

BYLAW NO. 2022

A BYLAW OF THE CITY OF NORTH BATTLEFORD TO ESTABLISH A CODE OF ETHICS APPLICABLE TO ALL MEMBERS OF THE COUNCIL

Short Title

1.0 This Bylaw may be cited as the Code of Ethics Bylaw.

Legal Requirement

2.0 This Bylaw has been created to comply with section 66.1 of *The Cities Act* and as outlined in section 3.1, Schedule 1, of *The Cities Regulations*.

Scope

- 3.0 a) The City of North Battleford's Council members shall act in accordance with this Code of Ethics.
- b) The Code of Ethics as described in this Bylaw will be applicable to all members of committees, controlled corporations, and other bodies established by Council who are not members of Council pursuant to clause 66.1 (6)(a) of *The Cities Act*.

PART I

CODE OF ETHICS

Code of Ethics for Members of Council

Preamble

Citizens expect the highest standards of Conduct from the members they elect to local government. As Members of Council, we recognize that our actions have an impact on the lives of all residents in the community and that fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards. Therefore, we must avoid situations in which their personal interest conflicts, or appears to conflict, with the interests of the municipality in their dealings with persons doing or seeking to do business with the municipality.

Members must not engage in any Conduct or activity that contravenes our Charter of Values, policies, procedures, bylaws or any law in force in the Province of Saskatchewan which might detrimentally affect the municipality's reputation.

The key statements of principle that underline the Code of Ethics are that Members:

- Shall serve and be seen to serve their constituents in a conscientious and diligent manner;
- Should be committed to performing their functions with integrity;
- Must avoid improper use of influence of their office, and always self-declare conflicts of interest, both perceived and real;
- Are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny;
- Shall seek to serve the public interest by upholding both the letter and the spirit of the laws of the Federal and Provincial Government, as well as the laws and policies adopted by City Council; and
- Cannot inhibit the municipality's ability to efficiently manage and direct its operations.

Purpose and Interpretation

Ethics and integrity are at the core of public confidence in government and in the political process. The purpose of this Code is to provide standards for Members of North Battleford City Council relating to their roles and obligations, and a procedure for the investigation and enforcement of those standards.

This code is to be interpreted in accordance with the legislation applicable to the municipality, the common law and the policies and bylaws of the municipality. Neither the law nor this code is to be interpreted as exhaustive, and there will be occasions on which a Council will find it necessary to adopt additional rules of Conduct in order to protect the public interest and to enhance the public confidence and trust in local government.

It is the responsibility of each member of Council to uphold the standards and values set out in this code.

Standards and Values



This *Code of Ethics* does not answer every question that is going to come up. Rather, it is designed to promote ethical decision-making and behaviour by asking the right questions like:

Am I putting my own interests before the City's?

Would I make the same decision if the public or the media were watching me?

Will I owe someone a favour if I do this?

Would I be offered this if I weren't a Member of Council with the City?

If you have a question or looking for guidance, ask the Director of Human Resources or City Manager.

Ask until you get an answer.

a) Honesty

Members of Council shall be truthful and open in their roles as Council members and as members of the communities they serve.

b) Objectivity

Members of Council shall make decisions carefully, fairly and impartially.

c) Respect

Members of Council shall treat every person, including other members of Council, municipal employees and the public, with dignity, understanding and respect.

Members of Council shall not engage in discrimination, bullying or harassment in their roles as members of Council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

d) Transparency and Accountability

Members of Council shall endeavour to Conduct and convey Council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.

Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

e) Confidentiality

Members of Council shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so. Members shall not take advantage of or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in the public domain. This includes complying with *The Local Authority Freedom of Information and Protection of Privacy Act* in their capacity as members of Council of a local authority.

f) Leadership and the Public Interest

Members of Council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government.

Members of Council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical Conduct.

g) Responsibility

Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing potential and actual conflicts of interest.

Use, Collection and Disclosure of Information

- 4.0 Members of Council will only use, collect and disclose information in accordance with the *Local Authority Freedom of Information and Protection of Privacy Act (LAFOIPP)* for the purposes of carrying out City duties.

Confidentiality

- 5.0 In addition to the statutory duties set out in section 65(e) of *The Cities Act*, Members shall:
- refrain from disclosing or releasing by any means to any member of the public or the media, any confidential information acquired by virtue of their office in either oral or written form, except when required by law or authorized by Council to do so;
 - not use confidential information (such as knowledge respecting bidding on the sale of City property or assets) for personal or private gain, or for the gain of relatives or any person or corporation; and
 - refrain from accessing or attempting to gain access to confidential information in the custody of the City unless it is necessary for the performance of their duties and not prohibited by Council policy.

It is considered a breach of the Code of Ethics to use information obtained as a result of his or her assignment, that is not available to the public, to:

- Further, or seek to further, his or her private interests or those of his or her family; or
- Seek to improperly further another person's private interests

In accordance with the rules under *the Local Authority Freedom of Information and Protection of Privacy Act (LAFOIPP)*, Members of Council shall not:

- a) Where a matter has been discussed in camera, and remains confidential, disclose the content of the matter or the substance of the deliberations of the in camera meeting; and
- b) Disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council to do so.

If you think you may be in violation of the Code, make full and prompt disclosure to the City Clerk and City Manager.

Use of Influence

- 6.0 It is considered a breach of the Code of Ethics for a Council Member to use his or her position to seek to influence a decision of another person so as to:
- Further, or seek to further, his or her private interests or those of his or her family, or
 - Seek to improperly further another person's private interests.

Professional Codes of Conduct

- 7.0 Members of Council with professional affiliations, such as accountants, lawyers, engineers, auditors, etc., may be subject to more than one Code of Conduct. If a situation arises that may cause conflict or confusion, consult with the Director of Human Resources and/or City Manager.

Conflict of Interest

- 8.0 A conflict of interest occurs when, in the course of a Member's duties, he or she is called upon to deal with a matter in which he/she has a direct and indirect personal and/or financial interest.

A direct interest can occur when a Member of Council may derive, or be seen to derive, some financial or personal benefit or avoid financial or personal loss. An indirect interest may arise when the potential benefit or loss would be experienced by another person or corporation having a relationship with the Member. These benefits, interests, losses and relationships are generally financial in nature but are not limited to such. In other words, a conflict arises when a Member participates in activities, which could advance a personal interest at the expense of the City's interests. Any behavior, which is, or could be perceived as, a conflict is prohibited and subject to be dealt in accordance the procedure laid down in this policy.

What we do...

- We make work decisions without consideration of our personal interests or those of our family and friends.
- We ensure that our outside activities do not conflict with our duties.
- We avoid any situation or decision-making in which there is an Actual or Perceived conflict of interest or an apprehension of bias.

We do not...

- Participate in decisions that benefit ourselves or our friends and family.
- Supervise members of our family or make decisions that affect their employment.
- Use our position at the City to pursue or advance our personal interests, the interest of a family member, an associate, or a person to whom we owe an obligation to.

Common Situations

- 9.0 The most common situations that could give rise to an Actual or Perceived conflict of interest are accepting gifts, favours or financial benefits from suppliers, close or family relationships with suppliers, disclosing confidential information or using confidential information inappropriately. The following are some examples of these types of situations:

- a) Influencing City of North Battleford to lease equipment from a business owned by an Associate, close friend or family member.
- b) Influencing City of North Battleford to make its travel arrangements through a travel agency owned by an associate, close friend, or family member.
- c) Acting as a Service Provider or Contractor.
- d) Situations where you or someone you know would personally benefit from unauthorized disclosure or inappropriate use of information acquired through your employment with the City of North Battleford.
- e) Sever the position of any municipal staff just based on personal liking.

- f) Situations in which you, a family member, close friend or Associate could personally benefit from your influence in City decisions regarding investments, loans, purchases, sales, contracts, policy, grants and regulatory or discretionary approvals and appointments. This may include:
- (i) Participating or influencing discussions or decisions that directly or indirectly impact a Service Provider, Contractor, or investments; or
 - (ii) Participating or influencing the evaluation, selection or contracting of a Service Provider or Contractor; or
 - (iii) Providing oversight of, influencing negotiations with, assessing risk, or performing audits of a Service Provider or Contractor with which you have an identified personal, financial or business relationship.

Outside Employment, Business Interests and Other Activities

10.0 Member of Council may not hold a significant financial interest, either directly or through a family member or Associate, or hold or accept a position as an officer or director in an organization that has a relationship with the City of North Battleford, unless that interest has been fully disclosed and addressed to the City of North Battleford's satisfaction. A "significant financial interest" in this context is any interest substantial enough to be perceived to influence the decisions of City or be perceived to result in personal gain for you.

Board Appointments

11.0 A Member of Council serving on a board of a 'for-profit' organization or certain societies may be, or perceived to be, in a conflict of interest.

Investments

12.0 As a Member of Council, you may be party to, or have influence over, decisions or you may be aware of information that is not available to the public. You must always ensure that you are not providing, or being perceived to be providing, a unique investment advantage for yourself or anyone you know based on your access to City of North Battleford information or decisions.

If you have any direct or indirect business relations or direct or indirect investments that are, or could be perceived to be, a conflict of interest, you are required to disclose this information.

Political and Community Activity

13.0 Members of Council may engage in political activity in federal, provincial and municipal elections. However, political activity such as canvassing or soliciting funds on behalf of any political party is not permitted at City Hall, City work sites nor City property.

If Member has a family member who holds or is elected to a federal, provincial or municipal position, Member is required to disclose this in the Declaration Form.

Notices, posters or similar material in support of a specific candidate or political party are not to be displayed nor distributed by a Member to City Hall, City work sites, on City property or the workplace.

Why is this Important?

Our workplace is a highly political environment where opinions vary widely and strongly and can be a source of conflict. To respect all beliefs, political activity is not allowed in the workplace.

Use of Municipal Property and Resources

14.0 In order to fulfill their roles as elected representatives, Members of Council have access to municipal resources such as property, equipment, services, staff and supplies. All Members are notified that all computers, Ipad, and other electronic devices provided by the City are the property of the City, and shall, at all times, be treated as the City's property. Council members are hereby notified that:

- a) all emails or messages sent or received on City devices are subject to *The Local Authority Freedom of Information and Protection of Privacy Act*;
- b) all files stored on City devices, all use of internal email and all use of the internet through the City's firewall may be inspected, traced or logged by the City;
- c) in the event of a complaint pursuant to this Policy, the officer in charge for the investigation may require that any or all of the electronic devices provided by the City to Council members be confiscated and inspected as part of the investigation including downloading information relevant to the investigation. All email messages or internet connections may be retrieved.

No Member shall obtain financial gain from the use or sale of City-developed intellectual property, computer programs, technological innovations, or other patent, trademark, copyright held by the City.

Why is this Important?

We serve the citizens of North Battleford. To do our jobs properly, we need to have all resources available at all times.

Things we do...

- Respect City assets and take proper care of them
- Use City assets only for City work
- Reimburse the City promptly for any personal costs (long distance calls)
- Obtain approval for exemptions

Things we don't do...

- Take home City assets for personal use without prior approval
- Download or install personal software on City computers without prior approval
- Store large amounts of non-work-related data on City computers
- Access, communicate, distribute or display racial or ethnic slurs, threats, insults, obscenities, abuse, defamation or sexually explicit material on City computers
- E-mail or use of any other electronic communication devices for non-work-related material without permission from your supervisor

Fair & Equal Treatment

15.0 Members of Council will treat all persons equal in the performance of his or her official duties and, shall refrain from giving preferential treatment to any person, group or organization in accordance with the City of North Battleford's *Charter of Values*.

Fraud / Theft

16.0 Members shall not knowingly be a party to fraudulent activity, including theft and any acts committed with the intent to deceive, involving either misappropriation of assets, property or other resources, or misrepresentation of financial or other information to conceal such misappropriation, by:

- manipulation, falsification or alternation of records or documents;
- suppression of information, transactions or documents;
- recording of transactions without substance; or
- misapplication of accounting principles

Gifts, Gratuities and Entertainment

17.0 No Member of Council shall accept a fee, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office, unless permitted by the exceptions listed below. For these purposes, a fee or gift or benefit that is paid to or provided with the member's knowledge to a member's spouse, partner, child or parent that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that Member.

The following are recognized as exceptions:

- a) Compensation authorized by law;
- b) Such gifts or benefits that normally accompany the responsibilities of office and are received as part of protocol or social obligation, provided that the value of the gift or benefit does not exceed \$250.00;
- c) Suitable memento of a function honouring the member;
- d) Food, lodging, transportation, event tickets or entertainment provided by provincial, regional and local governments or political subdivisions of them, or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity;

- e) Food and beverages consumed at banquets, receptions, business lunches or similar events, if attendance serves a legitimate business purpose, the person extending the invitation or a representative is in attendance, the value is reasonable and the invitations infrequent;
- f) Non-cash gifts from vendors not exceeding \$250.00 such as lunch, dinners, gifts, fruit baskets, flowers or sports tickets.
- g) Members who are asked to speak publicly to an organization or professional association may accept a small honorarium or gift provided it is reasonable. In cases where Members are asked to make presentations to share information with colleagues, it may be permissible to accept the offer of travel and/or accommodations.

Why is this Important?

Although most gifts come with no strings attached, there is always the chance that something is expected or perceived to be expected in return.

Things to Do

- Use the smell test before accepting any gift or gratuity.
- Refuse cash tips or in-kind gifts (goods or services)
- Decline gifts that could be viewed as an exchange for a favour
- Decline gifts from interested parties during, or in anticipation of, an RFP or tendering process
- If you are not sure whether to accept, ask the Director of Human Resources and/or City Manager.

Personal gain, benefit or favoritism

18.0 Members of Council must remove themselves from any decision process that may result in actual or perceived personal gain, favouritism or benefit. Awarding of City tenders, RFPs, employment opportunities, land sales and disposal of surplus assets will be carried out impartially – without any advantage or favouritism to themselves or others.

Why is this Important?

All City business must be conducted fairly and impartially. Members are elected by the residents of North Battleford and compensated with tax dollars. A Member of Council should not benefit from his or her job beyond the compensation paid for the job.

Workplace

19.0 The City of North Battleford is committed to provide a workplace that is free from harassment and operates in accordance with the Harassment Policy, Human Rights Code and similar legislation.

Members of Council will interact with colleagues, the general public, City employees, customers, service providers as well as contractors in a professional, respectful and courteous manner. Behaviour that will strain work relationships will not be tolerated.

Inquiries, Comments or Complaints from the Public or Media

20.0 Members of Council must not respond to a formal inquiry, comments from the media, social media, or complaints from a third party regarding the City of North Battleford unless it is within the scope of their position to do so. Instead refer the individual to the Communication Coordinator and/or City Manager.

Conduct at Council/Committee Meetings

21.0 Members of Council shall Conduct themselves at all City Council and Committee meetings in accordance with the following Council Meeting Decorum Guidelines Procedure:

- a) No use of electronic devices for the purpose of accessing or responding to e-mail or internet, or for texting is permitted unless it is directly related to the subject matter of the meeting.
- b) Only the Director of Protective Services/Fire Chief and/or City Manager shall use their cell phone during a Council Meeting and only in case of an emergency.
- c) The Communications person shall use electronic devices as part of her duties at a Meeting.
- d) Cell phones and iPads must be on vibrate or silent mode.
- e) Persons wishing to speak shall raise their hand and be recognized by the Chair.
- f) In any communications, refer to:
 - (i) Other staff by title (i.e.: City Manager rather than Jim)
 - (ii) the Mayor as "Your Worship"
 - (iii) The Chair as "Mister Chair" or "Madame Chair"
 - (iv) To a Council Member as "Councillor _____"
- g) All communication shall be delivered in a respectful, cooperative, and nonthreatening manner, with a display of respect for the opinion of others.
- h) At no time will a staff member cut off the comments of another person who is speaking.
- i) Outbursts of an emotional or frustrated nature or personal attacks are not permitted. Staff will keep their composure regardless of circumstances.
- j) Inappropriate facial gestures or exaggerated gesticulating is not permitted.
- k) No sidebar conversations shall occur unless relevant to the topic at discussion at
- l) the Council meeting or for seeking clarification on an issue.
- m) Any permitted sidebar discussions will be kept quiet with little or no public display.

In addition, no Member of Council shall:

- a) Speak disrespectfully to a Member of Parliament, member of the public, fellow member of Council, Administration staff or City employees;
- b) Use offensive words or un-parliamentary language;

- c) Speak on any subject other than the subject in debate;
- d) Where a matter has been discussed in camera, and remains confidential, disclose the content of the matter or the substance of the deliberations of the in camera meeting;
- e) Disobey the Rules of Procedure, or a decision of the Mayor or of the Council on questions of order or practice or upon the interpretation of the Rules of Procedure.

We will not appear before City Council, or its Committees and Boards, on matters affecting an external organization, where we have any involvement that could be considered a conflict of interest. Further, we will self-declare our involvement to the City Clerk as well as the City Manager.

Why is this important?

If you are in a position to advise City Council, its Committees or Boards, your interest in a particular issue could be seen as favouritism or a conflict of interest. It must be clear to everyone involved that your outside interests, volunteer work or other personal activities are not related to your position as a City representative.

Things to do

- Let people in your community know about the City's Code of Ethics to ensure you avoid any possible conflict of interest with your duties as a Member
- Advise the City Clerk as well as City Manager of any appearance that may cause conflict between your job duties and outside activities

Actions During Civic Election Periods

22.0 No Member of Council shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters, the City's website and websites linked through the City's website) for any election campaign or campaign-related activities. Any campaign-related activities that occur in City Hall or any civic facility must take place in a location that is normally available for rent to the public and arranged through the normal rental process. No member shall use the services of civic staff for election-related purposes during hours in which those civic staff members receive any compensation from the City.

To ensure that Members of Council do not receive any undue benefit by virtue of being an incumbent, during the period between Nomination Day and the date of the election, per *The Local Government Election Act, 2015*, Council members will:

- refrain from using any City-owned resources, including but not limited to cell phones, blackberries, business cards, laptop computers, civic phone number, email address, official photograph, and City crest, for election-related purposes;
- refrain from using City postage or other resources for mass mailings of any kind, regardless of whether or not they are specifically related to the election campaign;

- refrain from wearing the Mayor's Chain of Office at any event, regardless of whether or not it is related to the election campaign;
- refrain from putting their City-issued phone number and e-mail address as their contact information on their campaign material;
- refrain from placing ward information updates in community newsletters;
- refrain from referring to themselves in campaign advertisements as "Councillor X" or "Mayor Y";
- refrain from organizing activities such as formal openings of facilities or public spaces or similar events; and
- strictly adhere to all of the rules that govern candidates in local elections.

Leaves of Absence

23.0 Occasionally a member of Council will take a leave of absence in order to run for elected office of another level of government. During the period of the leave the Council member:

- will not receive any confidential agendas, communications or documents from the City;
- will receive copies of all public information;
- will not be required to return their City-issued material during the period of the unpaid leave, but will not use it for any non-civic purpose; and
- will not be reimbursed for any mileage or telephone or similar expenses.

General Guidelines

24.0 Guidelines and rules to avoid conflicts of interest are designed to protect the interests and reputation of the City of North Battleford and each Member of Council. Please apply the following guidelines when considering if there is an Actual or Perceived conflict of interest to disclose:

- a) An Actual conflict of interest denotes a situation in which you have knowledge of a private economic interest that is sufficient to influence the exercise of your duties and responsibilities as a Member of Council.
- b) A Perceived conflict of interest exists when there is a reasonable apprehension, which reasonable well-informed persons could properly have, that a conflict of interest exists.
- c) As a Member of Council you cannot be perceived by the public as being impartial and acting with integrity if you could derive a personal benefit from a decision.

Public Disclosure

25.0 Whether or not a conflict of interest exists, Members must complete a Public Disclosure Statement within 30 days of being elected and must be updated:

- (a) If the member declares a conflict of interest;
- (b) Within 30 days of a material change; and

- (c) To correct any errors or omissions.

An Annual Declaration must also be completed and filed with the City Clerk prior to November 30 each year, regardless of whether or not there have been material changes.

Retaliation

26.0 The City of North Battleford has “Zero” tolerance on “Retaliation” and does not permit any form of retaliation against complainant who, in good faith, bring forward allegations of a breach. Any form of “Retaliation” under this Bylaw shall be treated as violation of this Bylaw. If any Member feels that he / she has been retaliated under this Bylaw, the Member needs to file a complaint under this Bylaw.

PART II

CONTRAVENTION OF THE CODE OF ETHICS

Complaint Procedure

27.0 As required by clause 66.1(5)(c) of *The Cities Act*, the following section details the procedure for handling contraventions of the Code of Ethics

- a) To report an alleged contravention of the code of ethics, an individual/ organization/member of Council may submit the form in Schedule A that forms part of this Bylaw, in respect to actual or perceived conflict of interest, by sending directly to the City Manager or City Clerk, by mail, e-mail, fax or courier.
- b) The City Clerk shall forward all complaints, including the name of the complainant, to the Council (in camera), and to the member about whom the complaint is made.
- c) Upon receipt of a complaint, the Council shall appoint an independent investigator within 30 days. The investigator should be agreed between the complainant(s) and respondent(s), having necessary skills, knowledge and experience to investigate the complaint:
- d) The investigator shall Conduct a preliminary assessment of the complaint, at the conclusion of which the Investigator may determine to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond jurisdiction or unlikely to succeed; If the Investigator determines to continue the complaint, the Investigator shall:
 - (i) Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;
 - (ii) Provide an investigation update within sixty (60) days of his or her appointment to the Council, and to the complainant and the respondent;
 - (iii) Provide a written confidential report of the findings of the investigation, including findings as to whether there has been a breach of this Code of

Ethics within ninety (90) days, to the Council, and to the Complainant and the Respondent.

- e) All discussions surrounding alleged and substantiated contraventions of this policy shall be Conducted in an in camera session at a meeting of Council.
- f) If after investigation, the claim is found to be substantiated, Council may, by resolution, impose an appropriate penalty based on the severity of the contravention of the code of ethics.
 - (i) Any action taken by Council should include a time frame to complete the expected remedial action.
- g) City Clerk shall inform the claimant, member of Council, and any other relevant party of Council's decision, which includes:
 - (i) Informing the claimant and member of Council that the complaint is dismissed, or
 - (ii) Informing the complainant and member of Council of the corrective action and/or the measures taken to ensure the behavior or activity does not continue.

Contravention during a Council Meeting

28.0 If the Council is of the opinion that a member has violated the Code of Ethics during a Council meeting, Council may require the member to remove themselves for the remainder of the Council meeting. Council may apply additional penalties based on the severity of the contravention.

Remedial Action if Contravention Occurs

29.0 Should a Member of a Council breach any of the principles outlined in this code, the possible courses of action that are available to Council include but are not limited to:

- a) An apology, either written and/or verbal, by the Member of Council to the impacted individual(s), Council, and/or the general public.
- b) Educational training on ethical and respectful Conduct.
- c) Repayment of moneys/gifts received.
- d) Removal of the Member from Council Committees and/or bodies.
- e) Dismissal of the Member from a position of Chairperson of a Committee.
- f) Reprimand.
- g) Any other as deemed fit by the Council

Compliance with the Code of Ethical Conduct

30.0 All Members of Council shall cooperate in any investigation made pursuant to this Section.

Statutory Offences with Penalties

31.0 A complaint under this Section of the Code must be in writing and must be made either:

- a) by a Member of Council; or
- b) by the City Clerk except where the matter relates to section 117 (i.e. failure to declare a pecuniary interest).

Breach of Confidentiality regarding Subsection 65(e) of *The Cities Act* and/or the Confidential Information Section of this Policy

32.0 Where a member of Council or a member of the City's Senior Administration has reason to believe that a breach of confidentiality has occurred, the facts, as they are known, shall be reported in writing to the Council (in camera). If the facts, as reported, include the names of a member or members of Council who are alleged to be responsible for the breach, the member or members of Council concerned shall receive a copy of the report to Council.

All Other Breaches of this Bylaw

33.0 A complaint under this Section must be in writing and must be made either:

- (a) by a member of Council; or
- (b) by the city administrator.

The City Clerk shall forward all complaints to the Council (in camera) and to the member about whom the complaint is made.

Sanctions

34.0 *The Cities Act* does not provide specific sanctions for Council members who breach their statutory duties pursuant to sections 65 and 66 of *The Cities Act* or the rules of Conduct established by this Policy pursuant to subsection 55(b)(ii) of *The Cities Act*.

City Council does have the right to sanction Council members provided that Council members continue to have sufficient access to information and services so as to be able to carry out their duties as Council members. Sanctions may include, but are not limited to:

- (a) removal of the Council member from any national or provincial organization, civic board, commission, authority or committee except for Executive Committee, Planning and Operations, Administration and Finance and Budget Committee;
- (b) restriction of access to civic services or City Hall;
- (c) restrictions on how documents are provided (eg. no electronic copies, but only watermarked paper copies);
- (d) reduction in salary and/or benefits and/or expenses.
- (e) any other sanction as deemed suitable by the Council.

PART III

COMING INTO FORCE

35.0 This Bylaw shall come into force and take effect on the date of the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 28th DAY OF NOVEMBER, A.D. 2016.

READ A SECOND TIME THIS 12th DAY OF DECEMBER, A.D. 2016.

READ A THIRD TIME AND PASSED THIS 12th DAY OF DECEMBER, A.D. 2016.

Ryan Bater
MAYOR

"Debbie Wohlberg"
CITY CLERK