



Closed Meetings of Council, Boards and Committees

The City of Kingston, Council and staff are committed to increasing openness, accountability and transparency as part of the life of the municipality. This commitment is consistent with Provincial efforts to make municipal government understandable and approachable for citizens. To this end, the Province of Ontario has set the rules defining when a council, local board or a committee is allowed to go into a closed meeting.

These rules are found in the Municipal Act 2001 and they must be strictly followed. Closed meetings are part of good government when these rules are honoured. From time to time municipal councils, local boards and their committees must meet behind closed doors. The purpose of such a closed meeting is to receive information or give direction on the following specific topics:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or



- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

Investigations of Closed Meetings

Any person may request that an investigation be undertaken respecting whether the City of Kingston, one of its local boards or a municipal or board committee has complied with closed meeting rules outlined in the Municipal Act, 2001, as amended, or the applicable procedural by-law during the closed part of a meeting.

Through Local Authority Services Ltd. (LAS), the City of Kingston has engaged the services of Aird & Berlis LLP as its Investigator and has authorized it to conduct any investigations arising from a complaint in respect of meetings or parts of meetings that are closed to the public. The Investigator will determine compliance with the Act or the applicable procedural by-law and will report on the results of such investigations.

In the City of Kingston, this legislation applies to Council, Standing Committees of Council (Administrative Policies Committee; Arts, Recreation & Community Policies Committee; Environment, Infrastructure & Transportation Policies Committee; and Planning Committee), Advisory Committees; Legislated Committees; and Ad hoc Committees of Council.

Complaints Procedure

Complaints should be submitted on the established complaint form or via written request. The complaint form may be printed from the website or can be obtained from the Clerk's Department. All complaints must be submitted in a sealed envelope marked 'private and confidential' and should contain the following information:

- i. Name of municipality
- ii. Complainant's name, mailing address, telephone number and e-mail address (if applicable)
- iii. Date of closed meeting under consideration
- iv. Nature and background of the particular occurrence
- v. Any activities undertaken (if any) to resolve the concern
- vi. Any other relevant information
- vii. Original signature

Complaints may be submitted by mail or delivery directly to:

City Clerk, City of Kingston,
216 Ontario Street, Kingston, ON K7L 2Z3



All complaints will be treated as confidential at all times and will be forwarded directly to Aird & Berlis LLP without review by the staff of the City of Kingston.

For more information on this topic, please submit comments or inquiries to:

City Clerk
Phone: 613 546-4291 ext. 1247
Fax: 613-546-5232