



**TOWN OF GIBBONS**

**Council Code of Conduct**

**Bylaw MOG 1/18**

**A BYLAW OF THE TOWN OF GIBBONS IN THE PROVINCE OF ALBERTA, REGARDING THE CODE OF CONDUCT OF COUNCIL.**

**WHEREAS** under provisions of the Municipal Government Act, being chapter M-26, Section 146.1 of the Revised Statutes of Alberta 2000 or thereof amended, Council may pass bylaws for municipal purposes respecting the Code of Conduct of Members of Council.

**AND WHEREAS:** it is desirable and in the best interest of the Town of Gibbons that a bylaw be passed regulating the Code of Conduct of Members of Council;

**AND WHEREAS:** the citizens and taxpayers of the Town of Gibbons have a right to be served by a Council committed to conducting itself in an ethical, impartial and professional manner;

**AND WHEREAS:** the Council of the Town of Gibbons deems it necessary to establish a Council Code of Conduct bylaw to guide Members of Council, reflecting the values of the Town of Gibbons, its commitment to professional, accountable and lawful conduct and its desire to provide strong local governance and leadership;

**AND WHEREAS:** the Council Code of Conduct bylaw is supplementary to the existing federal and provincial statutes, laws and policies governing the conduct of municipal elected officials;

**NOW THEREFORE:** the Council of the Town of Gibbons, in the province of Alberta, hereby enacts as follows:

**TITLE:**

This bylaw may be cited as the "Council Code of Conduct Bylaw".

**DEFINITIONS:**

"CAO" means the person appointed to the position of Chief Administrative Officer by the Council of the Town of Gibbons and includes any person that the Chief Administrative Officer may appoint as his/her designate for purposes of carrying out responsibilities under this Bylaw and further includes any person that may be appointed to act in the absence of the Chief Administrative Officer.

"Council" means the municipal Council of the Town of Gibbons duly elected and holding office.

"Councillor" means a member of Council and includes the Chief Elected Official.

"Mayor" means the chief elected official of the Town of Gibbons.

"MGA" means the Municipal Government Act.

"Town" means the Town of Gibbons, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the municipality.

"Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

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***AMENDING PROCEDURES:***

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1. This Bylaw shall not be repealed, amended or suspended, except so far as the terms hereof permit, unless it is repealed, amended or suspended:
  - a. by a Bylaw unanimously passed at a regular or special meeting of Council at which all the Council members thereof are present.

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***1. CODE OF CONDUCT***

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Each Member of Council shall:

- a. work for the common good of the Town, its citizens and taxpayers while advancing the mandate and long-term interests of the Town;
- b. conduct council business in such a manner that promotes public confidence and trust;
- c. exercise their duties with care, diligence and skill and place the interests of the Town ahead of their own personal interests and;
- d. exercise their duties in an impartial manner, making decisions based on objective criteria, rather than based on bias or prejudice.

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***2. COMMUNICATING ON BEHALF OF THE TOWN***

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The Town of Gibbons strives to communicate with the public in an accurate, consistent and timely manner.

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- a. the Mayor, or in his/her absence, the Deputy Mayor, is the official spokesperson for the Town.
- b. all Councillors acknowledge that all official information related to the decisions of Council will be communicated to the Town and the media on behalf of Council as a whole.

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**3. THE DECISION-MAKING PROCESS**

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Members of Council are elected to make decisions for the Town with each Member having an equal voice and one vote. All Councillors shall:

- a. respect the democratic decision-making process.
- b. show respect for each Member and their views.
- c. work towards effective and consistent implementation of the positions and/or decisions of Council.

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**4. ADHERENCE TO POLICIES, PROCEDURES AND BYLAWS**

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As decision makers for the Town, Council shall respect and adhere to the established policies, procedures and bylaws of the Town.

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**5. RESPECTFUL INTERACTIONS WITH COUNCILLORS, STAFF AND THE PUBLIC**

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Members of Council are committed to creating and sustaining a vibrant, healthy, safe and caring work environment. All Councillors shall:

- a. treat fellow Councillors, staff and the public with respect and courtesy.
- b. communicate and work with fellow Councillors, staff and the public in a manner promoting a spirit of cooperation, dignity, understanding and respect to opinions that may differ.

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**6. CONFIDENTIALITY**

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All Councillors shall:

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- a. hold in strict confidence all information concerning matters deemed confidential and shall not directly or indirectly release, make public or in any way divulge any information which is deemed to be confidential unless expressly authorized by Council or required by law to do so;
  - b. not use confidential information for personal or private gain; and
  - c. upon leaving office, members of Council shall continue to keep all information concerning matters deemed confidential acquired as a member of Council.
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## **7. CONFLICT OF INTEREST**

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No Councillor shall engage in any activity which is incompatible or inconsistent with the ethical conduct of official duties in the public interest. Members of Council must govern themselves as set out in legislation and strive to avoid any activities in which their personal interests may come into conflict, or may appear to conflict, with the interests of the Town. Doing so will ensure residents continue to have confidence in the integrity of members of Council and the Town.

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## **8. IMPROPER USE OF INFLUENCE**

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All Members of Council shall be committed to performing their functions with integrity and avoid the improper use of the influence of office, both apparent and real. No Member of Council shall use the influence of their office to secure special privileges, favours, or exemptions for themselves or any other person.

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## **9. USE OF MUNICIPAL ASSETS AND SERVICES**

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No Member of Council shall use, or permit the use of facilities, equipment, supplies, services or other resources for personal benefit or the benefit of any other individual.

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## **10. ORIENTATION AND OTHER TRAINING**

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All Members of Council are required to complete an orientation program within 90 days of being elected. All Members of Council are encouraged to participate in any training and workshop opportunities that may arise from time to time that may be deemed beneficial in carrying out their responsibilities as elected officials.

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## **11. COMPLAINT SYSTEM**

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Any person who reasonably believes, in good faith, that a Member of Council has contravened this Bylaw, may report a wrongdoing or make a complaint. All complaints are confidential to protect both the Council Member and the Complainant until an investigation is completed. All received complaints shall be included in the "In-Camera" session of a regular council meeting. A complaint may be made as follows:

- a. a complaint must be made in writing and must be dated, include the name of the complainant, be signed, addressed to the Mayor or in the case of a perceived wrongdoing by the Mayor, the Deputy Mayor and marked "CONFIDENTIAL".
- b. the complaint can be received by mail, email or hand-delivered.
- c. an anonymous complaint shall not be considered valid.
- d. the Complainant must:
  - i. set out reasonable and probable grounds for the allegation;
  - ii. provide a detailed account of the complaint; and
  - iii. provide information on witnesses, if any and if known.
- e. Council shall:
  - i. authorize the Mayor or in the case of a perceived wrongdoing of the Mayor, the Deputy Mayor to investigate the complaint and report to Council;
  - ii. dismiss the report or complaint as invalid if so deemed;
  - iii. request a legal opinion if deemed necessary; and
  - iv. if the complaint is deemed valid by the majority of Council or through independent legal advice, Council may impose sanctions, defining the specific action to be taken by a motion.
- f. upon conclusion of the investigation and subsequent action, notice will be given in writing to both the Complainant and the Council Member.

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## **12. SANCTIONS**

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Council may impose sanctions on a Member of Council who contravenes the Council Code of Conduct Bylaw in the following forms:

- a. a letter of reprimand;
- b. request a letter of apology;
- c. request to attend training provided by a 3<sup>rd</sup> party;
- d. suspension or removal from the Mayor or Deputy Mayor position;
- e. restricting the privileges of attending conferences and workshops at the Town's expense;

- f. suspension or removal from some or all Council Committees and bodies to which Council has the right to appoint members;
- g. reduction or suspension of remuneration as council may deem appropriate and in accordance with the MGA; and
- h. any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a member of Council from fulfilling the legislated duties of a Councillor and the sanction is not contrary to the MGA.

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**13. REVIEW**

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The Council Code of Conduct Bylaw shall be reviewed every four years following the general municipal election.

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**14. ENACTMENT**

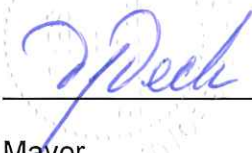
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This Bylaw shall come into force and effect when it receives Third Reading and is duly signed thereof.

Read a first time this 13<sup>th</sup> of June 2018.

Read a second time this 27th of June, 2018.

Read a third and final time this 27th of June, 2018.



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Mayor



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Chief Administrative Officer

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