

INTEGRITY COMMISSIONER CITY OF GREATER SUDBURY

Code of Conduct Complaint Form and Affidavit

Under s. 223.4(1) of the *Municipal Act, 2001*, as amended (the “Act”), a member of council or a member of the public may request the Integrity Commissioner to conduct an inquiry as to whether a member of council has contravened a code of conduct applicable to the member.

Contact Information Box

Applicant's / Complainant's Full Legal Name: _____

Applicant's / Complainant's Full Address: _____

Tel (daytime) _____ Other Number: _____

Applicant's / Complainant's Email address: _____

Filing a Code of Conduct Complaint

1. A complaint that a Member has contravened the Code of Conduct (the “Code”) may be filed by any person so long as they are an identifiable individual (Complaints may not be submitted by any group, organization, or corporation).
2. In accordance with section 223.4(9) of the Act, during the Election Period no complaint that a Member has contravened the Code may be submitted by any person. The Election Period means the time period that starts on Nomination Day and ends on Voting Day in a regular election year.
3. An applicant / complainant is required to provide the following information:
 - a. An explanation, with specific reference to sections of the Code, as to why the issue raised is alleged to be a contravention of the Code;
 - b. Any evidence in support of the allegation(s);
 - c. The names of any witnesses who can support the allegation;
 - d. The name of the Member alleged to have contravened the Code;
 - e. The date, time and location of the alleged contravention(s); and
 - f. The full contact information for the applicant / complainant, including mailing address, telephone number, and email address.
4. An applicant / complainant is also required to complete an affidavit attesting to the facts that the applicant / complainant is alleging. An affidavit must be signed and sworn or affirmed before the Clerk, the Deputy Clerk, or a Commissioner for Taking Affidavits.
5. Return the completed form and affidavit directly to the Integrity Commissioner.

Affidavit of Applicant / Complainant

I, _____ of the _____ ,
[Full legal name] [Name of Municipality]

in the Province of Ontario, make oath and say (or affirm):

1. I have reasonable grounds to believe that _____, a Member of
[Name of Member of Council]

Council, has contravened the following provisions of the Code of Conduct _____

[List specific section(s) of the Code of Conduct]

2. The particulars of this belief are outlined in the attached Schedule A to this my affidavit.

[on Schedule A, the Applicant / Complainant should clearly outline all the reasons why you believe the Member of Council has contravened the Code, including applicable date(s), time(s) and location(s). Any supporting documents and evidence that you wish to provide should be listed in Schedule A. Additional Schedule A pages can be added as required.]

3. That I make this affidavit in support of my formal complaint that the named Member of Council has contravened the Code and for no improper purpose.

Sworn (or Affirmed) before me at the

[name of Municipality]

In the Province of Ontario on this _____ day

of _____ month, [year] _____

Applicant's / Complainant's Signature
(to be signed in the presence of the
Commissioner for Taking Affidavits)

A Commissioner for Taking Affidavits, etc.

Personal Information Collection Notice

The personal information collected on this form is collected under the authority of sections 223.1 and 223.8 of the Act. The information will be provided to enforce the Code. This form will be shared with the Integrity Commissioner and may be shared by the Integrity Commissioner with any persons the Integrity Commissioner deems necessary as part of any investigation.

Schedule A

to the Affidavit of

[Applicant's / Complainant's Full Legal Name]

Clearly outline all the reasons why you believe the Member of Council has contravened the sections of the Code identified in the complaint form, and include applicable dates, times and locations. Any supporting documents or evidence that you wish to provide should be listed in Schedule A and attached to the affidavit. You may attach additional Schedule A pages as required.

A large, empty rectangular box with a thick black border, intended for the applicant to provide details of the alleged contravention as instructed in the text above.