

**99. Firefighters.**—The council of every local municipality may pass by-laws for granting gratuities to the members of the fire brigade who have become incapacitated for service on account of injuries or ill-health caused by accident or exposure at fires, or from inability to perform their duties, and for granting pecuniary aid or other assistance to the surviving spouses and children of persons killed by accident while in the discharge of their duties at fires, or who die from injuries received or from illness contracted while in the service of the municipality as firefighters. R.S.O. 1980, c. 302, s. 101; 1986, c. 64, s. 37(4).

**INVESTIGATION OF CHARGES OF MALFEASANCE, ETC., OR JUDICIAL INQUIRY IN RELATION TO MUNICIPAL MATTERS**

**100. (1) Investigation by judge of charges of malfeasance.**—Where the council of a municipality passes a resolution requesting a judge of the Ontario Court (General Division) to investigate any matter relating to a supposed malfeasance, breach of trust or other misconduct on the part of a member of the council, or an officer or employee of the corporation, or of any person having a contract with it, in regard to the duties or obligations of the member, officer, employee or other person to the corporation, or to inquire into or concerning any matter connected with the good government of the municipality or the conduct of any part of its public business, including any business conducted by a commission appointed by the municipal council or elected by the electors, the judge shall make the inquiry and for that purpose has all the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to such investigation as if it were an inquiry under that Act, and the judge shall, with all convenient speed, report to the council the result of the inquiry and the evidence taken. R.S.O. 1980, c. 302, s. 102(1); 1989, c. 56, s. 29.

**(2) Engaging counsel.**—The council may engage and pay counsel to represent the corporation, and may pay all proper witness fees to persons summoned to give evidence at the instance of the corporation, and any person charged with malfeasance, breach of trust or other misconduct, or whose conduct is called in question on such investigation or inquiry, may be represented by counsel.

**(3) Idem.**—The judge may engage counsel and such other assistants and employees and incur such incidental expenses as he or she considers advisable for the proper conduct of the investigation or inquiry, and the municipality shall pay the costs thereof. R.S.O. 1980, c. 302, s. 102(3, 4).

**PART VII**

**GENERAL PROVISIONS APPLICABLE TO ALL MUNICIPALITIES**

**(X) 101. (1) Jurisdiction of councils.**—Except where otherwise provided, the jurisdiction of every council is confined to the municipality that it represents and its powers shall be exercised by by-law.

**(2) By-law not to be quashed because unreasonable.**—A by-law passed by a council in the exercise of any of the powers conferred by and in accordance with this Act, and in good faith, shall not be open to question, or be quashed, set aside or declared invalid,

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