

TOWNSHIP OF MCGARRY

BY-LAW 2007-34

Being a By-Law to establish a code of conduct for members of Council and Local Boards.

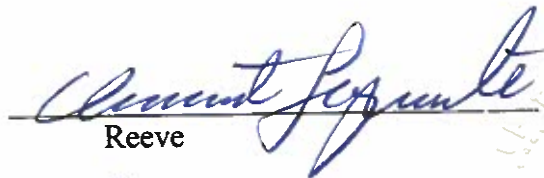
WHEREAS Section 223.2(1) of the Municipal Act, 2001, as amended by the Municipal Statute Law Amendment Act, 2006, authorizes Council to establish a code of conduct for members of Council and Local Boards of the Municipality.

AND WHEREAS Council is desirous to establish a code of conduct.

NOW THEREFORE Council of the Township of McGarry enacts as follows;

- 1) THAT the code of conduct for members of Council and Local Boards attached to and forming schedule "A" to this By-Law be adopted.
- 2) THAT this By-Law shall take effect on the date of its passing.

Read a first, second and third time and passed this 14th day of August, 2007.


Reeve


Clerk-Treasurer



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SCHEDULE "A" - BY-LAW 2007-34

CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS

Preamble

A written Code of Conduct helps to ensure that the members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that the Municipality of McGarry Township's elected representatives operate from a base of integrity, justice and courtesy.

The McGarry Township Council Code of Conduct is a general standard that augments the provincial laws and municipal by-laws that govern its conduct. It is not intended to replace a member's personal ethics.

For the purpose of this policy a member of Council shall also mean a member of Local Board.

General

All members shall serve their constituents in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of his or her official duties.

Gifts and Benefits

Members should not, directly or indirectly, solicit any gift or accept/receive any gift, whether it be money, services, loan, travel entertainment, hospitality, promise, or any other gift/benefit if (1) it could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or (2) the gift was intended to serve as a reward for any official action on their part.

It is important that the prohibition of unsolicited gifts be limited to circumstances related to improper influence. In minor situations, such as tobacco and meal checks for example, some modest maximum dollar value should be determined to the member as a guideline. The guideline is not intended to isolate members from normal social practices where gifts among friends, associates, and relatives are appropriate for certain occasions or conventional hospitality.

This section does not apply to tokens, mementoes, souvenirs, or such gifts or benefits up to and including an annual value of \$500.00, that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of office. Tokens, mementoes, souvenirs, or gifts with a value of greater than 500.00 shall be the property of the Municipality, and should be reported and turned over to the Clerk.

No Member shall seek or obtain, by reason of his or her office, any personal privilege or advantage with respect to the Municipality's services not otherwise available to the general public and not consequent to his or her official duties.

Confidentiality of Municipal Information

It is every Council Member's responsibility to ensure that all information collected, produced or obtained in the course of his/her duties, whether in reports, memos, oral communication or electronic format, is as accurate as possible. No Council Member shall willfully mislead other Council Members, employees or the public, about any issue of municipal concern.

It is the responsibility of each member of Council to ensure that confidential information, provided through administration, other Council Members, developers, investors, the public or through any other party, is kept strictly confidential and not released without the approval of the Council.

Only with Council authority will Council Members give or release to anyone, confidential information acquired in the course of that Council member's duties with the Municipality.

The following information must not be used or disclosed, except in accordance with the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA"):

- information which is personal,
- information that constitutes the proprietary information of a third party, individual or group,
- might reasonably be regarded as having been disclosed to the employee in confidence,
- is of sensitive nature, or
- imparts to the person in possession of such information an advantage not available to the public generally.

Council Members should consult with the Clerk if clarification is required.

Information acquired through the Council Member's position with the Municipality may not be used or disclosed in any personal external activity.

No Council Member shall benefit, either directly or indirectly, from the use of information acquired during the course of official duties, which is not generally available to the public.

Use of Municipal Property

Where a member makes use of any McGarry Township equipment, supplies, or services of consequence, other than for purposes connected with the discharge of Council Duties, it is incumbent upon the member to make restitution for any additional expenses which are incurred by the Municipality for the use of said equipment, supplies or services.

No member shall obtain financial gain from the use of the McGarry Township developed intellectual property, computer programs, technological innovations, or other patent, trademark, copyright held

by McGarry Township, while an elected official, or thereafter. All such property remains the exclusive property of the McGarry Township.

No member shall use information gained in the execution of his or her duties, which is not available to the general public, for any purposes other than his or her official duties.

Work of A Political Nature

No member shall use the Municipal facilities, services, or property for his or her re-election campaign, during hours in which the employees are in the paid employment of the Municipality.

Conduct At Council

During Council meetings, members shall conduct themselves with decorum. Respect for the deputations and for fellow members and staff requires that all members show courtesy and not distract from the business of the Council during presentations and when other members have the floor.

Representing The Municipality

Members shall make every effort to participate diligently in the activities of the agencies, boards, and commissions to which they are appointed. However, Members must understand that individual members are provided liability coverage when the Council is acting as a group. When the Council Member is acting on his/her own, there is no liability coverage for the Member.

Influence on Staff

Members shall be respectful of the fact that staff work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members of Council.

Business Relations:

No member shall borrow money from any person who regularly does business with the Municipality, unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No member shall act as a paid agent before Council, or a committee of Council, or any agency, board, or committee of the Municipality.

Encouragement Of Respect for the Municipality And Its By-Laws

Members shall encourage public respect for the Municipality and its by-laws.

Harassment

Harassment of another member, staff or any other member of the public is misconduct. It is the policy of the McGarry Township that all the persons be treated fairly in the workplace, in an environment free of discrimination and of personal and sexual harassment.

Harassment may be defined as any behaviour, by any person that is directed at, or is offensive to, another person, on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status and any other ground under the provisions of the *Ontario Human Rights Code*.

Interpretation

Members of Council seeking clarification of any part of this Code of Conduct should consult with the Clerk or Solicitor of the Municipality.