

CODE OF ETHICS BYLAW

RURAL MUNICIPALITY OF WILTON NO. 472

BYLAW NO. 8-2019

Short Title

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

Legal Requirement

2. This bylaw has been created to comply with section 93.1 of *The Municipalities Act* and as outlined in section 3.1, Schedule 1 of *Municipalities Regulations*.

PART I CODE OF ETHICS

**Code of Ethics for all elected or appointed members of councils, committees,
or boards, under direct or indirect over-watch of the RM of Wilton.
This includes organized hamlet boards.**

Preamble

For simplicity of interpretation, the term “council” shall include all elected or appointed members of councils, committees, or boards, under direct or indirect over-watch of the RM of Wilton. This includes organized hamlet boards.

As members of council, we recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

The quality of the public administration and governance of the RM of Wilton, as well as its reputation and integrity, depends on our conduct as elected, or appointed officials.

Purpose and Interpretation

The purpose of this code is to outline basic ethical standards and values for members of council. It is to be used to guide members of council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials.

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

- a. **Honesty:** We will act with honesty and openness in all our dealings with each other, administration and members of the public.
- b. **Objectivity:** We will make decisions carefully, fairly and with impartiality.
- c. **Respect:** We shall treat every person with dignity, understanding and respect. Incidents of bullying, harassment, inappropriate temper outbursts and derogatory language targeted at peers, staff, taxpayers, interest groups and at representatives from other levels of government shall not be tolerated. This includes any print, press or social media.
- d. **Transparency and Accountability:** We will conduct the business of Council within the laws of Local Government governing openness and transparency. The highest and best interests of all ratepayers shall be considered where transparency must be temporarily limited.
- e. **Confidentiality:** We will not release any confidential information that has been acquired by virtue of our office without the explicit approval of Council or unless required by law. We shall not receive any personal or private benefit gained from the acquisition of confidential information obtained from the course of our duties.

- f. **Leadership and the Public Interest:** We will be diligent in serving in the overall best interests of our community by demonstrating good ethical leadership and by showing the public by our actions that we do not act in a self-interested or illegal manner.
- g. **Responsibility:** We shall at all times serve in a responsible manner, free of conflict of interest ensuring that our actions, decisions and processes are conducted in accordance with the principles and laws governing good governance.
- h. **Ethical Compliance:** We shall at all times comply with Bylaws, resolutions, permit and permit conditions, and all other measures pertaining to ratepayers generally including property tax currency. We shall as Council members, make known and refrain from appointments, where past actions defined as criminal history, place at risk the public confidence of decision making within the Municipality.

PART II CONTRAVENTION OF THE CODE OF ETHICS

Complaint Procedure

3. As required by clause 93.1(5)(c) of *The Municipalities 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 found in Schedule A, by sending the form directly to the CAO, by mail, e-mail, fax or courier. The complaint will then be presented to Council at the next regular meeting of Council in an *in camera* session.
 - (b) The complaint must be filed within 90 (ninety) days of the alleged contravention.
 - (c) Upon receipt of a complaint, Council shall discuss the complaint and take all necessary steps to ensure the complaint is valid.
 - (d) All discussions surrounding alleged and substantiated contraventions of this policy shall be conducted in an *in camera* session at a meeting of council.
 - (e) If the claim is found to be substantiated, Council may, by resolution, impose an appropriate penalty detailed in 5(a) to (f) 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.
 - (f) Council shall inform the claimant, member of council, and any other relevant party of councils 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

4. If 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

5. 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.

PART VII
COMING INTO FORCE

Repeal of Bylaws & Resolutions

6. Bylaw No. 8-2018 is hereby repealed.
7. This bylaw shall come into effect on the day of its final passing.

{Seal}

Reeve

CAO

Read a third time and adopted
this ____ day of _____

**Schedule A
Formal Complaint Form**

Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.

I _____ of _____,
(First and Last Name) (Full mailing address)

do solemnly swear/(affirm and declare) that the following contents of this statement are true and correct and hereby request the Council of the RM of Wilton No. 472 conduct an investigation whether or not the following member(s) of the RM Council has (have) contravened the Code of Ethics:

Member(s) of councilryan name(s)

I have reasonable and probable grounds to believe that the above member(s) has (have) contravened the Code of Ethics by reason of the following:

- 1. insert date(s), time and location of conduct;
- 2. include the sections of this bylaw that have been contravened;
- 3. provide the particulars and names of all persons involved, and of all witnesses;
- 4. provide contact information for all people listed;
- 5. any exhibits can be attached; and
- 6. if more space is required, please attach additional pages as needed.

(Signature of Complainant)

(Date signed)

For Office Use Only

(Date filed)

Signature of _____ Municipal Administrator