



### Fall 2009 CLE Savings Program

#### \$50 Green Discount

Save \$50 off the price of any OBA CLE **live** program when you opt to take the materials electronically. To access your materials, just visit [www.oba.org/pd](http://www.oba.org/pd) and select "Login".

#### Regional Travel Participation Discount

Travelling more than 100 km to attend the **live** OBA CLE program? Take 25% off the registration fee. Exempted are joint LSUC-OBA programs, Institute and the Franchise Law program.

#### Webcast Group Discount Per Program

2-4 registrants at 25% off entire registration fee. 5 plus registrants for a half-day program at \$50 or \$75 for a full-day per person. Available only to those registering from the same firm, at the same time and paying with one cheque; printed materials available for purchase at time of registration will be discounted 25%.

#### Save 25% on Bundles

Special offer for those NOT attending live programs: Deduct 25% for each "Bundle" (Choice of one binder plus one CD-ROM or Online CLE for the same program). Bundles apply to any CLEs offered in multimedia format.

### Can't Attend the Program? Order the Course Material!

Concise, practical and well-focussed course materials and/or precedents written by the faculty (topic may vary slightly from presentation) are available either in binder format or electronic format (downloadable).



Publications

#### REGISTRATION POLICY

Registrations must be prepaid. Registrations will be accepted by FAX at (416) 642-0424 and at the Ontario Bar Association address shown on the Registration Form. A credit card number must accompany all faxed registrations. Walk-in registrations will be accommodated only if accompanied by credit card or cheque. Seating and meal preference, if applicable, will be given to prepaid registrants.

#### REFUNDS AND CANCELLATIONS

Course fee is refundable (less \$50.00 plus \$2.50 GST) if notice is received in writing five business days before the course. We reserve the right to cancel or reschedule courses, refuse admission, or change speakers, location or content at any time. No refunds will be made if notification is received after December 3, 2009. Please note that a CBA member in the same category may attend in your place. If the delegate is not a CBA member s/he will be required to pay the difference in fee. The OBA GST registration number is R100760495.

#### CONTACT INFORMATION CONSENT

The OBA's programs may be supported by preferred suppliers, sponsors and exhibitors. Subject to the following paragraph, I understand that the provision of contact information on this registration form constitutes my consent to such information being disclosed to the preferred suppliers, sponsors, exhibitors, speakers or attendees of this program. For further information about the CBA's and OBA's treatment of contact information, see Members Privacy Policy at [www.cba.org](http://www.cba.org) or [www.oba.org](http://www.oba.org). By checking this box  I do not wish my contact information disclosed to the preferred suppliers, sponsors, exhibitors, speakers or attendees of this program.

09MUN1210C

### Counsel at Municipal Council

Thursday, December 10, 2009 | 1:00 pm to 4:30 pm

Name: \_\_\_\_\_

CBA #: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Bus. Tel. #: (        ) \_\_\_\_\_

Fax #: (        ) \_\_\_\_\_

E-mail: \_\_\_\_\_

#### REGISTRATION *Please circle fee category.*

Live Program*	CBA Member	CBA Student Member	Non-Member
<input type="checkbox"/> In person	\$195	\$95	\$295

\*Fee includes course materials and reception

I am unable to attend the program. Please send me:

#### EDUCATIONAL MATERIALS ONLY *(Available 3-4 weeks post-program)*

Publication	CBA Member	Non-Member
<input type="checkbox"/> Publication (binder)	\$75	\$120
<input type="checkbox"/> Publication (download)		

#### FEE CALCULATION

<b>Sub-Total</b>	_____	Add GST (5%)	_____
Less Discounts	_____	Add PST (8%)	<b>N/A</b>
Less 25% for Bundles	<b>N/A</b>	(on CD-ROMs and CD-ROM Bundles only)	
<b>New Sub-Total</b>	_____	<b>Total</b>	_____

#### PAYMENT *(registrations must be prepaid)*

Cheque (payable to Ontario Bar Association), or please charge my

Visa     Mastercard

Credit Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

Ontario Bar Association, 300 - 20 Toronto St, Toronto, ON M5C 2B8  
 Fax: 416.642.0424 Phone: 416.869.1047 Toll Free: 1.800.668.8900  
[www.oba.org/pd](http://www.oba.org/pd)



Program Chair:  
**David J. Potts,**  
 City of Oshawa –  
 Oshawa



Program Chair:  
**Kelly G. Yerxa,**  
 O'Connor MacLeod Hanna LLP  
 – Oakville

### Counsel at Municipal Council

**Focus:** This program will focus on appearances at council, and representing and advising municipal council and staff on matters that arise on the council floor and outside the council chamber. Leading practitioners will address issues and questions related to closed meetings, lobbying and procedural fairness.

#### Highlights:

- Persuading council
- Procedural fairness and the right to be heard at council
- Closed meetings and investigations
- Conflict of interest and non-pecuniary bias

Sponsored by:



Municipal Law - 2.5 Hours



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## Counsel at Municipal Council

Thursday, December 10, 2009 | 1:00 pm to 4:30 pm  
OBA Conference Centre | 200 - 20 Toronto St., Toronto

### 1:00 pm INTRODUCTORY REMARKS

#### 1:15 pm *Persuading Council*

- Identifying key staff and council members
- Effective lobbying
- Submissions to public meetings
- Toronto's Lobbyist By-law
- Law Society Rules

**Mary Ellen Bench**, City Solicitor, City of Mississauga  
**Ronald M. Kanter**, Macdonald Sager Manis LLP  
**Patrick Robson**, Commissioner, Integrated Community Planning, Regional Municipality of Niagara - Thorold  
**Councillor Adam Vaughan**, City Councillor, Ward 20, Trinity-Spadina

#### 1:55 pm *Procedural Fairness and the Right to be Heard at Council*

- What obligations do councils have to hear deputations?
- In what circumstances can councils hold meetings *in camera*?
- Are there obligations on councils to provide notice that matters are to be considered?
- What remedies are available if council breaches its obligations to give notice and provide a fair hearing?

**M. Rick O'Connor**, City Clerk and Solicitor, City of Ottawa - Ottawa

### 2:35 pm BREAK

#### 2:50 pm *Closed Meetings and Investigations*

- What triggers a complaint?
- Who investigates?
- What is the process for an investigation?
- Expectations of council and staff during an investigation

**Fred Dean**, Amberley Gavel Ltd.  
**Tony E. Fleming**, Cunningham, Swan, Carty, Little and Bonham LLP - Kingston  
**Heather A. Salter**, Town Solicitor, Town of Fort Erie - Fort Erie

#### 3:45 pm *Conflict of Interest and Non-Pecuniary Bias*

Statutory and common-law rules prescribe differing standards for financial interests on the part of councillors and local board members than those which apply to allegations of bias. While the former are subject to strict conflict of interest prohibitions, the latter are subject to a more relaxed common law standard. This presentation will explore recent developments in both areas of municipal law.

**Barnet H. Kussner**, WeirFoulds LLP

#### 4:20 pm *Concluding Remarks*

### 4:30 pm PROGRAM CONCLUDES & RECEPTION

## SAVE THE DATE

The **2010 OBA Institute** will be taking place on Tuesday, February 16, 2010 at the Royal York Hotel.

The **Criminal Justice** program will take place on Saturday, February 20, 2010 at the Ontario Bar Association.

## Upcoming Professional Development Programs

### Municipal Law - Regulating Council Conduct

Tuesday, November 17, 2009 | 6:00 pm - Dinner Program  
Councillors behaving badly is not a new phenomenon. How are municipalities coping with rogue members of council; councillors who are abusive of staff and disrespectful of their fellow members of council and residents; councillors who disclose confidential information and closed meeting discussions; councillors who improperly use corporate property; councillors who refuse to refrain from using text message devices during council and committee meetings? Are the new statutory accountability provisions and integrity officers under the *Municipal Act*, 2001 and the *City of Toronto Act*, 2006 being used?

Hosted by the Municipal Law Section

### Must Read Materials

#### Municipal Law - A Primer on Current Municipal and Planning Law Issues - Part I and Part 2

2/3/2009  
Binder

#### The Green Energy Act and Regulations: Implementation Reforms and Issues

11/10/2009  
Binder or Download

For more information on programs, educational materials and pricing, please visit [www.oba.org/pd](http://www.oba.org/pd)