

Municipality of Lakeshore - Report to Council

Legislative & Legal Services



To: Mayor & Members of Council

From: Kristen Newman, Director of Legislative & Legal Services

Date: April 9, 2021

Subject: Adoption of Code of Conduct for Council, Local Board & Committee Members

Recommendation

Direct the Clerk to present By-law 35-2021 for reading during the “Consideration of the By-laws”.

Background

Section 223.2 of the *Municipal Act, 2001* requires a municipality to establish a code of conduct for members of Council and its local boards.

O. Reg. 55/18, a regulation pursuant to the *Municipal Act, 2001*, requires that the following shall be included in a code of conduct for members of Council and its local boards.

The Municipality’s Code of Conduct currently forms part of the Municipality’s Procedural By-law. Administration and the Integrity Commissioner have undertaken drafting a new Code of Conduct.

On December 8, 2020, Council passed resolution 421-12-2020 to:

Receive the Interim Update from the Integrity Commissioner; and,

Direct the Integrity Commissioner and Director of Legislative & Legal Services to present the draft Code of Conduct in February 2021 incorporating the principles described in the report and presentation by the Town’s Integrity Commissioner presented at the December 8, 2020 Council meeting.

In passing the resolution, Council supported the inclusion of the following elements into the Code of Conduct:

- Integrity
- Accountability
- Responsibility
- Leadership
- Respect
- Openness
- Honesty
- Respect for human rights and privacy

Furthermore, Council directed that the Code of Conduct include provisions relating to:

- Receipt of gifts and benefits
- Improper use of influence
- Conflict of interest
- Confidentiality
- Conduct at Council
- Conduct respecting staff
- Discreditable conduct
- Transparency and openness relating to Council activities
- Use of Town resources, property and services
- Remuneration, business relations and employment

The Integrity Commissioner, in consultation with Administration, prepared the draft Code of Conduct. The draft includes provisions relating to the elements and principles described above.

At its meeting on April 6, 2021, Council voted unanimously as follows:

Direct the Director of Legislative & Legal Services to prepare and present the by-law to adopt the Code of Conduct for Members of Council, Local Boards & Committees at the next Council meeting, as further described in the report presented at the April 6, 2021 Council meeting.

Comments

The Code of Conduct is structured in such a way that it provides the rules of conduct. Commentary will be added by the Integrity Commissioner in a non-binding and consolidated version of the Code and provided to Members periodically by updates to the non-binding version of the Code on the Integrity Commissioner page of the Municipality's website. The commentary is intended to assist Members in understanding the Code of Conduct.

The Municipality's current version of the Code of Conduct is attached to the Municipality's Procedural By-law. To amend the Procedural By-law to repeal the current Code of Conduct an affirmative vote of 2/3 of the Council Members present is required. Furthermore the draft by-law adopting the Code includes a provision that the Code of Conduct may only be repealed and amended with 2/3 support of Council Members. As such, one vote requiring the affirmative support of 2/3 of the Members is required to pass the draft by-law into law adopting the new Code of Conduct.

Others Consulted

Integrity Commissioner, Bruce Elman

Financial Impacts

The cost of the preparation of the Code of Conduct were included in the 2021 budget.

Report Approval Details

Document Title:	Adoption of Code of Conduct.docx
Attachments:	
Final Approval Date:	Apr 13, 2021

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Truper McBride