

HIGHLIGHTS

THE OFFICIALLY BILINGUAL CITY OF OTTAWA: THE PROPOSED LEGISLATIVE APPROACH

- On Friday, January 8, 2016, several Francophone organizations working at the local, provincial and national levels proposed a legislative approach to officially **recognize the bilingual status of the City of Ottawa, Capital of Canada.**

This group includes the *Association des communautés francophones d'Ottawa* (ACFO), the *Fédération de la jeunesse franco-ontarienne* (FESFO), the *Fédération des aînés et retraités francophones de l'Ontario* (FARFO), the *Fédération des aînées et aînés francophones du Canada* (FAAFC), the *Movement for an officially bilingual Capital of Canada* (MOCOB) and the *Regroupement étudiant franco-ontarien* (RÉFO).

- Ottawa, capital of Canada, is a symbol of Canadian identity and as such must reflect those values. One of the great Canadian values is the equality of our official languages and the City of Ottawa must uphold that key symbol.
- In light of the 150th anniversary of Canada, the City of Ottawa can be a leader in the promotion of Canada's linguistic duality.
- Above all, the proposed legislative approach aims to **ensure the continuity of the French language services presently offered by the City of Ottawa and the equal status of English and French.**
- As stated by Mayor Jim Watson, the **Policy on Bilingualism and the Bilingualism By-law (No. 2001-170) currently in place have been working reasonably well since 2001.** The proposed approach retains much of the existing principles and languages found in the City's current policy and bylaw on bilingualism. The proposed approach **clarifies and enhances the status of those tools and adds safeguards** to ensure their continuity.
- This approach will not lead to any **municipal job losses for Anglophone employees** nor does it unduly favour bilingual employees.
- An official and public declaration of bilingualism together with the adoption of concrete measures to that effect will signal and promote Ottawa's **openness to the world**, and enable Ottawa to reap **significant benefits** such as:
 - fostering **greater pride** in our youth;
 - **multicultural rapprochement**;
 - an increase in **Francophone immigration**;
 - continued growth in **tourism industry and the economy.**

The proposed approach is **pragmatic. It is fiscally responsible and prudent while at the same time responsive** to the aspirations of the Francophone community.

PROPOSED LEGISLATIVE APPROACH AND COURSE OF ACTION

- The proposed legislative approach is **simple, innovative and takes into account Ottawa's current legislative instruments (policy and by-law) and its ongoing commitment to French services.**
- The proposed legislative approach advocates **the equality of French and English** in the City, thus promoting a rapprochement between its communities.
- Given that the City of Ottawa is an Ontario municipality the proposed legislative approach contemplates changes to both the City's provincial enabling law (*City of Ottawa Act, 1999*,) and to the City's existing municipal by-law on bilingualism. More specifically :
 1. City Council must first **adopt a resolution** asking the Province of Ontario to amend the constituent act of the City of Ottawa in order to **explicitly recognize the equal status of the French and English languages in the City of Ottawa.**
 2. Simultaneously, the resolution of City Council will be accompanied by an **amendment to the Bilingualism By-law, no. 2001-170**, to give local effect to the proposed changes to the City's constituent act.
- This approach **preserves the City's jurisdictions and ability to deal with complaints.** While the Commissioner for French Language Services would have the ability to investigate complaints, he has indicated on numerous occasions that he would be willing to sign a Memorandum of Understanding recognizing that the City of Ottawa would have primary responsibility for dealing with complaints. Together these non judicial complaint resolution mechanisms should minimize litigation.
- The proposed approach fits within the existing linguistic legal framework in Ontario. This **pragmatic approach** would allow Ottawa to show its **solidarity with other municipalities** and institutions across the province that have chosen or will choose to officially recognize their bilingual nature.
- Amendments to the *City of Ottawa Act, 1999* (constituent act) aim to:
 - **Recognize the bilingual nature of the City of Ottawa, its status as the Capital of Canada and the equality of French and English;**
 - Affirm everyone's right to **receive municipal services and to communicate with the City in French and English;**
 - **Mandate the adoption of a by-law** (rather than just a policy) that provides the administration of the municipality shall be conducted in both English and French and that all or specified municipal services to the public shall be made available in both languages.
- Amendments to the By-law aim to:
 - Retain nearly **all of the existing provisions;**
 - **Reinforce the legal status of the Policy** by incorporating it directly into the By-law;

- take into account and **give effect to the proposed changes** to the City of Ottawa Act, 1999;
- Confirm that the new By-law is a **municipal by-law within the meaning of Article 14** of the French Language Services Act.