

## **BYLAW NO.280-23**

### **BEING A BYLAW OF CLEAR HILLS COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF GOVERNING THE CONDUCT OF THE ELECTED OFFICIALS REPRESENTING THE CLEAR HILLS COUNTY.**

**WHEREAS** the Municipal Government Amendment Act states that "A Council must, by bylaw, establish a code of conduct governing the conduct of Councillors"; and

**WHEREAS**, the Council of the Clear Hills County, in the Province of Alberta, has deemed it desirable to establish a Code of Conduct for Elected Officials to uphold certain principles governing the conduct of Councillors.

**NOW THEREFORE**, the Council of the Clear Hills County, in the Province of Alberta, duly assembled, enacts as follows:

#### **DEFINITIONS:**

- a. MGA- The Municipal Government Act (MGA) is the legislative framework in which all municipalities and municipal entities across the Province of Alberta operate. The MGA provides the governance model for cities, towns, villages, municipal districts, specialized municipalities, and other forms of local government.
- b. County- Clear Hills County
- c. CAO- Chief Administrative Officer

#### **1. PURPOSE AND CITATION**

- 1.1. The purpose of this bylaw is to govern the conduct of all Councillors of Clear Hills County in order that they maintain the highest standards of conduct in public office and faithfully discharge their duties as an elected official.
- 1.2. The bylaw may be cited as the "Code of Conduct Bylaw".

#### **2. SPECIFIC STANDARDS**

- 2.1. All Councillors shall carry out their duties with integrity and for the benefit of all ratepayers and residents of the County.
- 2.2. All Councillors are responsible for reading the supplied material provided prior to meetings ensuring that they are prepared.
- 2.3. All Councillors shall conduct themselves in public in a way that reflects positively on the County and Council.
- 2.4. All Councillors will refrain from using cellular or electronic devices that may cause any sort of distraction, during meetings.

- 2.5. The Reeve, or the Deputy Reeve in the absence of the Reeve, shall be the point of contact for media enquiries and shall be the County main spokesperson.
- 2.6. When speaking to the public or the media, all Councillors shall represent the official policies and positions of Council.
- 2.7. When making statements on their opinions or positions, all Councillors shall explicitly state that those statements are their own and not the Council's official position or policy.
- 2.8. All Councillors shall respect the democratic decision-making process, even if they disagree. The venue for discussions on County matters is Council Chambers. Councillors shall not carry on discussions or debates with each other via other public medium, such as letters to the editor, blogs or any other forms of social media.
- 2.9. All Councillors shall adhere to all applicable laws, legislation, regulations, bylaws, policies, and procedures.
- 2.10. All Councillors shall treat fellow Councillors, Administration, staff and the public with respect, courtesy, and fairness.
- 2.11. All Councillors shall acknowledge that the Chief Administrative Officer (CAO) is the administrative head of the municipality. As such, Councillors shall direct their questions or concerns about administrative matters to the CAO and recognize that as individual Councillors, they do not have the individual authority to direct the CAO or staff, unless approved as a special project and directed to do so by the CAO.
- 2.12. All Councillors shall respect the confidentiality of sensitive information discussed in closed meeting. Council members shall keep in confidence all matters discussed in closed meeting at a Council or Committee meeting until such information is discussed at a meeting held in public. Note taking, cellular or electronic devices and camera use is prohibited during Closed sessions.
- 2.13. All Councillors shall remove themselves from Council proceedings where they have a pecuniary interest concerning any outside business interest or where they have a pecuniary interest concerning a family member. If a Councillor holds a pecuniary interest in a matter that appears before Council, that Councillor will disclose his or her pecuniary interest to Council, describe the nature of the pecuniary interest, ask that this disclosure be recorded in the minutes of the Council meeting, abstain from voting on the matter, and leave the Council Chambers until discussion and voting on the matter have been concluded.
- 2.14. All Councillors shall avoid using their position as an elected official to secure special privileges, favors or exemptions for themselves or any other person.

- 2.15. All Councillors are not allowed to use or permit the use of municipal owned assets (i.e. vehicles, equipment, material or property) or services for their own personal convenience or profit.
- 2.16. All Councillors will be offered training that is offered through the Elected Officials Education Program, or equivalent training, it is recommended that Councillors take the current Municipal 101 training available.
- 2.17. All Councillors shall also be encouraged to complete additional EOEP courses or attend workshops that may be deemed beneficial in carrying out their responsibilities as elected officials.

### **3. COMPLAINTS**

- 3.1. All Councillors themselves have the primary responsibility to encourage and ensure that the Code of Conduct Bylaw is understood and upheld.
- 3.2. All Councillors have a duty to help create an accessible, fair and transparent municipal government. Accordingly, all Councillors have a duty to question whether another Councillor is violating the Code of Conduct Bylaw.
- 3.3. A Councillor who believes that another Councillor is in violation of the Code of Conduct Bylaw shall report their concerns to the Reeve, in writing, or in the case of an allegation against the Reeve, to the Deputy Reeve, in writing.
- 3.4. The Council, when considering an alleged breach of the Code of Conduct Bylaw, shall provide sufficient opportunity for the Councillor who is the subject of the allegation, to address Council.
- 3.5. All discussions surrounding the alleged breach of the Code of Conduct Bylaw shall be conducted in a closed meeting of Council with the intent that the discussion shall remain confidential under the appropriate sections of the Municipal Government Act and The Freedom of Information and Protection of Privacy Act. If, in the opinion of a majority of the members of Council, a Councillor breaches any of the principles found in the Code of Conduct Bylaw, one or more of the following sanctions may be imposed:
  - a) a letter of reprimand addressed to the Councillor;
  - b) requesting the Councillor to issue a letter of apology;
  - c) publication of a letter of reprimand or request for apology and the Councillor's response;
  - d) a requirement to attend training;
  - e) suspension or removal of the appointment of a Councillor as the chief elected official under the MGA;

- f) suspension or removal of the appointment of a Councillor as the deputy chief elected official or acting chief elected official under the MGA.
- g) suspension or removal of the chief elected official's presiding duties under current version of the MGA.
- h) suspension or removal from some or all council committees and bodies to which council has the right to appoint members.
- i) reduction or suspension of remuneration as defined in the MGA corresponding to a reduction in duties, excluding allowances for attendance at council meetings.

**4. REVIEW**

4.1. The Code of Conduct Bylaw must be reviewed and updated at least once every 4 years starting from the date when the Bylaw is passed.

READ a first time this 25 day of AUGUST, 2023.

READ a second time this 25 day of AUGUST, 2023.

READ a third time this 25 day of AUGUST, 2023.

  
Amber Bean, Reeve

  
Allan Rowe, Chief Administrative Officer