Victim Services (Government of NL):** Provides free, confidential support for victims of criminal harassment (stalking), sexual assault, and intimate partner violence, including safety planning and court preparation.
- **The Journey Project:** Offers support to sexual violence survivors, including legal support and guidance through the justice system.

Counseling and Community Resources

- **St. John's Status of Women's Council/Women's Centre:** 709-753-0220.
- **Iris Kirby House:** Shelter and crisis services for women and children (709-753-1492 / text: 709-500-6296).

Malicious and False Accusations

It is a serious matter to deliberately make a false accusation of harassment. If a complaint is found to have been made in bad faith, the complainant will be subject to disciplinary measures including possible termination.

Education and Training

The Town of Point Leamington commits to making sure all its employees, supervisors and managers are trained in harassment prevention and the company's harassment prevention plan.

Monitoring

The Town of Point Leamington will monitor this plan, review annually and adjust whenever necessary.

(58)

Heritage Council

Signing Officers - All cheques will be signed by the Town Clerk or a member of Council and a member of the Heritage Council

The Town Office is responsible for all record keeping of the Heritage Council. The Auditor will audit all books with the Town Office Audit.

Travel claims are required for all travel related expensed. These are to be filled out and presented to clerk prior to travel.

Bank deposits will be done as necessary.

All spending is required to be documented into the minutes.

$1200.00 to be given from council yearly to offset operating costs.

All new members of the Heritage Council are to file an application before being appointed by Council. A Recent criminal code of conduct is required and the cost will be paid by council. **(Revised March 10, 2025).**

It is a conflict of interest for anyone on the Heritage Council to be hired on Heritage Sponsored Projects.

The Committee can consist of eleven members plus two members of the current Council.

The Heritage Council is responsible for the Heritage Centre in conjunction with Council.

The Heritage Centre will be opened and closed for the season at the discretion of the Heritage Board.

Inventory of all equipment is to be submitted to Council by December 31st of each year.

If accommodation fees are paid and the person does not give enough advance notice for cancellation and reimbursement of funding then the Heritage Council will be responsible for the funds out of their budget.

(59)

EMPLOYEE HIRING PROCEDURE

(Added August 2026)

PURPOSE

The purpose of this procedure is to ensure all hiring conducted by the Town of Point Leamington is fair, transparent, consistent, and free from bias or undue influence in accordance with the municipal Government Act, 1999 (NL) and the Human Rights Act, 2010 (NL), sections 9 and 14.

AUTHORITY TO HIRE

The authority to hire an employee rest with Council. Council shall approve the filling of any position by motion, approve the appointment of an interview panel by motion, and approve the final hiring decision by motion.

INTERVIEW PANEL

Council shall appoint a two-member panel of councillors to conduct interviews. Town Manager/Clerk or Maintenance Supervisor shall be included on the interview panel. The interview panel shall conduct all candidate interviews, ask standardized questions, score candidates independently, discuss results following completion of interviews, and prepare a written hiring recommendation for Council. This recommendation shall include two candidates, when there are two qualified candidates available.

INTERVIEW PROCEDURE

The interview panel shall ask all candidates the same core interview questions, avoid questions related to prohibited grounds under the Human Rights Act, score each candidate independently, maintain accurate and factual notes, and ensure consistency and fairness throughout the process.

SCORING AND RECOMMENDATION

Each panel member shall complete a scoring sheet for each candidate. Upon completion of all interviews, panel members shall total their scores, review scores collectively, and prepare a written recommendation for Council.

FINAL HIRING DECISION

Council shall review the recommendation provided by the interview panel and make the final hiring decision by a motion.

CONFIDENTIALITY

All interview-related information is confidential and shall be submitted to the Town Clerk following completion and stored securely. Panel Members shall not discuss candidates outside of formal proceedings.

CONFLICT OF INTEREST
Any panel member who is related to a candidate, has a close personal relationship, or has a prior conflict or interest shall declare the conflict and withdraw from the panel.

NON-DISCRIMINATION
Hiring decisions shall not be based on age, sex, marital or family status, medical conditions or disability, race or ethnicity, religion, sexual orientation, political affiliation, or personal relationships.

(61)

Honoraria

Policy on honorarium for volunteers and volunteer dinner:

Volunteers mean appointed members of the volunteer Arms of Council. At the discretion of Council, in any given year - all volunteers will receive a Christmas gift and be invited to the volunteer dinner. Only 1 (one) honorarium will be given per person, regardless of how many departments served on. **(Revised March 10, 2025).** Years of service can be combined to include other years with arms of council groups. **(Added August 2026).**

Volunteer Dinner
All of the above rules apply to those who will be invited to the dinner for volunteers to be held annually the last Friday in May or at the discretion of Council. Dinner will be provided to only those attending the function.

Volunteer Week
During Volunteer Week Council will recognize volunteers with a token of appreciation.

(62)

Land & Property

Purchasers of land from the Town will be responsible for all legal cost of purchasing.

All Requests for joining properties will only be approved at Council discretion. Property description, proof of ownership as well as a survey showing the land as one parcel has to be proven by owner. **(Revised June 29, 2020).** A onetime administrative fee of $100.00 will be attached to such requests.

At Council discretion, all Parcels of land that are considered nonresidential based on lot size, will be billed as per mill rate with a minimum rate of $100.00.

New service lines from phases 1 to 6 of capital works watermain projects that experience water line breaks will have repairs made only 1 time by town maintenance as long as the break is still on the town side of the old line. **(Added August 2026).**

(63)

Marina

Rates for using the marina.

Seasonal pass	$50.00
Day Pass	$10.00

(Revised March 10, 2025)

(64)

Office Fees and information

Town will pay someone $20.00 whenever they bring out items from Grand Falls-Windsor at our request. **(Revised March 19. 2024).**

Tax Certificates - $ 50.00 **(Revised February 18, 2019).**
Returned Cheques - $ 40.00 **(Revised March 28, 2022).**
Interest Charges - 2% per month on overdue accounts. **(Revised March 19, 2024)**

Town Clerk has been given permission to destroy files older than 10 years.

Town Clerk and Maintenance Supervisor will be given permission to issue orders of Council in accordance with Section 35 of the Towns and local service districts act. **(Revised August 2026).**

Building Permit Fees	
Residential Repairs	$ 10.00
Commercial Repairs	$ 50.00
New Residential Construction **(Revised June 29, 2020)**	$ 100.00
New Commercial Construction **(Revised June 29, 2020)**	$ 200.00
Building, repairs, renovating or digging (excavation) without proper permits	$ 100.00
Quarry Permits (non business)	$250.00 (annually)
Quarry Permits (business)	$100.00 (annually)
Water shut off/on by request	$25.00(each time) **(Revised March 19, 2024)**

Water shut off due to arrears is to be billed $50.00 before re connection.

Any new business owner within the first year can apply in writing to Council for a business tax exemption.

Tax structure 2025 is attached.

(65)

Pandemics

Background:

COVID-19 is an infectious disease caused by a newly discovered coronavirus. The World Health Organization designated a global COVID-19 pandemic on March 11, 2020. Jurisdictions across Canada and the world implemented measures to curtail the spread of the disease. In Newfoundland and Labrador, a public health emergency under the *Public Health Promotion and Promotion Act* was called on March 18. Residents, workers, visitors and employers are subject to special measure orders as a result of this emergency. Under the provincial COVID-19 Alert Level System, designed to control disease transmission and maintain health system capacity, the Provincial Government is providing guidance for social and business activities to reopen safely. Municipalities are employers in communities. They are also the owners and operators of community recreational facilities such as arenas, pools, fitness centers, playgrounds and other centers/spaces. These facilities provide services to and facilitate programming for community members and organizations.

Purpose:

The purpose of the policy is to outline The Town of point Leamington's practice and protocols for the reopening and maintenance of municipally owned recreation facilities.

Policy Statement:

The Town of Point Leamington takes any pandemic seriously. As a council and staff, we are committed to ensuring the safety of our community and our residents. We recognize the importance of recreational facilities and services to our community.

This policy acknowledges that the Town of Point Leamington is implementing pandemic Alert Level Guidance from the Government of Newfoundland and Labrador as much as is reasonable and practicable. The policy outlines how and under what circumstances our facilities will be open to public.

The Town of Point Leamington also acknowledges that certain municipal facilities may not open if the risk of a pandemic transmission is high and/or reasonable, practicable protective measures cannot be implemented.

Definitions:

For the purposes of this policy, reasonable and practicable mean what is practical and possible for a municipality to do given its size, human resource and financial capacity, as well as the number of facilities for which it is responsible to maintain at any given time.

Scope:

This policy applies to the following municipally owned recreation facilities.

- The Town Hall
- Recreation Centre
- Fire hall
- Playground
- Heritage Centre

The policy covers the following four (4) areas:

1. Decision-making;
2. Communication;
3. Monitoring and sanitization;
4. Waivers.

Responsibilities:

Municipal staff are responsible for upholding this policy. Should there be challenges with this, the policy will require review.

Guidelines and Procedures:

1. **Decision-making**
   a. Municipal staff will review public health emergency special orders, guidance and information sheets provided by the Government of Newfoundland and Labrador as it is made available.

   b. Municipal staff will determine their human and fiscal resource capacity to adhere to guidance provided.

   c. Municipal staff will consult with council to provide recommendations on how and under what circumstances facilities will be open to the public. See Appendix A for a list of facilities that are open, and details associated with their monitoring and sanitization.

2. **Communication**
   a. Municipal staff will communicate with the public through social medial, and bulletin board how and under what circumstances facilities will be open to the public. This includes clear information on facility sanitization, physical distancing, limits on numbers and monitoring procedures.

   b. Signage outlining protocols and procedures for facilities will be posted outside, inside or on said facilities in clear view for users to see. This includes clear information on facility sanitization, physical distancing, limits on numbers and monitoring procedures.

   c. Municipal staff will provide updates to the public and adjust signage should anything change with respect to the protocols and procedures for facilities.

3. **Monitoring and sanitization**

a. Municipal staff will implement the following steps to sanitize: and maintain numbers of people at municipal locations.
b. Municipal staff will develop facility monitoring and sanitization logs, where applicable, for facilities that are open according to Appendix A.
c. These logs will be kept up to date.
d. In cases where limited or no monitoring and/or sanitization is possible, and the facility is open, municipal staff will communicate that these are use-at-own-risk facilities and will suggest that users take their own sanitization precautions.

4. **Waivers**
   a. Municipal staff will develop and add waivers to any forms or agreements which they enter in to with the public, including facility rental agreements and program registration forms. The waiver language should include language acknowledging risk of contracting COVID-19 by way of attendance at the municipality's facilities.

Policy Review:

The policy is subject to change and will be reviewed as often as necessary. **(Revised August 2026).**

(68)

Parks

Churches are permitted to use Park for Open-Air Services.

No bikes are allowed on the Otter Pond Boardwalk.

Trailers can park at designated RV site for a fee of $25.00 per day and or $150.00 per week. (Revised March 10, 2025).

Dumping station fee of $ 25.00 if not staying at our RV site. **(Revised March 19, 2024).**

Dumping station is to be locked at all times and the workers at the Heritage center will have a key. **(Added March 19, 2024).**

Use of park area for yard sales etc. will be at the discretion of Council.

Borrowing of picnic tables at a maximum of 5 tables for two days will be at the discretion of Council.

All dogs on walking trails must be on a leash and dog waste taken care of.

Flower pots and Benches will be put away for the winter by October 31 of each year.

Parks & Recreation Committee

Parks & Recreation Regulations Adopted.

Signing Officers - All cheques will be signed by the Town Clerk or a member of Council and a member of Parks & Recreation.

The Town Office is responsible for all record keeping of the Park & Recreation Committee. The Auditor will audit all books with the Town Office Audit. Bank deposits will be done as necessary.

Travel claims are required for all travel related expensed. These are to be filled out and presented to clerk prior to travel.

All spending is required to be documented into the minutes.

All new members of Parks & Recreation are to file an application before being appointed by Council. Residents from Western Arm and Pleasantview are welcome to join. **(Revised February 18, 2019).**

New Members are required to supply to Town a recent criminal code of conduct. Town will pay for the cost of this. **(Added March 19, 2024).**

It is a conflict of interest for anyone on Park & Recreation Committee to be hired on Park & Recreation sponsored projects.

The committee can consist of maximum eleven members plus two members of the current Council.

Parks & Recreation Committee are responsible to keep regular check of ball field and playgrounds and give a written report of any necessary maintenance to Council who will designate to Maintenance worker.

Written instructions will be given to Maintenance as to when they will open and close the playground. This will be at discretion of Recreation Committee. Weekly checks by Maintenance will be done. Maintenance will need to know a week in advance of opening playground.

The Community Centre operating out of the Town Hall will be the responsibility of the Parks & Recreation Committee in conjunction with Council.

$1200.00 to be given from council yearly to offset operating costs.

Community Centre is not to operate after eleven pm without prior approval of Council.

The Recreation center can be rented out to the public with a singed rental agreement in place. **(Added March 10, 2025).**

If accommodation fees are paid and the person does not give enough advance notice for cancellation and reimbursement of funding then the Parks and Recreation Committee will be responsible for the funds out of their budget

(71)

Point Leamington Day
(Revised August 31, 2026)

Point Leamington Day will be the 2nd Saturday of July unless otherwise changed by Council.

There will be no more than two vendors supplying the same foods.

Community and/or nonprofit Groups will not pay for booths and all remaining booths will be shared equally among arms of council.

Soft drinks/water can be sold in all booths if desired.

No vendors outside of Point Leamington will be allowed to participate without approval.

Toll Booth will be designated for Point Leamington volunteer fire department. Council will consider other requests annually.

Game Booths $ 25.00 Food Booths $ 75.00

Parade Prizes:

Float Prizes 1st Place - $ 100.00
2nd Place- $ 50.00

Boat Parade 1st Place - $100.00
2nd Place - $ 50.00

Kids Parade All kids that register in costume for the Parade will receive $ 5.00 in an envelope. Judging for 1st Place ($30.00), 2nd Place ($20.00) and third Place ($10.00) will be done.
(Revised March 10, 2025)

There will be one way traffic for the day to limit congestion.

Maintenance person will be required to work a regular day for Point Leamington Day. This will be alternated each year, unless holidays are involved.

No smoking on festival grounds.

(72)

Projects

All hiring will be carried out by a hiring committee as set up by Council when necessary.

Projects are to be supervised by maintenance staff.

All Building materials purchased by the town for any and all town jobs shall be accounted for. A requisition form must be completed for any materials left over, returned, transferred or disposed of following completion of job. **(Added August 2026).**

(73)

Purchasing

All invoices must be signed by Town Clerk/Manager, Maintenance Personnel or those authorized to sign on behalf of Council.

The Town of Point Leamington participates in the Canoe Procurement MNL Municipal Buying Program. **(Added March 10, 2025).**

rental or loaning of any of the town's emergency equipment will be at the discretion of Maintenance Personnel and used only in the presence of maintenance personnel**. (Revised March 19, 2024).**

(75)

Roads

Council will not permit any new development within 25 feet of the center of the road.

Council will not be responsible for damages to existing structures within 25 feet of the center of the road.

New roads must be 40 feet right of way for two-way traffic.

New roads must be 20 feet right of way for one way traffic.

Cemetery Road will continue to be plowed to the tree line, only after all town roads have been plowed.

All new developments on town land that require culverts for access to driveways for residential and or commercial properties will be the sole responsibility of the property owner. (**Revised March 10, 2025).**

Maintenance will determine if a culvert needs to be replaced and the homeowner will be notified. The town will bear the cost associated with the purchase of the new culvert (One Standard driveway size) as well as labor to install. If pavement needs to be cut and/or removed, it will be the responsibility of the property owner for cost of replacement. **(Revised March 10, 2025).**

Trees are to be trimmed at owner's expense, if impeding traffic and or snow clearing operations.

Council will follow guidelines from Department of Highways.

(76)

Smoking

No smoking or vaping in any municipal building or vehicle. **(Revised February 27, 2023)**

No smoking or vaping in park areas, playground or where children/youth play. **(Revised February 27, 2023)**

(77)

Snow Clearing

No vehicles are to be parked on the side or shoulder of the roads so as to obstruct snow clearing operations.

When clearing driveways, residents are not permitted to push snow onto or across the street so as to impede traffic.

Garbage containers and fences must be clearly marked for snow clearing purposes.

Council will not be responsible for any damages that occur to garbage boxes and fences.

Garbage containers must be no more than 15 feet from the edge of pavement

Council will not be responsible for damages to existing structures within 25 feet of the center of the road.

Trees are to be trimmed at owner's expense if impeding traffic and or snow clearing operations.

Maintenance is permitted to clear their own driveways of snow when all other town work is done. The Town Manager may request snow clearing when necessary**. (Revised August 31, 2026).**

All hydrants will have markers installed for snow clearing.

Hydrants are to be cleared as soon as possible after a storm.

Adoption of the Highway Traffic Act.

(78)

Street lighting

Council will not take over privately owned street lights.

Lighting will be placed on every second pole where possible. If not feasible, poles will be placed at locations deemed necessary by Council.

(79)

Tax and Collections

The Town of Point Leamington will post the annual tax levy by January 31 of the current year.

Taxes have to be paid by December 31 and are in arrears on January 1st if not paid.

All employees involved in the collection process must adhere to the policy statements contained here.

Payment of taxes:

- Tax invoices will be sent out no later than January 31 of every fiscal year. Property owner is responsible to ensure that the town has their current mailing address on file.
- It is the responsibility of the property owner to understand their tax and interest obligations regardless of any error in the issuance of notification from the town.
- Taxes imposed by Council are due to be paid on or before June 30 of the fiscal year.

Payment methods:

Tax payments can be made by any of the following means:

- In-person at the town hall.
- Electronically via online banking
- Eft, Electronic fund transfer via email
- Post dated cheques
- Paid by your mortgage provider (property owner has to arrange this with their bank)

Collection Actions:

- Reminders by mail and phone will begin in February for payment of arrears.
- Water/sewer disconnection notices will be hand delivered to the property owners in March advising them that if no contact is made within 5 business days to make payment arrangements, services will be cut off. (a $50 fee will also be placed on account when water/sewer is disconnected).
- Accounts that are in arrears 18 months or longer (with no payment plan in place) shall be served notice which states that the property is liable to be sold as per section 146 of the Towns and Local Service Districts Act. Once a property has been served a 90-day notice of intention, it will not be removed unless payment in full is made.

If Payment plans as negotiated are dishonored, staff may immediately, without notice shut off water.

The Town Clerk will develop and administer a Tax Recovery Plan (TRP) yearly.

There is 2% interest per month on all overdue accounts. (**Revised March 19, 2024.**

(80)

Travel

Volunteers traveling to functions as approved by Council will be given payment for cost of transportation as per Provincial Government Rate when attending out of town meetings. Travel Claim to be completed.

Travel claims are required for all travel related expensed. These are to be filled out and presented to clerk prior to travel. All travel claims are to be submitted monthly. **(Revised March 10, 2025)**

Travel claims can be paid in advance for Councilors and staff traveling on Town business.

Resolved to follow the Provincial Government Rates for travel expense as approved by the Provincial Treasury Board.

Claims can be paid, without going through a meeting, for Council representatives when attending pre-approved meetings or meetings for reps appointed by Council.

Vehicles/Equipment

Expenses of the Fire Truck are the responsibility of the Town Council. A requisition will be issued by clerk upon request from the Fire Chief for articles needed.

Council agrees to maintain the first Fire Truck for the Town of Point Leamington. The truck cannot be disposed of without approval from Council.

Any expenditures of $ 500.00 or over for equipment are to be referred to Council.

A Waiver must be signed by property owner if Town equipment goes on that property to pick up garbage or car wrecks.

Arms of Council and staff must inform Council immediately of any damages that occur to vehicles or property.

Maintenance logs will be kept of all town vehicles, equipment and lift stations.

(82)

Volunteers

Employees and volunteers will receive an honorarium at the discretion of Council.

Any member unable to work and being under the care of a doctor, whether on Workers Compensation, Disability Insurance or any other form of insurance, is automatically excused from active Fire related duties from the first day of the disability and during the full period of disablement. **(Revised February 18, 2019).** (See page 23). Full clearance must be received from the Doctor before the member can resume active duty with his/her organization.

Volunteer Departments must obtain prior approval from Council before making expenditures that the Town has to pay or reimburse.

Pleasantview and Western Arm residents are welcome to apply for membership with any of our Arms of Council.

Policy on Honorarium for Volunteers and Volunteer Dinner: See Page 54.

(83)

Waste Disposal

Anti-Litter Act adopted.

Waste Management Collection Policy (as attached) is to be followed. **(Addition February 18, 2019)**

Discarded containers - e.g., deep freezers not to be used as garbage boxes.

Garbage to be picked up from the recreational areas.

One car wreck per household per year can be towed away at no expense to the resident. The wrecks will be moved at the convenience of the Maintenance Department. **(Revised March 19, 2024).**

Town will not be responsible for trees.

Tire will be taken if rims are removed. (Added March 10, 2025).

Annual Clean-up will be determined by Council.

The Churches garbage will be treated the same as residential garbage.

Five (5) garbage bags per household permitted. Clear Bags and Blue bags as per Central Newfoundland Waste Management Policy. No exceptions.

All residential garbage during clean-up week can be delivered by the homeowner to the disposal site at the town's expense.

Garbage Boxes must be no more than 15 feet from the edge of pavement. All garbage and recycling have to be taken from the box and placed at the curb on garbage day.

(84)

Water/Sewer

Water and or Sewer (private) regulations adopted (see attached)

Water and Sewer regulations adopted (see attached)

Water/sewer bylaws adopted effective March 1, 1991.

Little Pond has been designated a restricted water supply area and protected watershed area.

Council does not accept responsibility for clothes damaged or stained due to water.

Water/Sewer fees for apartments or rented houses will be billed to the owner of property, not the tenant.

Connection Fees - Water $ 100.00 Sewer - $ 100.00 **(Revised February 18, 2019).**

No permits will be issued by Council to do any excavation of sewer lines on weekends. There will be absolutely no tampering with main line without the Maintenance Man being there to supervise.

No connections will be made to the main line between Nov 15 and May 15 unless otherwise approved by council.

The depth for waterlines should be a minimum of 6 feet.

Persons having sewer lines extended to low water mark by contractor will be charged a connection fee as well as monthly sewer rates.

Maintenance Personnel is to be present when connections to water and or sewer take place.

Water/Sewer to a maximum of 35 Feet or to the boundary lines whichever is closer. In cases where the water line is going through the main road the resident will be responsible for the cost to replace the pavement back to its original condition.

A curb stop leak on the owner's side of the curb stop will be cost shared up to a maximum of $ 200.00. This would be done by way of an application at the Town Office. The materials used would still be the responsibility of the property owner.

All properties must have a working shut off valve coming from the main line.

Council is not responsible for anyone having a backup due to drains going into town sewer. Sewer backups will not be compensated by the town unless liability is proven through insurance. Residents are advised to have a backwater valve installed.

Home based business with a single w/s line to the building will only pay one w/s bill.

A $ 25.00 fee will be charged for convenience shutoff or turn on of water. In the Winter Months the homeowner is responsible to clear the site. (**Revised March 19, 2024**).

The Town is not responsible for personal pavement unless the Town is responsible for the damages occurred.

If there is a water/sewer problem the Town office should be notified and the Town will undertake to determine if the problem is the responsibility of the homeowner or the Town. Council will not be responsible for expenses occurred without prior approval.

All repairs to water/sewer must be compliant with Workplace, Health and Safety Regulations.

Houses with an attached rental apartment are to be billed an extra water/sewer fee while the apartment is being occupied.
(Addition February 18, 2019).