

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

**BY-LAW #46-2023**

**Being a by-law to Adopt a Policy for Routine Disclosure and Active Dissemination of Municipal Records**

**WHEREAS** under Section 253(1) of the Municipal Act, 2001, S.O. 2001, c.25, subject to the Municipal Free of Information and Protection of Privacy Act, any person may, at all reasonable times, inspect any of the records under the control of the Clerk;

**AND WHEREAS** under Section 254(1) of the Municipal Act, 2001, S.O. 2001, c.25, a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner;

**AND WHEREAS** under Section 319(1) (a) of the Municipal Act, 2001, S.O. 2001, c.25, a municipality is authorized to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

**AND FURTHER WHEREAS**, the Council of The Municipal Corporation of the Township of Armour deems it expedient to establish a policy for routine disclosure and active dissemination of municipal records;

**NOW THEREFORE** the Council of The Municipal Corporation of the Township of Armour adopts the Policy for Freedom of Information and Routine Disclosure Policy herein and further enacts as follows:

1. That the Policy for Freedom of Information and Routine Disclosure identified as Schedule "A" shall be attached hereto and form part of this by-law.
2. That Schedule "A" attached hereto may be amended by Resolution by the Council of the Township of Armour.
3. Administrative Corrections

The Clerk of the Township of Armour is hereby authorized to make any minor modifications or corrections of an administrative, numeric, grammatic, semantic or descriptive nature or kind to the by-law and schedule(s) as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

4. That this by-law shall come into force and effect on the date of passing.

Read in its entirety, approved,  
signed and the seal of the  
Corporation affixed thereto and  
finally passed in open Council  
this 14<sup>th</sup> day of November, 2023.

Original signed by Rod Ward  
Rod Ward, Mayor

Original signed by John Theriault  
John Theriault, Clerk



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## 1. PURPOSE

The Township is committed to streamlining services in order to continue to provide excellent customer service.

To establish that it is acceptable to actively disseminate and routinely disclose information.

To establish a freedom of information and protection of privacy framework for the Township meeting the requirements of MFIPPA.

## 2. SCOPE

- 2.1 This policy shall apply to all records within the Township of Armour.
- 2.2 This policy shall apply to all employees of the Township of Armour.

## 3. DEFINITIONS

**Active Dissemination:** The period release of Township records in the absence of a request under MFIPPA.

**Clerk:** The Clerk for the Municipal Corporation of the Township of Armour.

**Council:** Council for the Municipal Corporation of the Township of Armour.

**Department Head:** The appointed head of each department or their designate as identified in the Township of Armour organizational chart or through delegation.

**Frivolous or vexatious:** When the purpose of the request is intended to accomplish some objective other than to gain access without reasonable or legitimate ground (i.e. if made for a nuisance value, or to harass the government/staff).

**MFIPPA:** The Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended.

**Personal Information:** Any recorded information about an identifiable individual, including,

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,

APPROVED BY: Council	ISSUE DATE: November 14, 2023	REVISION DATE:
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## SCHEDULE A TO BY-LAW #46-2023

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- (c) any identifying number, symbol or other particular assigned to the individual,
- (d) the address, telephone number, fingerprints or blood type of the individual,
- (e) the personal opinions or views of the individual except if they relate to another individual,
- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- (g) the views or opinions of another individual about the individual, and
- (h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

**Record:** Any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes,

- (a) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine-readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
- (b) subject to the regulations, any record that is capable of being produced from a machine-readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution;

**Routine Disclosure:** The routine or automatic release of certain types of administrative or operational records in response to an informal request under MFIPPA.

**Township:** The Township of Armour.

#### 4. POLICY REQUIREMENTS

- 4.1 Township will actively disseminate information through its website, such as, but not limited to:
  - Policies
  - Staff reports
  - By-laws
  - Agendas and Minutes
  - Operating and Capital Budgets
  - Audited Financial Statements

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## SCHEDULE A TO BY-LAW #46-2023

### TOWNSHIP OF ARMOUR ADMINISTRATION POLICY

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4.2 Where information is not available on the Township website, staff may consider the routine disclosure and active dissemination to other information that is not otherwise restricted from disclosure under MFIPPA, such as but not limited to:

- Agreements and Contracts
- Assessment Rolls
- Tender results including results and names of bidders but excluding unit pricing and bid details.
- Corporate financial records including expenses, receivables, receipts, etc.
- Corporate Procedures
- Employment & salary information including organizational charts, but not individual wages
- Permits including building, entrance, fill, etc., and related records (i.e. inspections)
- Planning Application
- Policy documents, studies and reports (excluding draft or working documents)

4.3 Informal requests will be accepted verbally, in writing or electronically, and the record will be disclosed in the format requested subject to any fees set out in the Township's User Fee & Service Charges By-law.

4.4 In response to an informal request, the Township is not required to create records which do not otherwise exist.

4.5 Any request for building, planning or engineered drawings should be reviewed by the Department Head in consultation with the Clerk, prior to disclosure due to copyright protection laws.

4.6 Personal Information:

The Township will not disclose personal information through routine disclosure or active dissemination. Anyone seeking access to records containing personal information will be required to submit a formal request in accordance with MFIPPA. Personal information collected will be used for the purpose or activity for which it was collected or for a consistent purpose (meaning that the individual to whom the information relates might reasonably have expected the use/disclosure).

If personal information is collected for council or committee agendas and is required for council or the committee to make an informed decision it may be included as part of the public record and appear on the Township's website, unless expressly requested otherwise. Any additional personal information shall be severed in accordance with MFIPPA.



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4.7 Requests determined to be frivolous or vexatious may be refused by the Clerk.

#### 5. EVALUATION

- 5.1 The Clerk shall be responsible for monitoring the application of this policy.
- 5.2 This policy will be reviewed as required due to legislative changes.