

BYLAW 2703/G/24

BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A CODE OF CONDUCT FOR MEMBERS OF TOWN OF STONY PLAIN COUNCIL APPOINTED COMMITTEES WHO ARE NOT COUNCILLORS

WHEREAS, pursuant to section 146.1(3) of the *Municipal Government Act*, RSA 2000, c. M-26, and amendments thereto, a council may, by bylaw, establish a code of conduct governing the conduct of members of council committees and other bodies established by council who are not councillors; and

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

WHEREAS, a code of conduct ensures committee members share a common understanding of acceptable and ethical conduct;

NOW THEREFORE, the Council of the Town of Stony Plain in the Province of Alberta, duly assembled, hereby enacts as follows:

1.0.0 Title

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

2.0.0 Definitions

- 2.1.0 "Act" means the *Municipal Government Act*, RSA 2000, c. M-26, and amendments thereto.
- 2.2.0 "Administration" means the administrative and operational arm of the Town, comprised of the various departments and business units and including all Town staff who operate under the leadership of the Chief Administrative Officer.
- 2.3.0 "Chief Administrative Officer" means the person appointed Chief Administrative Officer by Council pursuant to the Act, or delegate.
- 2.4.0 "Committee" means any board, Committee, task force, or other body established by Council under the Act.
- 2.5.0 "Conflict of Interest" means any situation including, but not limited to a pecuniary (financial), occupational, or familial situation in which a Committee Member's objectivity, judgement, or ability to act in the best interests of the Committee or the community may be affected or appear to be affected.
- 2.6.0 "Member" means any public member appointed to a Committee by Council, that is not a Councillor.
- 2.7.0 "Staff Liaison" means the member of Administration appointed by the Chief Administrative Officer to provide support and guidance to the Committee.
- 2.8.0 "Town" means the municipality of the Town of Stony Plain.

3.0.0 Purpose and Application

- 3.1.0 This bylaw applies to Members of Town Committees.
- 3.2.0 The purpose of the Committee Code of Conduct Bylaw is to:
- set out clear expectations for the behaviour and ethical conduct of Committee Members;
 - provide guidance to Committee Members regarding the standard of conduct they are expected to exercise in their duties as appointed Committee Members; and
 - provide a mechanism for responding to alleged breaches of the Committee Code of Conduct.
- 3.3.0 This bylaw does not apply to external Committees.
- 3.4.0 Councillors appointed to Committees are subject to the Council Code of Conduct Bylaw.
- 3.5.0 Members shall affirm a declaration to uphold the Committee Code of Conduct attached as Schedule A.

4.0.0 General Conduct

- 4.1.0 Members shall act honestly, ethically, respectfully and in good faith, at all times, while promoting the public interest and advancing the mandate of the committee.
- 4.2.0 Members shall, when conducting Committee business, preparing written correspondence, interacting with Council Members, the media, the public, or staff in their capacity as a Member, act in a manner that:
 - 4.2.1 fulfills the mandate of the Committee;
 - 4.2.2 respects due process and the Chair, Vice Chair or Presiding Officer;
 - 4.2.3 demonstrates professionalism, transparency, accountability and timeliness in completing any tasks or projects undertaken by the committee;
 - 4.2.4 contributes in a meaningful manner, offering constructive comments to Council, staff and fellow committee members;
 - 4.2.5 shall adhere to all relevant legislation, terms of reference, bylaws, policies and procedures.

5.0.0 Communicating on Behalf of the Town

- 5.1.0 Members shall not communicate on behalf of the Town.
- 5.2.0 Public statements, media statements, or the release of information conveying the Town's position or decisions on matters made by Council shall only be communicated by the Town's Communications Department.
- 5.3.0 Individual public statements must be clear that they reflect the personal opinion of the Member, and not the official position of the Committee, and should be expressed in a manner that maintains respect for Council, Committee members, and Town Administration.

6.0.0 Respecting the Decision-Making Process

- 6.1.0 Decision-making authority lies with the Committee as a whole and not with individual Members or groups of Members.
- 6.2.0 Committees may only act by a resolution passed at an open meeting with quorum present.
- 6.3.0 Members must conduct their duties and official business in an open and transparent manner, except for those matters which are authorized by legislation to be dealt with in a confidential manner.

7.0.0 Respectful Interactions

- 7.1.0 Without limiting the ability of a Member to hold a position on an issue and respectfully express their opinion, Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and furtherance of the public interest.
- 7.2.0 Members shall:
 - 7.2.1 treat fellow Members, Councillors, Administration, and the public with respect and courtesy;
 - 7.2.2 act in a diligent manner including preparing for, attending, and participating in meetings;
 - 7.2.3 conduct themselves in a professional and transparent manner, and shall refrain from engaging in conduct that is disruptive to the meeting;
 - 7.2.4 communicate and work with fellow Members in an open and honest manner, while promoting a spirit of cooperation by listening to and respecting those opinions that may differ.
- 7.3.0 Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and make recommendations that reflect their professional expertise and corporate perspective. Employees are required to do so without undue influence from any Member or group of Members.
- 7.4.0 Members must not:
 - 7.4.1 involve themselves in matters of Administration, which fall within the jurisdiction of the Chief Administrative Officer; or

- 7.4.2 maliciously or falsely injure the professional or ethical reputation, of members of Administration.

8.0.0 Confidential Information

8.1.0 Members shall:

- 8.1.1 Respect confidential information that may be provided confidentially to Members.
- 8.1.2 Not use confidential information for personal benefit or for the benefit of any other individual or organization.

9.0.0 Conflicts of Interest

- 9.1.0 A person is ineligible for appointment to a Committee where that appointment would give rise to a reasonable perceived conflict of interest.
- 9.2.0 It is the Member's personal responsibility to review and understand the Conflict of Interest provisions of the *Municipal Government Act* as it applies to a Councillor, which as per this bylaw is also applicable to a Committee Member.
- 9.3.0 Once appointed to a Committee, the decision with respect to whether the Member may have a Conflict of Interest is the individual member's decision to make.
- 9.4.0 Members will recuse themselves from any discussions or decision on any matter in which they have a real or perceived conflict of interest.

10.0.0 Improper Use of Influence

- 10.1.0 No Member shall use the influence of their Committee appointment for any purpose other than to exercise their official duties.
- 10.2.0 Members must not direct Town employees.
- 10.3.0 Should a Member be elected to Council, they are required to resign their Committee position immediately upon being declared elected by the Returning Officer.

11.0.0 Gifts

- 11.1.0 Before accepting any gifts or gratuity in their capacity as a member of the Committee, Members will consider how the acceptance of the gift would be perceived by the public, the media and Town Council.
- 11.2.0 Members shall not use their position on a Committee to secure special privileges, favours or exemptions for themselves or any other person.

12.0.0 Orientation and Training

- 12.1.0 Members shall attend any training or orientation that is required by the Town or by legislation in order to exercise their official duties as a Member.

13.0.0 Use of Town Assets and Services

- 13.1.0 Members shall only use Town resources, property, equipment, services, supplies, and Administrative resources for the performance of their official Committee duties.

14.0.0 Compliance

- 14.1.0 Members shall uphold the spirit and intent of this Bylaw.
- 14.2.0 Any person, who reasonably, and in good faith, perceives or is aware of a violation of the Council Committee Code of Conduct may report the matter through one of the following options:
 - 14.2.1 speak directly with the Member;
 - 14.2.2 discuss the concerns with the Chair of the Committee;
 - 14.2.3 submit the concerns in writing to the CAO.
- 14.3.0 Whenever possible the CAO will take a restorative approach when dealing with concerns related to violations of the Committee Code of Conduct and may:

- 14.3.1 direct communications between the complainant and the respondent Member; and/or
- 14.3.2 facilitate discussions, as agreed upon by the parties.

14.4.0 Where a situation warrants, the CAO may report the concern to Council during a closed session meeting. An inquiry and/or investigation will be undertaken as directed by Council and may result in:

- 14.4.1 private verbal or written warning;
- 14.4.2 public verbal or written warning; or
- 14.4.3 revocation of the Members appointment.

14.5.0 Committee members are encouraged to seek advice from the Chair of the respective Committee or from the respective Staff Liaison if in doubt about a course of action involving their work on the Committee.

15.0.0 Severability

15.1.0 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

16.0.0 Review

16.1.0 This bylaw shall be reviewed within its fifth year, being 2029, or as deemed necessary.

17.0.0 Effective Date


17.1.0 This bylaw shall take full force and effect on the date it is passed.

Read a first time this 12th day of November, AD 2024.


Read a second time this 12th day of November, AD 2024.

Given unanimous consent this 12th day of November, AD 2024.

Read a third time this 12th day of November, AD 2024.



Mayor William Choy



Ann Laing
General Manager, Corporate Services

Schedule “A”

COMMITTEE CODE OF CONDUCT DECLARATION

I certify that I have received, read, understand, and agree to abide by the terms in the Town’s Committee Code of Conduct Bylaw in its entirety.

I acknowledge that as a Committee Member I am expected to act in a professional manner and to demonstrate a high standard of conduct when fulfilling my role.

Name (Please Print)

Date

Signature

Witness Name (Please Print)

Date

Witness Signature

The personal information on this form is being collected in accordance with section 33(c) of the *Freedom of Information and Protection of Privacy (FOIP) Act* and will be used to support the conduct and responsibilities of Committees. The personal information will be managed in compliance with the privacy provisions of Part 2 of the *Freedom of Information and Protection of Privacy Act*. If you have any questions concerning the collection and use of this personal information, please contact the FOIP Coordinator at 780-963-2151.