

**THE CORPORATION OF THE
MUNICIPALITY OF KILLARNEY**

BY-LAW NO. 2023-38

**BEING A BY-LAW TO AMEND BY-LAW 2018-35
APPOINTING AN INTEGRITY COMMISSISONER FOR
THE MUNICIPALITY OF KILLARNEY**

WHEREAS the Municipal Act, 2001, as amended, provides that the powers of a municipality are to be exercised by its Council through the adoption of by-laws;

AND WHEREAS on February 4, 2021, the Municipality of Killarney and the Consultant did enter into a three-year agreement for the Consultant to provide independent integrity commissioner services to the Municipality;

AND WHEREAS this agreement concludes on December 31, 2023;

AND WHEREAS the original agreement included a renewal option for an additional two (2) years;

AND WHEREAS the Parties wish to renew the Agreement on the same terms and conditions as the Original Agreement subject only to the express amendments set out in the Agreement attached hereto dated the 13th day of October, 2023;

NOW THEREFORE the Council of the Municipality of Killarney hereby enacts as follows:

1. **FURTHER THAT** the Amending Agreement is attached hereto and forms part of this by-law;
2. **FURTHER THAT** the renewal option for an additional two (2) year period will be enacted and will expire December 31, 2025;
3. **FURTHER THAT** the Mayor and Clerk be, and the same are hereby authorized to execute this renewal agreement between the Municipality of Killarney and Cunningham Swan Carty Little & Bonham LLP;
4. **FURTHER THAT** this By-law shall come into force and take effect on January 1, 2024.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL THIS 15th DAY OF NOVEMBER, 2023.



Michael Reider, Mayor



Candy Beauvais, Clerk-Treasurer

AMENDING AGREEMENT - INTEGRITY COMMISSIONER SERVICES

This Agreement dated this ¹⁵~~13~~ day of ^{NOVEMBER,}~~October,~~ 2023.

BETWEEN:

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY
(hereinafter referred to as the "the Town")

- and -

CUNNINGHAM SWAN CARTY LITTLE & BONHAM LLP
(hereinafter referred to as "the Consultant")

WHEREAS, the Town and the Consultant (together the "Parties") did enter into an agreement for the Consultant to provide independent integrity commissioner services to the Town commencing February 4, 2021 (the "Original Agreement") and concluding December 31, 2023;

AND WHEREAS, the Parties wish to renew the Agreement on the same terms and conditions as the Original Agreement subject only to the express amendments set out in this Agreement.

NOW THEREFORE, in consideration of the covenants, terms and conditions contained herein, the Town and the Consultant agree to amend the Original Agreement by deleting section 7 and section 9 of the Original Agreement and replacing those provisions with the following new section 7 and section 9:

Term of the Agreement

7. The Consultant's appointment pursuant to this Amending Agreement is extended for a further two years, unless terminated earlier in accordance with this clause:
 - a. The Town may be released from the Agreement at any time, with thirty (30) days written notice.
 - b. The Consultant shall provide thirty (30) days written notice to the Town of his

intention to resign as the Town's Integrity Commissioner and his resignation shall only be effective at the expiry of the notice period.

Renewal

9. The Consultant's appointment pursuant to the Amending Agreement may be renewed for a further three (3) years, on the same terms as on the mutual agreement of the Parties.

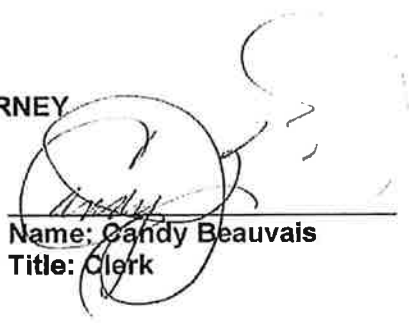
The Parties have executed this Amending Agreement this ^{15th}~~13~~ day of ^{NOVEMBER,}~~October,~~ 2023.

THE TOWN

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY



**Name: Michael Reider
Title: Mayor**



**Name: Candy Beauvais
Title: Clerk**

We have the authority to bind the corporation.

CONSULTANT

CUNNINGHAM, SWAN, CARTY, LITTLE & BONHAM LLP


Tony Fleming

"I have the authority to bind the Corporation."