



Stavely

BYLAW  
Bylaw Number 803-2018

**A BYLAW OF THE TOWN OF STAVELY, IN THE PROVINCE OF ALBERTA,  
TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL.**

**WHEREAS**, pursuant to section 146.1(1) of the *Municipal Government Act*, a council must, by bylaw, establish a code of conduct governing the conduct of councillors;

**AND WHEREAS**, pursuant to section 153 of the *Municipal Government Act*, councillors have a duty to adhere to the code of conduct established by the council;

**AND WHEREAS**, the public is entitled to expect the highest standards of conduct from the members that it elects to council for the Town of Stavely.

**AND WHEREAS**, the establishment of a code of conduct for members of council is consistent with the principles of transparent and accountable government;

**AND WHEREAS**, a code of conduct ensures that members of council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of councillors;

**NOW THEREFORE** the Council of the Town of Stavely, in the Province of Alberta duly assembled enacts as follows:

This Bylaw may be referred to as the "Council Code of Conduct Bylaw" No. 803-2018.

The purpose of this Bylaw is to establish standards for the ethical conduct of members relating to their roles and obligations as representatives of the Municipality and a procedure for the enforcement of those standards.

The members of council of the Municipality, when acting as a member of council, shall abide and adhere to the following principles that form this Code of Conduct, by signing Schedule "A" attached to this bylaw, and shall:

- a) Govern individual conduct in accordance with the requirements set out in the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, or any other Act of the Government of Canada or the Province of Alberta, and the bylaws and policies approved by the Councillors of the Municipality;
- b) Treat fellow Councillors, administration and the public with respect, concern, and courtesy;



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- c) Demonstrate the highest standards of personal integrity and honesty in order to foster the public trust and confidence in the Municipality;
- d) Communicate and work with fellow Councillors in an open and honest manner promoting a spirit of cooperation by listening and respecting those opinions that may differ;
- e) Recognize when interacting with the public, no individual authority exists except when explicitly authorized by a council resolution, bylaw, or policy;
- f) Recognize when interacting with the press, individual councillors do not speak for the municipality except where explicitly authorized by a council resolution, bylaw or policy;
- g) Recognize an individual Councillor cannot exercise individual authority over the Municipality;
- h) Recognize, when interacting with the Chief Administrative Officer, the lack of authority vested in a Councillor to direct the Chief Administrative Officer, except where explicitly authorized by a council resolution, bylaw or policy;
- i) Direct any comments regarding staff performance, to the Mayor who shall communicate those matters to the Chief Administrative Officer, recognizing that the Chief Administrative Officer is the only employee of the Council;
- j) Not use the position of Councillor to benefit one's self or any other individual apart from the interest of the Municipality, and avoid placing one's self in a position where there may be a real or perceived conflict of interest or apprehension of bias;
- k) Not use or attempt to use the Municipality's funds, property or information for the personal benefit of the Councillor or for the personal gain or benefit of any other individual;
- l) Devote time, thought, and attention to the duties of a Councillor so effective and knowledgeable decisions can be made on behalf of the citizens and taxpayers;
- m) Develop and evaluate goals and policies through council, to meet the needs and expectations of the public;
- n) Attend council orientation and ongoing training to foster a better understanding of a Councillor's duties and obligations;
- o) Protect privileged information learned during the course of the duties of a Councillor and preserve the confidentiality of information provided to them, concerning confidential matters of the municipality;
- p) Not use confidential information to advance the personal, financial, or private interests of one's self or any other individual;



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- q) Not surrender the responsibilities and obligations of a Councillor to any other person, group or organization;
- r) Disclose to Council any behaviour or activity that may qualify as corruption, abuse, fraud, bribery, or conflict of interest as identified by the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, or any other Act of the Government of Canada or the Province of Alberta, or the bylaws and policies of the Municipality;
- s) The Council will endeavour to make decisions based on objective criteria and information available regarding an allegation made under this bylaw;
- t) The Council shall fully disclose the nature and applicable information regarding an allegation of a breach of this bylaw to the Councillor, in question, in a timely manner.

### Hearing Process

The Council, when considering an alleged breach of this bylaw shall provide sufficient opportunity for the Councillor, who is the subject of the allegation, to address Council.

If, in the opinion of a majority of the members of Council, a Councillor breaches any of the principles found in this Code of Conduct, courses of action taken by Council, may include but are not limited to:

- a) Requiring the Councillor to provide a verbal apology to the impacted individual, organization, or Council as a whole; and/or
- b) Requiring the Councillor to provide a written apology provided to the impacted individual, organization, or Council as a whole, and in any case, placed in the personnel file of the Councillor; and/or
- c) Removing the Councillor from Council Committees; and/or
- d) Dismissing the Councillor from a position of Mayor, Deputy Mayor or Chairperson of a Council Committee; and/or
- e) Issuing a directive to the Councillor to attend 3<sup>rd</sup> party educational training on ethical and respectful conduct, at the expense of the Municipality;
- f) Any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a member from fulfilling the legislated duties of a councillor and the sanction is not contrary to the *Act*.

A decision to apply one or more of the actions detailed above requires a simple majority of Council directing the Councillor to do all or some of those actions.



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All discussions surrounding allegations and substantiated violations of this bylaw shall be conducted at an In Camera meeting of council only, with the information being kept in confidence under the appropriate sections of the Municipal Government Act and the Freedom of Information and Protection of Privacy Act.

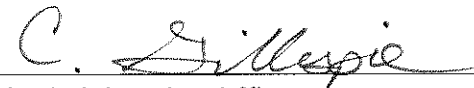
This Bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Council members.

Read a first time in Council this 23<sup>rd</sup> day of April, 2018.

Read a second time in Council this 23<sup>rd</sup> day of April, 2018.

Read a third time in Council and finally passed this 23<sup>rd</sup> day of April, 2018.

  
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Mayor

  
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Chief Administrative Officer