

VILLAGE OF ALLIANCE

BYLAW

COUNCIL CODE OF CONDUCT BYLAW

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, provides a Municipality with the capacity, rights, powers and privileges of a natural person;

AND WHEREAS a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, authorizes municipalities to pass bylaws regarding Accountability and Transparency of the municipality and its operations;

AND WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, authorizes a municipality to establish codes of conduct for Members of Council of the municipality and of local boards of the municipality;

AND WHEREAS the Council of the Corporation of the Village of Alliance deems it expedient to adopt a Code of Conduct Policy for Council;

NOW THEREFORE the Council of the Corporation of the Village of Alliance hereby enacts a Code of Conduct for Council, attached hereto as Schedule "A".

1. SEVERABILITY

Should any provision of this bylaw be invalid, then such provision shall be severed and the remaining bylaw shall be maintained.

2. SCHEDULE

That the following schedule is attached and forms part of this bylaw:

- (a) Schedule "A" – Council Code of Conduct

3. EFFECTIVE DATE

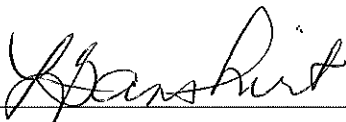
This bylaw shall take effect on the date of passing of third (3rd) and final reading.

FIRST READING given this 16 day of November, 2017

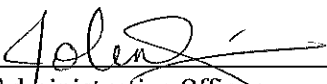
SECOND READING given this 16 day of November, 2017

UNANIMOUS CONSENT for third and Final reading given this 16 day of November, 2017

PASSED AT THIRD READING given this 16 day of November, 2017



Mayor



Chief Administrative Officer

VILLAGE OF ALLIANCE

BYLAW

COUNCIL CODE OF CONDUCT POLICY

POLICY: The Village of Alliance recognizes that local government is an open, accessible and accountable form of government. To establish a foundation of effective governance as well as standards for ethical and interpersonal conduct for all elected officials and to enhance the relationship of public trust and mutual respect that has evolved between government and the public requires high standards of ethical conduct by elected officials.

PURPOSE: The purpose of the Council Code of Conduct Policy is to set out the means by which Council Members interact with each other and conduct themselves in relation to:

- Integrity and respect;
- Leadership and Innovation;
- Accountability and Service Excellence;
- Teamwork and Responsiveness;
- Partnership and Collaboration.

Council members hold positions of privilege and public trust. Therefore, they must discharge their duties in a manner that recognizes a fundamental commitment to the well-being of the community, their fellow councillors, and regard for the integrity of the Village.

DEFINITIONS: “**Confidential Information**” means any non-public information received while undertaking Council duties and includes, but is not limited to the following:

- Any aspect of in camera deliberations;
- Information identified as confidential within the provisions of the Freedom of Information and Protection of Privacy Act (FOIPP);
- Information subject to solicitor-client privilege.

“**Moderate Hospitality**” means free or subsidized meals or beverages provided to councillors infrequently (and/or reciprocally) by individuals and representatives of other agencies associated with meetings or visits in connection with official functions.

“**Relative**” means current spouse, child, ward, sibling, parent, parent of spouse, grandchildren, grandparent, son-in-law, daughter-in-law or related dependent of the employee living in the household of the employee.

“**Village**” means the Village of Alliance.

RESPONSIBILITIES

1.0 LAWFUL CONDUCT

- 1.1 It is the responsibility of each member of Council to ensure that he/she is familiar with the roles of individual Councilors as defined in the Municipal Government Act dealing with pecuniary interest, protection and privacy of confidential information, and power of individual Councilors as well as the requirements set out in other provincial legislation, Village Bylaws and Policies:
- 1.1.1 Respect the confidentiality of issues and protect privileged information to which access is granted for the conduct of official duties, including but not limited to:
 - a) Any aspect of in camera deliberations;
 - b) Information identified as confidential within the provisions of the Freedom of Information and Protection of Privacy Act (FOIPP);
 - c) Information subject to solicitor-client privilege.
 - 1.1.2 Avoid conflicts of interest, be refraining from self-dealing or any conduct of private business or personal services between Council Members and the Village;
 - 1.1.3 Refrain from exercising individual authority over the corporation or directing work of staff.

2.0 PUBLIC INTEREST

- 2.1 Council members must demonstrate through their interactions the lack of authority vested in them as an individual except when explicitly authorized by Council. Members of Council shall be impartial and fair in their judgment and actions; use their public office for public good and not personal gain; and conduct public deliberations and processes openly. Council recognizes that they are stewards of public assets and resources and are to act and make decisions solely in the best interest of the Village:
- 2.1.1 Disclose affiliations or interests with any organization that may affect their decision making on matters before Council;
 - 2.1.2 Refrain from accepting gifts, fees, favors or promises of future benefits, either by themselves or a relative, beyond the scope of moderate hospitality, that might compromise their independence of judgment or action or give the appearance of being compromised;
 - 2.1.3 Not use Village funds, property or information for personal benefit;
 - 2.1.4 Council members shall not use their positions to obtain employment for themselves, family members, or close associates.

3.0 RESPECT

- 3.1 Members of Council must conduct themselves in a way that promotes open, direct and timely communication. Council members must support the maintenance of a positive and constructive environment for residents, stakeholders, staff and fellow Council members. In this way, Councillors will foster respect for the democratic process:
 - 3.1.1 Adhere to professional standards when preparing any correspondence on behalf of the Village;
 - 3.1.2 Refrain from abusive conduct, verbal attacks upon motive or character of other elected officials, or public comment on staff performance;
 - 3.1.3 Work with colleagues in the spirit of cooperation in spite of differences of opinion and listen to and respect those opinions which may be different from their own;
 - 3.1.4 Strive for meaningful, open and honest communication.
- 3.2 Members of Council shall not discriminate against anyone on the basis of their ethnicity, gender, sexual orientation, age, record of offences, disability, religious beliefs or source of income or any other situation described in the *Alberta Human Rights Act* as amended from time to time.

4.0 RELEASE OF PUBLIC INFORMATION (INCLUDING THROUGH SOCIAL MEDIA)

- 4.1 Members of Council acknowledge that official information related to the decisions and resolutions of Council will normally be communicated to the community and the media by the Council as a whole or the Mayor as Head of Council or by his or her designate.

5.0 PREPARATION

- 5.1 Members of Council shall inform themselves of the issues, listen attentively to public discussions before council and shall make decisions based on the merits and substance of the matter at hand:
 - 5.1.1 Devote the time, thought and attention to the duties of Council to render effective, objective and informed decisions;
 - 5.1.2 Consider all available information in making decisions and abide by and uphold the decisions of Council;
 - 5.1.3 Follow discussion guidelines, consistent with Robert Rules of Order, which include order, focus, equality and decorum.

6.0 SEPARATION OF ROLES OF COUNCIL AND ADMINISTRATION

- 6.1 Members of Council shall at all times conduct themselves in a manner that reflects the separation of roles and responsibilities between Council and Administration. In order to effectively demonstrate respect for the separation of roles, members of Council shall:
 - 6.1.1 Refrain from giving direction to any municipal employee or contracted resources, except where the direction is provided to the Chief Administrative Officer (CAO) and represents a position or decision of Council;

- 6.1.2 Convey all concerns or requests for action or information directly to the CAO;
- 6.1.3 Not solicit, demand or accept the services of any municipal employee or contracted resource;
- 6.1.4 Not express any opinion on the performance of any municipal employee with the exception of the CAO, nor advocate for the promotion, sanction, or termination of any municipal employee;
- 6.1.5 Ensure that any situations of friendship, social relationship or social interaction with an employee is not perceived to have given the Council member an undue influence over that employee, including but not limited to:
 - a) Access to information;
 - b) Conflict of interest;
 - c) Undermining the authority of the CAO.

7.0 INTEGRITY

- 7.1 Ultimately, ethical behaviour relies on the diligence of the individual. However, since a breach of ethics impacts not only on the individual but also the Village, a code of conduct is the means by which the municipality acknowledges their responsibility in this area, as well as their responsibility to provide clarity to the elected official on what would be considered inappropriate behaviour.
- 7.2 Without restricting the scope of this rule, the following shall be considered breaches of the Code of Conduct:
 - 7.2.1 Conduct in a Councillor's private life or employment activities which may harm the Village's reputation or render the Councillor unable to perform his or her duties satisfactorily;
 - 7.2.2 To solicit patronage from administration, employees, contractors or other outside parties to further his or her personal interests or the interests of others, to the extent that any other citizen could not receive;
 - 7.2.3 To knowingly breach the law or any government regulation or to requests others to do so.

PROCEDURES

8.0 ACKNOWLEDGEMENT OF RECEIPT

- 8.1 Every Member of Council shall be provided with a copy of this policy and will sign the statement of commitment (Schedule B) annually as an acknowledgement that he or she has read and supports it.

9.0 LIMITATIONS

- 9.1 Council Members should not assume that any unethical activities not covered by the Code of Conduct are permissible
- 9.2 Members of Council agree to uphold the intent of this policy and to govern their actions accordingly.

10.0 POLICY BREACHES

- 10.1 Members of Council have a duty to help create a responsive, accessible, transparent and fair municipal government. Accordingly, Members have a duty to question whether another Member is violating legislation, ethics or respectful behaviour as set forth in this policy.
- 10.2 Should a Member of Council breach any of the principles outlined in this policy, the possible courses of action that are available to Council include but are not limited to:
 - 10.2.1 Apology by the Member of Council to the impacted individual(s);
 - 10.2.2 Removal of the Member from Council Committees;
 - 10.2.3 Dismissal of the Member from a position of Deputy Mayor or Chairperson of a Committee;
 - 10.2.4 Educational training on ethical and respectful conduct provided by a third party;Any action taken by Council should include a time frame and what remedial action is expected.
- 10.3 A decision to apply one or more of the actions detailed above requires a Council resolution.
- 10.4 All discussions surrounding alleged or substantiated violations of this policy shall be conducted in an In Camera meeting of Council with the intent that the discussion shall remain confidential under the appropriate sections of the *Freedom of Information and Protection of Privacy Act* (FOIPP).

VILLAGE OF ALLIANCE

BYLAW- SCHEDULE "B"

COUNCIL CODE OF CONDUCT POLICY

Annual Statement of Commitment to the Council Code of Conduct Policy for Members of Council

I, _____ declare that as an elected
(Full Name)

Member of the Village of Alliance Council acknowledge and support the Council Code of Conduct Policy for Members of Council.

Signed: _____

Declared this _____ day of _____, 20____.

Before Me:

Chief Administrative Officer