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## **Submission on Bill 9, the *Municipal Accountability Act, 2025* to the Standing Committee on Heritage, Infrastructure and Cultural Policy**

(July 9, 2025)

Democracy Watch makes this submission to the Standing Committee on Heritage, Infrastructure and Cultural Policy during its review of Bill 9, the *Municipal Accountability Act, 2025*, in addition to its testimony before the Committee on July 17, 2025.

While Bill 9 takes a few steps in the right direction to improve broken, unethical, conflict-ridden and ineffective municipal political ethics systems across Ontario, Bill 9 is far from what is needed to have an effective system across the province.

Democracy Watch's criticisms of Bill 9 (both the measures to change the *City of Toronto Act*, and to change the *Municipal Act*) are as follows:

1. Bill 9 proposes to empower the provincial Cabinet to impose one ethics code for councillors of all municipalities across Ontario, but there is no guarantee that will happen. It was a simply ridiculous idea to allow municipal councillors to draft their own ethics codes a decade ago, as they are in a conflict of interest when doing that, and because best-practice democratic good government standards have been well-established for decades and do not differ for governments in Windsor, Ottawa, North Bay or anywhere else in the province or world. Bill 9 should be amended to say that the provincial Cabinet "shall" impose one ethics code for councillors of all municipalities across Ontario.
2. Bill 9 continues the system of city councils choosing, hiring, paying and firing their own integrity commissioner and deciding the penalty in almost all cases -- a system that is full of conflicts of interest that taint every ruling. Bill 9 should be amended to designate the Ontario Integrity Commissioner (OIC) as the commissioner for all municipalities, in the same way that the Information and Privacy Commissioner of Ontario is the commissioner for all municipalities under Ontario's municipal freedom of information and protection of privacy law.
3. Bill 9 proposes to empower the OIC to examine a serious alleged violation only if a conflict-ridden municipal integrity commissioner requests the OIC to conduct an inquiry into an alleged violation (and only if the request is made outside of the time period between nomination day and voting day for a municipal election and, if nomination day occurs before the inquiry is completed, the local

commissioner must re-file the request in order to cause the OIC to conduct the inquiry). This is conflict-ridden, ridiculously restrictive system. Again, Bill 9 should be amended to designate the Ontario Integrity Commissioner (OIC) as the commissioner for all municipalities.

4. Even if the OIC concludes that a councillor should be removed or disqualified for a serious violation, the OIC can only refer that conclusion back to the municipal council which will then vote on whether the councillor should be lose their seat. Having politicians judge other politicians is very bad idea, as has been proven in every jurisdiction worldwide throughout history, because the councillors will all be biased and full of conflicts of interest based on whether they like, or share the political views of, the councillor who has been found in violation of the code (in other words it is a classic "kangaroo court"). Again, Bill 9 should be amended to designate the Ontario Integrity Commissioner (OIC) as the commissioner for all municipalities, with the OIC determining not only whether a councillor has violated their code, but also with the OIC empowered and required to impose a sliding scale of mandatory penalties (depending on the seriousness of the violation).

Democracy Watch calls on the Committee to amend Bill 9 to enact an effective system for preventing conflicts of interest and other wrongdoing by municipal councillors. An effective system is:

1. The provincial Cabinet establishes one ethics law for all municipalities across the province with strong, strict rules to require councillors and all members of local boards/entities to be honest, to disclose all their assets and liabilities in an online, searchable registry, prohibiting them from participating in any discussion, decision-making process or vote if they have even an appearance of a conflict of interest, and automatically suspending them from council if they are charged with a crime;
2. All complaints are investigated by the Ontario Integrity Commissioner (OIC);
3. Any member of the public has a right to file a complaint;
4. The OIC is required to investigate all alleged violations that it becomes aware of, and is required to issue a public ruling on every alleged violation;
5. The OIC is required to impose a penalty for every violation, on a sliding scale of penalties depending on the seriousness of the violation, including suspension from office (for example, when charged with a crime) and removal from office (for example, when convicted of a crime), and;
6. Anyone or any entity that meets the public interest standing test has a right to challenge any ruling by the OIC in court.

This would match Ontario's system of one freedom of information and privacy protection law that applies to all municipalities in which all complaints go to the provincial Information and Privacy Commissioner, and the Commissioner is required to issue a public ruling on each complaint that is binding (although, unfortunately, there are no penalties for violating that law).