

BY-LAW #2017-006
OF THE VILLAGE OF ROCKYFORD
IN THE PROVINCE OF ALBERTA

BEING A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF VILLAGE COUNCIL IN THE VILLAGE OF ROCKYFORD.

WHEREAS, Section 145(b) of the *Municipal Government Act, 2000*, Chapter M-26 as amended states that Council may enact a Bylaw for the procedure and conduct of Council, Council Committees and other bodies established by Council, the conduct of Councillors and the conduct of members of Council Committees and other bodies established by Council ;

NOW THEREFORE the Council of the Village of Rockyford duly assembled, enacts as follows:

1. NAME:

1.1 This Bylaw may be cited as the “Council Code of Conduct Bylaw”.

2. INTERPRETATION:

2.1 Council shall use this Bylaw as a guide to conduct themselves in a manner that reflects the spirit and intent of the position they hold.

2.2 This Bylaw shall be brought forward for review at the beginning of each term of Council, to meet legislative requirements, or as required.

2.3 References to provisions of statutes, rules or regulations shall be deemed to include references to such provisions as amended, modified or re-enacted from time to time.

2.4 Nothing in this Bylaw relieves any person from compliance with any other Bylaw or applicable federal or provincial law, regulation, or enactment.

2.5 Council shall be defined as the Mayor and all elected members of Council.

3. GOVERNING PRINCIPLE

The Public expects the highest standards of professional conduct from members elected to Village Council. This Bylaw sets out guidelines for the ethical and interpersonal conduct of members of Council.

4. CODE OF CONDUCT

Members of Council will:

4.1 Maintain the highest standards in Public Office and faithfully discharge the duties of their office in accordance with the requirements and obligations set out in Section 153 of the *Municipal Government Act, 2000*; Chapter M-26 (the Act) as amended.

4.2 Use confidential information only in their roles as a member of Council, and not for personal profit of themselves or any other person.

4.3 Communicate confidential information only when authorized to do so.

4.4 Use their position for the good of the community and not to secure special privileges, favour or exemptions for themselves or any other person.

4.5 Provide leadership through the governance process and not take on responsibilities delegated to Administration.

4.6 Protect the reputation of the Community, Council and Administration.

4.7 Participate actively, openly and transparently in the democratic process.

4.8 Maintain a high level of respectful dialog with other members of Council, the CAO, Administration and stakeholders.

- 4.9 Uphold the intent of this Bylaw and govern their actions accordingly.
- 4.10 Respect the decision making process and recognize that a decision made is a decision of Council, regardless of their own personal opinion.
- 4.11 Adhere to all Bylaws, Policies and Procedures established by the Municipality.
- 4.12 Make themselves available to attend and participate in Elected Officials orientation and training sessions.
- 4.13 Abstain from any discussions or decisions where there may be a conflict of interest or a pecuniary interest as outlined in Section 170 of the Act.
- 4.14 Not use municipal assets or services for their own use without paying any associated fees or charges that may apply.

5. COMPLAINTS

If a Councillor, a member of the Public or a member of the Staff feel that a breach of the Code of Conduct has occurred, a complaint can be made in writing to Council outlining the breach. Council will call a Special Meeting to review the complaint and address the Councillor involved to determine the validity of the complaint. The complainant will be required to attend the meeting to speak to their complaint. While the complaint is being reviewed, Council may take any or all of the following steps:

- 5.1 Suspension or removal of the Chief Elected Official's presiding duties under Section 154 of the Act.
- 5.2 Suspension or removal from some or all Council Committees and bodies to which Council has the right to appoint members.
- 5.3 Reduction or suspension of remuneration as defined in Section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at Council meetings.

6. COMPLIANCE

Should it be determined that the Code of Conduct has been breached, the first step is to discuss the matter at an in-camera meeting of Council. Should the concern remain unresolved, one or more of the following sanctions may be imposed:

- 6.1 A letter of reprimand addressed to the Councillor.
- 6.2 Requesting the Councillor to issue a letter of apology.
- 6.3 Publication of the letter of reprimand or request for apology and the Councillor's response.
- 6.4 A requirement to attend Elected Official training.
- 6.5 Suspension or removal of the appointment of a Councillor as the Chief Elected Official under Section 150(2) of the Act.
- 6.6 Suspension or removal of the appointment of a Councillor as the Deputy Chief Elected Official or Acting Chief Elected Official under Section 152 of the Act.
- 6.7 Suspension or removal of the Chief Elected Official's presiding duties under Section 154 of the Act.
- 6.8 Suspension or removal from some or all Council Committees and bodies to which Council has the right to appoint members.

6.9 Reduction or suspension of remuneration as defined in Section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at Council meetings.

7. REQUIREMENT TO FULFIL DUTIES

A Code of Conduct or any sanctions imposed under a Code of Conduct must not prevent a Councillor from fulfilling the legislated duties of a Councillor. A Councillor must not be disqualified or removed from office for a breach of the Code.

8. This bylaw shall come into force on the date of the third and final reading.

Read a first time this 13th Day of September, 2017

Read a second time this 13th Day of September, 2017

Presentation of third and final reading this 13th Day of September, 2017

Read a third time and passed this 13th Day of September 2017



Handwritten signature of the Mayor in blue ink.

Mayor



Handwritten signature of the Municipal Administrator in blue ink.

Municipal Administrator