



Hastings Highlands

Beautiful By Nature

Municipality of Hastings Highlands - Corporate Policies and Procedures			
DEPARTMENT: Administration			POLICY #:
POLICY: Routine Disclosure and Active Dissemination Policy			
DATE: Feb. 19, 2025	REV. DATE:	COVERAGE: Officers, Employees, Volunteers Contractors, Agents, Council, Committees, Local Boards and Public	PAGE #: 1- 14

1. Purpose

- 1.1 The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) establishes a public right of access to records in the custody and control of the Municipality, subject to limited and specific exemptions. This policy outlines a process to routinely disclose and actively disseminate select municipal records, promoting accountability, transparency, and public accessibility.

2. Scope

- 2.1 This policy applies to all records in the custody or control of the Municipality. This policy does not apply to records which are exempt under the *Municipal Freedom of Information and Protection of Privacy Act*.
- 2.2 The Clerk or designate shall be responsible for interpreting and administering this policy in a manner that is consistent with the Municipality's obligations under MFIPPA and related Municipal records management policies.

3. Definitions

- 3.1 In this policy, the following words have the following meanings:

"Active Dissemination" means the periodic release or publication of municipal records and Information in the absence of an FOI request.

"Municipality" means the Corporation of the Municipality of Hastings Highlands.

"Confidential Information" means any Information that is subject to the exemptions to

disclosure found within the *Municipal Freedom of Information and Protection of Privacy Act* and/or that, if disclosed, could result in loss or damage to the Municipality or could give the persons to whom it is disclosed an advantage. This includes information received in confidence by the Municipality.

“Control” means the Municipality’s power or authority to make a decision about the use or disclosure of its records.

“Member of Council” means a Member of the Council of the Municipality of Hastings Highlands, including the Mayor.

“Custody” means the storage, preservation, or security of a record for a legitimate business purpose, wherein the Municipality could obtain a copy of the record upon request. While physical possession of a record may not always constitute custody, it is the best evidence of custody.

“Municipal Clerk” means the individual or designate authorized to act on behalf of the Municipality for the overall governance of the records and information of the Municipality.

“Employee” means all full-time workers, part-time workers, temporary workers, seasonal workers, or students, volunteers and staff hired on a contract basis for a defined period of time by the Municipality.

“FOI Request” means a formal “Freedom of Information” request as received under the *Municipal Freedom of Information and Protection of Privacy Act*, as amended. An FOI refers to a request for access to, or copies of, a record which is submitted in writing detailing the requested records, is dated and signed by the requester. The mandatory fee as prescribed by legislation must accompany the request.

“Law Enforcement Agency” means a representative from an agency responsible for enforcing provisions of a law or regulation, including, but not limited to Ontario Provincial Police, Royal Canadian Mounted Police, Canada Revenue Agency, and Canada Border Services Agency.

“MFIPPA” means the *Municipal Freedom of Information and Protection of Privacy Act*.

“Official Record” means a record that provides evidence of a business transaction, ongoing business value, required to support business operations or required by legislation. These records must be retained and managed in accordance with government policies, standards and the Municipality’s Records Retention Policy.

“Personal Information” means “Recorded information about an identifiable individual”, as defined in MFIPPA, as amended.

“Record” means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise as defined in MFIPPA, as amended, and includes:

- 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
- 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.

“Records Retention Policy” means a policy approved by the Municipality to standardize the classification of records of the Corporation of the Municipality of Hastings Highlands, and to authorize their disposition following specified retention periods.

“Responsible Department” refers to the department or service area that holds custody and control of the original record(s) for the length of time required under the Municipality’s Records Retention Policy.

“Routine Disclosure” means an informal written request for access to a record or information, other than an FOI request under the *Municipal Freedom of Information and Protection of Privacy Act*.

4. Existence of Records

- 4.1 The Municipality is not required to re-create or restore records that have been properly destroyed under the authority of the Record Retention Policy.
- 4.2 The Municipality is not required to provide information discussed but not recorded. In response to a Routine Disclosure and/or an FOI request, the Municipality is not required to create records which do not otherwise exist.
- 4.3 Records routinely disclosed and/or actively disseminated are subject to the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA) and its regulations and will be provided in accessible formats in accordance with the requirements set out in the AODA and the Municipality’s Accessibility Policy, as amended.

5. Accountability and Responsibilities

- 5.1 Routine Disclosure and/or Active Dissemination will be consistent with existing municipal practices to ensure certain municipal information is available to the public. Routine Disclosure Requests are to be handled by the Responsible Department.
- 5.2 If there is uncertainty regarding Routine Disclosure and/or Active Dissemination, the Responsible Department shall consult with the Municipal Clerk, or Deputy Clerk if the Clerk is not available.
- 5.3 Members of Council requesting access to records through Routine Disclosure will be provided the same right of access as the public. If the requested records are not available for Routine Disclosure or Active Dissemination, the Council Member may submit an FOI request, and the Municipal Clerk or Deputy Clerk will apply MFIPPA in the normal manner to determine whether access may be granted.

6. Policy Guidelines

6.1 Personal or Confidential Information

- 6.1.1 Any records containing Personal or Confidential information will not be disclosed to anyone other than the party to whom the information pertains unless authorized by policy, bylaw, legislation or in accordance with MFIPPA requirements.

6.2 Routine Disclosure and Active Dissemination

- 6.2.1 Records identified in the attached Schedule 'A' may be provided to the public directly by the department responsible for those records, in accordance with the conditions outlined in this policy and any appropriate legislation.

6.3 Records Not Subject to Routine Disclosure or Active Dissemination

- 6.3.1 The following types of records shall not be disclosed except pursuant to an FOI Request:
- Closed meeting agendas, minutes and reports;
 - Negotiations for the buying or selling of land that have been addressed in closed session;
 - Unit prices and other proprietary information contained in tenders and proposals without the permission of the bidders;
 - Personal information about an identifiable individual; and
 - Any information subject to solicitor client privilege or otherwise protected by MFIPPA, the *Municipal Act*, or any other Act.
- 6.3.2 Although a primary focus of MFIPPA is to facilitate access to government held records and information, there are limited and specific exemptions to that access. There are two types of exemptions under MFIPPA that must be considered when assessing whether information is to be disclosed.

6.4 Mandatory Exemptions

- 6.4.1 Mandatory exemptions prohibit the Municipality from disclosing certain types of information. The Municipality must withhold information falling under a mandatory exemption as per MFIPPA.
- 6.4.2 The mandatory exemptions include:
- Personal privacy;
 - Inter-governmental relations; and
 - Third party commercial Information.

6.5 Discretionary Exemptions

- 6.5.1 Discretionary exemptions allow the Municipality to withhold information at the discretion of the Municipal Clerk, as per MFIPPA.
- 6.5.2 The discretionary exemptions include:
- Draft bylaws, reports, and closed meeting records;

- Advice or recommendations;
- Law enforcement;
- Danger to health and safety;
- Economic or other interests;
- Limitations on access to one's own Personal Information;
- Solicitor-client privilege; and
- Public or soon to be published information.

6.6 Requests for Routine Disclosure

6.6.1 The following provisions may apply to requests for Routine Disclosure:

- Requests for records made under this policy should be directed to the Responsible Department. Requests shall be submitted in writing on the prescribed form which forms Schedule 'B' of this policy; and
- Records containing Personal Information may be disclosed to a Law Enforcement Agency in Canada to aid in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result and as further outlined in section 6.7 of this policy.

6.6.2 Identification may be required to establish the identity of the requestor prior to the release of the requested records.

6.6.3 Where access to records is requested by an authorized agent, proof of agency will be required prior to the release of the requested records.

6.6.4 The charges related to the Routine Disclosure of records are specified in the Municipality's User Fees and Service Charges Bylaw. These charges will be applicable unless the record(s) are noted separately in the bylaw (i.e. Tax Certificates/Compliance Letters).

6.6.5 Requests for records that require significant research, and/or staff resources will require staff to prepare a cost estimate that will be forwarded to the requester, before any work begins on the collection of records.

6.6.6 Where the total fee is estimated to exceed \$100.00, an estimate must be provided to the requestor before staff begins to process a request. The payment of a deposit equal to 50% of the estimated cost may be required before proceeding. If the actual fee is less than the deposit, the balance will be refunded. If it becomes clear during the processing that the actual cost is likely to exceed the original estimate substantially, a revised estimate must be provided to the requestor.

6.6.7 No records shall be provided until the required fee has been paid.

6.6.8 A copy of Records that are subject to the *Copyright Act* may only be released under this policy provided the author of the record consents to disclosure. Even with consent, records may be stamped as a copy and the requester will be required to acknowledge that the full provisions of the *Copyright Act* apply to the use and reproduction of the records.

6.6.9 Requests for Routine Disclosure made under this policy will be acknowledged by Municipal staff in a reasonable time frame, that considers the workload of the staff member and the

nature of the request. Municipal staff will endeavour to respond to requests within 10 business days (excluding holidays), however it may require longer to respond in certain circumstances.

- 6.6.10 In cases where the request cannot be completed within 10 business days, the requester must be notified within a reasonable timeframe and provided with an estimated deadline for response.
- 6.6.11 Requestors will be notified when the search for records is complete. If no steps are taken by the requestor to view or obtain copies of the record(s) within 30 days of the notification, then the request will be considered abandoned and the file closed.
- 6.6.12 The Municipality has the authority to deny any request for Routine Disclosure and/or withhold portions of any requested record, as permitted under MFIPPA. If a request for Routine Disclosure is denied, the requester will be informed of their right to submit an FOI request.
- 6.6.13 Repetitive requests by an individual or organization for:
- significant volumes of records;
 - separation of a request into several smaller requests totalling a large volume; and
 - requests made to multiple departments related to the same subject or issue, may be centrally coordinated, as applicable.
- 6.6.14 If the Responsible Department receives a request for records and are unsure of whether the record or information can be released under this policy, they shall consult with the Municipal Clerk or Deputy Clerk (if the Clerk is not available) for clarification, prior to releasing any records or information to the requester.

6.7 Requests from Law Enforcement Agencies

- 6.7.1 The Municipality may disclose a copy of a record to a Law Enforcement Agency where there are reasonable grounds to believe that an unlawful activity has occurred and has been captured within an Official Record through the course of Municipality Business, in accordance with MFIPPA.
- 6.7.2 Law Enforcement Agencies seeking a copy of an Official Record must complete and submit to the Municipal Clerk, or their designate, an applicable Law Enforcement Agency Request for Records Form (Schedule 'C') as amended, containing, but not limited to, the following information:
- the name, agency, badge number, file number, contact information, and signature of the law enforcement official seeking the information;
 - a detailed description of the information sought;
 - a description of the law enforcement purpose, investigation or proceeding to which the information relates;
 - the relevance of the information to the investigation;
 - in urgent circumstances, an explanation as to why it is not feasible to seek a court order;
 - the law enforcement agency's position on whether notification to the individual would interfere with the investigation or otherwise cause significant harm; and
 - the date of the request or order

- 6.7.3 Upon receipt of the request form, the Municipal Clerk or designate, will forward the request to the Responsible Department to secure and retrieve the requested record(s).
- 6.7.4 If eligible for release, the Municipal Clerk, or designate, will prepare the record(s) for release and notify the representative of the Law Enforcement Agency when the record(s) are available for retrieval. If it is determined that the records may not be released, the Municipal Clerk, or designate, will advise the Law Enforcement Agency of the need to file an FOI.

6.8 Active Dissemination

- 6.8.1 Active Dissemination methodology includes, but is not limited to:
- Posting Records and Information on the Municipality's website or social media accounts (e.g. Facebook, Instagram, YouTube, etc.); and
 - Dissemination of media materials, posters, pamphlets, flyers, handouts and other publications.
- 6.8.2 The Municipality utilizes the Municipality's website, social media accounts, publications, and local media to regularly and periodically provide information to the public. Individuals may also visit the Municipal Office to review physical public records (e.g. tax assessment rolls) with an appointment. All original public records must remain in the Municipal Office.

6.9 Freedom of Information Requests

- 6.9.1 All FOI requests submitted to the Municipality shall be directed to the Municipal Clerk or designate for processing, in accordance with the policy and the applicable provisions of MFIPPA.

6.10 Monitoring and Evaluation

- 6.10.1 The Clerk's Department monitors compliance, engagement and awareness of this policy through the following:
- Active review and monitoring of all Routine Disclosure requests and submissions processed by the Municipality; and
 - Regularly scheduled training and education sessions, as required.
- 6.10.2 This policy shall be routinely reviewed by the Municipal Clerk or designate to ensure its effectiveness and compliance with legislation and current business processes or as required based on legislative changes.
- 6.10.3 The Municipal Clerk or designate is authorized to make minor or housekeeping amendments to this policy, and its schedules, as required.

Schedule 'A'

Records for Routine Disclosure and Active Dissemination

This listing identifies records and information that may be released under Routine Disclosure and/or Active Dissemination at the Municipality of Hastings Highlands.

AD = Active Dissemination (e.g. posting on website, pamphlets, social media, etc.)

RD = Routine Disclosure (e.g. Records Request submitted in writing using the appropriate request form)

Staff Response Time - 10 Business Days (excluding holidays) see Section 6.6.10 for exceptions

Routine Disclosure Requests will be charged in accordance with the Municipality's User Fees and Service Charges Bylaw, as applicable.

Hastings Highlands Municipal website: www.hastingshighlands.ca

Civic Web (Meeting Agendas, Minutes, Resolutions etc.): <https://hastingshighlands.civicweb.net/Portal/>

Municipal Office: 33011 Hwy 62 N, Maynooth, ON

Document	Access (AD/RD)	Conditions of Release
General		
Goals, Objectives, Strategic Plan, or Media Releases	AD - Website / Civic Web	
Agreements and Contracts	RD - By Request	Excludes Drafts and Confidential Agreements
Corporate Structure, Organizational Chart, Employment & Salary Statistics	AD - Website / Civic Web	Excludes personal information
Job Postings (External)	AD – Website	Available during open posting period Excludes draft and working copies
Clerk's Department		
Bylaws	AD - Website / Civic Web	Frequently requested bylaws are available on the Municipal website
Public Council / Committee / Board meetings (including Agendas, Minutes, Staff Reports, Resolutions)	AD - Civic Web	Excludes Closed Session Material (Agendas, Minutes, Staff Reports, third party reports and Resolutions)
Written declarations of Pecuniary Interest	AD - Civic Web / Website	
Municipal Policies	AD - Website / Civic Web	Frequently requested policies are available on the Municipal website
Licenses (Kennel, Lottery, Business)	RD - By Request	Copy of Final Licence Released Verbal confirmation of licence issuance including licence number, licence holder, date of event and event location
Emergency Management Plan	AD - Website / Civic Web	Excludes confidential appendices
Voters' List	AD – Municipal Office	Viewing Only by Registered Candidates immediately prior to Municipal Election
Elections – Candidate Financial Statements	AD – Website	Records may be viewed for the current term of Council
Elections – Nomination forms	AD - Municipal Office (In-Person)	Records may be viewed from the date of submission until 120 days following the election period

Document	Access (AD/RD)	Conditions of Release
Building Department		
Property Records: • Building & Septic Permits • Building Inspections & Plans • Site Plans & Drawings	RD – By Request	Residential records released to Owner or Authorized Agent, or individual with written permission from the owner
Building Compliance Letters / Septic Search Requests	RD – By Request	Released to Owner or Authorized Agent, or individual with written permission from the owner Independent Fee charged for these record(s). See Municipality's User Fees and Service Charges Bylaw
Building Services Reports or Statistics	AD - Website / Civic Web	
Surveys	RD – By Request	Released to Owner or Authorized Agent, or individual with written permission from the owner
Planning Department		
Committee of Adjustment Notices & Decisions	AD - Website / Civic Web	
Applications, Notices, Decisions, and other material pursuant to the <i>Planning Act</i> R.S.O. 1990, c. P. 13	AD - Website / Civic Web	
Zoning Compliance Letters	RD – By Request	Released to Owner or Authorized Agent, or individual with written permission from the owner. Independent Fee charged for these record(s). See Municipality's User Fees and Service Charges Bylaw
Maps	AD - Website / Hastings County GIS	
Fire & Emergency Services		
Fire Prevention & Public Safety Information	AD - Website	
Fire Code Inspections	RD – By Request	Inspection forms released to Owner or Authorized Agent, or individual with written permission from the owner. Subject to FOI requirements and exemptions
Fire Inspect Reports / Response	RD – By Request	Reports/Responses released to Property Owner or Authorized Agent, or individual with written permission from the owner. Subject to FOI requirements and exemptions

Document	Access (AD/RD)	Conditions of Release
Finance Department		
Annual Approved Budgets	AD – Website / Civic Web	Final proposed and approved budgets only (excludes drafts and working notes)
Audited Financial Statements	AD – Website / Civic Web	
Council Expenses / Remuneration	AD - Website / Civic Web	
Tax Certificates	RD – By Request	Independent User Fee charged for these record(s). See Municipality's User Fees and Service Charges Bylaw
Tax Statements	RD – By Request	Released to Property Owner or Authorized Agent, or individual with written permission from the owner Independent User Fee charged for these record(s). See Municipality's User Fees and Service Charges Bylaw
Tax Rolls & Records	AD - Municipal Office	Property Assessment Information can be viewed at the Municipal Office
Tax Rates	AD – Website	Final tax rates only
Tax Sales Listing	AD – Website	Includes listing only. Excludes any supporting or related records
Summary of Tender Results	AD – Website, Civic Web	(Report to Council completed for Tenders >\$100,000 (Civic Web)
Operations Department (Roads and Waste Management)		
Road Closures and Construction Information	AD – Website	
Sign Permits	RD – By Request	Sign applications released to Owner or Authorized Agent, or individual with written permission from the owner Sign applications with personal information removed are released upon request Confirmation of Sign permits issued can be provided verbally
Entrance Permit	RD – By Request	Entrance Permit applications released to Property Owner or Authorized Agent, or individual with written permission from the owner Entrance Permit applications with personal information redacted are released upon request
Waste Site Annual Monitoring Reports	AD – Website / Civic Web	
Recreation and Community Services		
Programming & Facility Rental Information	AD - Website	
Facility Rental Contracts	RD – By Request	Released to the parties of the contract only
Parks, Trails, Beaches and Boat Launches	AD - Website	
Cemeteries and Churches	AD - Website	

Schedule 'B'
Routine Disclosure Request Form



Routine Disclosure Request Form

The Municipality of Hastings Highlands prides itself on its efforts to be both accountable and transparent about processes and information flow. Our Routine Disclosure and Active Dissemination Policy identifies records and information that may be shared actively in accordance with the principles of the *Municipal Act* and the *Municipal Freedom of Information and Protections of Privacy Act* (MFIPPA).

Please complete the form fully and accurately. If you need assistance with this form, please contact the Office of the Municipal Clerk at:

Municipal Clerk

Ph: (613) 338-2811 ext. 277

Email: clerk@hastingshighlands.ca

Applicant Information

First Name

Last Name

Street Number

Street Name

City/Town

Province

Postal Code

Phone Number

Email Address

Project Information (if applicable)

* A separate application is required for each address

Street Number

Street Name

Building Permit Number(s) (if known/if applicable)

Which Departments are you Request Records From:

- ☐ Building Department
- ☐ Community Services and Facilities
- ☐ General (Administration)
- ☐ Bylaw Enforcement Department
- ☐ Finance Department
- ☐ Operations Department (Roads and Waste Management)
- ☐ Clerk's Department
- ☐ Fire Department
- ☐ Planning Department

Please provide a detailed description of requested information and dates, if applicable. *

Applicant Declaration

I hereby declare that I am the:

- ☐ Owner of the property as described above (I.D. may be required)
- ☐ Authorized Agent (proof of agency required)
- ☐ A person who has the written consent of a property owner (proof of written consent required)
- ☐ Another person (not listed above)

Requestors will be notified when the search for records is complete. If no steps are taken by the requestor to view or obtain copies of the record(s) within 30 days of notification, the request will be deemed abandoned, and the file closed.

The personal information recorded on this form is collected and maintained in accordance with the [Municipal Freedom of Information and Protection of Privacy Act](#) (MFIPPA) and will be used for the sole purpose of processing your request. Questions about the collection of personal information may be addressed to the Municipal Clerk, Municipality of Hastings Highlands, 33011 Highway 62, P.O. Box 130, Maynooth, ON K0L 2S0, 613-338-2811 ext. 277.

Schedule 'C'
Law Enforcement Agency Request for Records Form



Law Enforcement Agency Request for Records Form

The following information is being requested under Section 32(g) of the *Municipal Freedom of Information and Protection of Privacy Act*, which allows for the disclosure of record that contains personal information for the purposes of aiding a law enforcement investigation or from which a law enforcement proceeding is likely to result.

Please complete the form fully and accurately. If you need assistance with this form, please contact the Office of the Municipal Clerk at:

Municipal Clerk

Ph: (613) 338-2811 ext. 277

Email: clerk@hastingshighlands.ca

This section to be completed by attending Law Enforcement Officer

The term 'Law Enforcement Officer' is outlined in the Municipality's Routine Disclosure Policy and includes, but is not limited to, the following positions: Ontario Provincial Police, Royal Canadian Mounted Police, Canada Revenue Agency, and Canada Border Services Agency.

Occurrence No.:

Warrant of Apprehension No.:

Review Original Documents

☐ Review of Records Only
(in Office)

☐ Copies Requested

☐ Originals Requested
(release original under
subpoena only)

I _____ request the personal information described below to aid an investigation undertaken by _____ with view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.

This section to be completed by Municipal Staff. Description of Records and personal information requested: *

Location of Records: *

Municipal Staff Name: *

Contact Number: *

Badge/Identification No. *

Signature of Investigating Officer _____

Signature of Staff Member _____