



**City of Kingston
Report to Council
Information Report Number 26-171**

To: Mayor and Members of Council
From: Jenna Morley, City Solicitor
Resource Staff: Janet Jaynes, City Clerk
Date of Meeting: June 16, 2026
Subject: Bill 9, Municipal Accountability Act, 2026

Council Strategic Plan Alignment:

Theme: Regulatory & compliance

Goal: See above

Executive Summary:

The purpose of this report is to provide Council with information on core process shifts, accountability measures and operational impacts resulting from Bill 9, the *Municipal Accountability Act, 2026* (Bill 9), which received its third reading on May 26, 2026 and Royal Assent on June 2, 2026, codifying Bill 9 into law.

Bill 9 amends the *Municipal Act, 2001* to enable the creation of a standard, province-wide municipal code of conduct and to implement new measures intended to strengthen accountability. Notably, Bill 9 introduces a multi-tiered mechanism to remove and disqualify elected officials from office for egregious or repeated misconduct.

Recommendation:

This report is for information only.

June 16, 2026

Page 3 of 6

Options/Discussion:**Background**

Bill 9, the *Municipal Accountability Act, 2026* (Bill 9), is the provincial government's most recent attempt to update the local government accountability framework.

The local government accountability framework was last updated in 2017, at which time all Ontario municipalities were required to establish a code of conduct for members of council and to appoint an Integrity Commissioner (municipal IC). Municipal ICs were also granted authority to provide advice to members of council and local boards regarding the application of the code of conduct and the *Municipal Conflict of Interest Act*, and to conduct inquiries related to contraventions of the code of conduct and *Municipal Conflict of Interest Act*.

The province undertook consultations with the municipal sector in 2021, which included organizations such as the Municipal Integrity Commissioners of Ontario, the Association of Municipal Clerks and Treasurers, and the Association of Municipalities of Ontario, to review and strengthen the local government accountability framework. However, no legislation was introduced at that time.

Subsequently, three private member bills were put forward, in 2021, 2022 and 2024 proposing municipal code of conduct reforms. All three were unsuccessful. The first died on the order paper, the second was defeated and the third did not proceed to second reading.

In 2024, Bill 241, the *Municipal Accountability Act, 2024*, was introduced. Bill 241 did not progress past first reading and died when the provincial election was called in early 2025.

Bill 9, the province's latest effort to strengthen accountability at the municipal level, was introduced on May 1, 2025, received third reading on May 26, 2026, and received Royal Assent on June 2, 2026.

Analysis

Bill 9 amends the *Municipal Act, 2001* in three key areas: new authority for the Lieutenant Governor in Council to make regulations regarding the creation of a province-wide code of conduct for members of council; a new role for the Integrity Commissioner of Ontario (provincial IC) in the municipal accountability framework; and a new process to remove members from office for serious contraventions of the code of conduct.

1. Authority to make regulations

The Lieutenant Governor in Council is now empowered to make regulations prescribing a single province-wide code of conduct for members of council, requiring municipal ICs to provide education and training to members, and requiring members to participate in such training. All existing municipal codes of conduct will be deemed repealed and of no force and effect once the regulation comes into effect.

June 16, 2026

Page 4 of 6

The Minister of Municipal Affairs and Housing is also empowered to make regulations setting out the content requirements and process standards for municipal IC inquiries, the education/training that the provincial IC must provide to municipal ICs, and the status of such training. The Minister may also assign additional functions to the provincial IC.

At this time, no regulations have been proposed by the province to implement these provisions.

2. Creating a role for the Integrity Commissioner of Ontario

Under Bill 9, the provincial IC is now required to provide prescribed education and training to municipal ICs, as well as information about the status of said training. In addition, the provincial IC is now required to conduct an investigation, on the recommendation of a municipal IC, regarding the removal of a member from office.

3. Removal of members

Under the current provincial framework, there are limited penalties that a municipal council (on the recommendation of the municipal IC) can impose on a member who has breached the code of conduct. These penalties include: (1) a reprimand, or (2) a suspension of the member's pay for up to 90 days.

Under Bill 9, it is now possible to have a member removed from office for egregious or repeated violations of the code of conduct. However, removal of the member can only occur if all of the following steps are satisfied:

1. Municipal IC Inquiry – the municipal IC conducts an investigation and concludes that there has been an egregious or repeated violation of the code of conduct and recommends removal of the member to the provincial IC.
2. Provincial IC Inquiry – the provincial IC conducts an independent inquiry and concludes that there has been an egregious or repeated violation of the code of conduct and recommends removal of the member to the municipal council.
3. Municipal council vote – the municipal council votes on the recommendation of the municipal IC and the provincial IC to remove the member. The vote must be unanimous (the subject member cannot vote) and the vote must occur within 30 days of the provincial IC's recommendation.

In order for the municipal IC to recommend that a member be removed from office, all of the following criteria must be met:

- the member contravened the code of conduct;
- the contravention is serious in nature;
- the member's conduct has resulted in harm to the health, safety or well-being of any person; and

June 16, 2026

Page 5 of 6

- the statutory penalties are insufficient to address the contravention or ensure the contravention is not repeated.

If council votes unanimously to remove the member, the member's seat is declared vacant. Any member removed from office under this process is further disqualified from running for municipal election for a period of four years, beginning on the date the member's seat is declared vacant. Importantly, if council does not vote to remove the member from office, the municipality cannot impose any other statutory penalties on the member.

Impacts to Members

All members of council and specified local boards will be required to complete mandated code of conduct training. The provincial IC will track and report each municipality's compliance.

As with the current framework, a blackout period exists during election periods to avoid weaponization of ethics complaints during this time. Municipal ICs are prohibited from making a removal recommendation between nomination day and voting day.

Operational and Corporate Impacts

Under section 263 of the *Municipal Act, 2001* if a regular council seat becomes vacant, council can vote to appoint a replacement or to hold a by-election. However, in municipalities designated with Strong Mayor powers, a vacancy in the head of council can only be filled through a by-election.

Next Steps

The Ministry of Municipal Affairs and Housing will be undertaking sector-wide consultations regarding the proposed language of the province-wide code of conduct and its supporting regulations. Staff will monitor these consultations and will bring forward further information, as necessary, once the final regulations are filed.

Existing Policy/By-Law

Member Code of Conduct

Municipal Act, 2001

Bill 9, Municipal Accountability Act, 2026

Financial Considerations

While standard municipal IC costs will continue to be absorbed within municipal budgets, mid-term removal of members could trigger unbudgeted municipal by-elections to fill an empty seat.

June 16, 2026

Page 6 of 6

Contacts:

Janet Jaynes, City Clerk, 613-546-4291 extension 1262

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

None