

**Overview:**

Following the conclusion of a recent Building Department Investigation, our legal team have recommended the creation of a new policy for "Active Investigations" so as to establish a clear guideline for the involvement of staff and Council during investigations which are being undertaken by Building Department staff.

This policy will promote fair and equitable treatment of all individuals, including persons/properties who may potentially be in a position of non-compliance with any Municipal By-laws and other statutes and regulations.

This policy will ensure that the review of an individual, corporation or property are not compromised by the involvement of Council, Council Members and/or Staff who are not operating under the powers, duties and obligations of a Provincial Offences Officer.

The policy will establish criteria for the invocation of the Active Investigation Policy, as well as establish the responsibilities for all Staff, Council and Council Members who may or may not have been involved in dealing with the subject person, corporation or property.

**Conclusion:**

The Active Investigation policy has been drafted to provide clear instruction as to how Staff, Council and Council members should engage in interactions with persons, corporation or properties that are under investigation for potential non-compliance with Municipal By-laws, or any other statute or regulation.

**Recommendation:**

That the Building Department-2020-05 report, dated June 9, 2020, regarding an Active Investigation Policy be received and approved as Policy Number P8 and further that this Policy become effective immediately.

**Financial Impact:** This policy could potentially save the municipality and their employees from significant legal fees, either through failed legal action or civil lawsuits filed against them.

**Strategic Plan Applicability:**

**Sustainability Plan Applicability:**

### Report Approval Details

Document Title:	Active Investigations.docx
Attachments:	- P8 - Active Review - Final for Approval.docx
Final Approval Date:	Jun 11, 2020

This report and all of its attachments were approved and signed as outlined below:

Crystal McMillan

Martina Chait-Hartwig