

## TOWN OF ECKVILLE-COUNCIL AGENDA

Monday, March 11, 2024

Town Office Council Chambers Eckville, AB 6:00 pm

(Councillors may attend via electronic means)

- |   |      |   |
|---|------|---|
| <b>1. CALL TO ORDER</b>                       | 1.1  |   |
| <b>2. DELEGATIONS/PUBLIC HEARING</b>          | 2.1  |   |
| <b>3. AGENDA</b>                              | 3.1  | Additional Agenda Items   |
|   | 3.2  | Adoption of Agenda  |
| <b>4. MINUTES</b>                             | 4.1  | Regular Council Meeting Minutes – February 26, 2024 pg. 1-3             |
| <b>5. ACTION ITEMS</b>                        | 5.1  | RFD-Donation for CARA saddle pg. 4-5                                    |
|   | 5.2  | Waste Collection Services Agreement-Discussion                          |
|   | 5.3  | Street Sweeper-Discussion   |
| <b>6. BYLAWS, POLICIES</b>                    | 6.1  | Bylaw # 793-24 Advertising Bylaw pg. 6-7                                |
| <b>7. REPORTS</b>                             | 7.1  | Management Report – March 11, 2024 pg. 8-9                              |
|   | 7.2  | Financial Report - AP Report Feb 22, 2024-March 6, 2024 pg. 10-11       |
|   | 7.3  | Animal Control Services February 2024 pg. 12                            |
| <b>8. COMMITTEE, BOARD REPORTS</b>            | 8.1  |   |
| <b>9. CORRESPONDENCE, INFORMATION</b>         | 9.1  | Lacombe County Highlights of Reg Council Meeting Feb 22, 2024 pg. 13-15 |
|   | 9.2  | Lacombe County Media Release pg. 16-17                                  |
| <b>10. SEMINARS, MEETINGS, SPECIAL EVENTS</b> | 10.1 |   |
| <b>11. CLOSED SESSION</b>                     | 11.1 | Section 23: Local public body confidences                               |
| <b>12. COMMITTEE OF THE WHOLE</b>             | 12.1 | Bylaw # 744-18 Council Code of Conduct Bylaw pg. 18-49                  |
| <b>13. ADJOURNMENT</b>                        | 13.1 |   |

**TOWN OF ECKVILLE – COUNCIL MINUTES**

February 26, 2024  
Eckville Town Office, 5023 – 51 Avenue, Eckville, Alberta  
(The meeting was available via electronic means)

**1. Call to Order**

1.1 Mayor Ebden called the meeting to order at 6:03 p.m.

Present: Mayor Ebden  
Councillor Meyers  
Councillor Engen  
Councillor Pacholek  
Councillor Palm-Fraser  
Councillor See (joined by electronic means)  
Councillor Thoreson

Absent: CAO, Jack Ramsden

Staff: Deputy CAO, Darcy Webb  
Recording Secretary Heather Allen

Press: None Present

Gallery: None

**2. Delegations/Public Hearings**

2.1 None

**3. Agenda**

3.1 Additional Agenda Items - None

3.2 Adoption of Agenda

**Res.026.024**

Moved by Councillor Pacholek that the agenda be adopted presented. **Carried Unanimously.**

**4. Minutes**

4.1 Regular Council Meeting Minutes – February 12, 2024

**Res.027.2024**

Moved by Councillor Thoreson that the minutes of the Regular Meeting of Council held Monday, February 12, 2024, be adopted as presented. **Carried Unanimously.**

**5. Action Items**

5.1 RFD- Medicine River Watershed.

**Res.028.2024**

Moved by Councillor Engen that the Town of Eckville donate five hundred dollars (\$500) to the Medicine River Watershed Society in 2024 and that this amount be included in the Town's 2024 Operating Budget. **Carried Unanimously.**

5.2 RFD- Parkland Airshed Management Zone

- Red.029.2024** Moved by Councillor Engen that the Town of Eckville decline to purchase a Parkland Airshed Management Zone 2024 Membership. **Carried Unanimously.**
- 5.3 Date for Shredding Event
- Res.030.2024** Moved by Councillor See that Administration be directed to choose any Saturday in April to hold the shredding event. **Carried Unanimously.**
- 5.4 Municipal Breakfast Date
- Res.031.2024** Moved by Councillor See that the Municipal Breakfast be held May 11, 2024 from 9:00am -11:00am. **Carried Unanimously.**
- 6. Bylaws /Policies** 6.1 None
- 7. Reports** 7.1 Management Report for February 12, 2024
- Res. 032.2024** Moved by Councillor Pacholek that the Management Report for February 26, 2024, be accepted for information. **Carried Unanimously.**
- 7.2 Financial Report-AP Report February 14 & 22, 2024
- Res. 033.2024** Moved by Councillor Meyers that the Financial Report be accepted for information. **Carried Unanimously**
- 8. Committee & Board Reports** 8.1 Councillor Engen reported on Medicine River Watershed, Lacombe Foundation and the Emerging Trends Session
- 8.2 Councillor Palm-Fraser reported on Parkland Regional Library and Emerging Trends
- 8.3 Councillor Pacholek reported on AB. Munis 101
- 8.4 Mayor Ebden reported on Library, and Mid-sized Towns Mayors' Caucus.
- Res. 034.2024** Moved by Councillor Meyers that the Committee and Board Reports be accepted. **Carried Unanimously.**
- 9. Correspondence, Information Items** 9.1 Lacombe County Highlights of Regular Council Meeting Jan 24, 2024
- Res.035.2024** Moved by Councillor Palm-Fraser that the Correspondence and Information Items be accepted as information. **Carried Unanimously.**
- 10. Seminars, Meetings, Special Events** 10.1 None
- Mayor Ebden called for a 5-minute recess. Time 7:10pm The meeting reconvened at 7:15pm
- 11. Closed Session** 11.1 Section 16: Business interests of a third party.
- Res.036.2024** Moved by Councilor Engen that the meeting move into closed session, excluding all persons except Council Members, CAO, and Deputy CAO in order to discuss

an item with Section 16 of the FOIPP Act: Business interests of a third party.  
Time 7:16 p.m. **Carried Unanimously**

**Res.037.2024**

Moved by Councilor Palm-Fraser that the meeting revert back to open session.  
Time 7:30pm. **Carried Unanimously.**

**12. Committee of the Whole**

12.1 Council Procedure Bylaw #640/02 - Discussion

**13. Adjournment**

**Res. 038.2024**

Mayor Ebden adjourned the meeting. Time 8:45 pm. **Carried Unanimously.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO

Mtg. Date March 11, 2024

Agenda Item 5.1

## TOWN OF ECKVILLE Request to Council for Decision

<b>Meeting:</b>	Town Council
<b>Meeting Date:</b>	March 11, 2024
<b>Originated By:</b>	Jack Ramsden, CAO
<b>Title:</b>	Sponsorship of Central Alberta Rodeo Association's Cyle Playfair Memorial Bull Riding Saddle

**BACKGROUND:** Please find attached correspondence from the Central Alberta Rodeo Association requesting the Town of Eckville's sponsorship for the "Cyle Playfair Memorial Bull Riding Saddle" which is one of the association's final prizes.

**DISCUSSION/ALTERNATIVES:** The Town of Eckville has been sponsoring the Bull Riding Saddle for a good number of years. Shortly after Cyle Playfair passed away, the Bull Riding Final Prize Saddle Final Award was renamed the "Cyle Playfair Memorial Bull Riding Saddle Award." As in the past, the Town of Eckville continued to sponsor this Bull Riding Award.

The cost for having the saddle built each year is \$1,500.00.

**IMPACT ON BUDGET:** This donation has been in our previous budgets and should not pose any increase to our 2022 Budget.

**RECOMMENDED ACTION:** That the following motion be presented for consideration:

**"That The Town of Eckville sponsor the Central Alberta Rodeo Association's "Cyle Playfair Bull Riding Saddle Award" again in 2024 at a cost of \$1,500.00."**

Prepared By: \_\_\_\_\_ Approved By:  \_\_\_\_\_

4

Darcy Webb

---

On Feb 16, 2024, at 3:14 PM, CARA Treasurer <[caratreasurer2022@gmail.com](mailto:caratreasurer2022@gmail.com)> wrote:

Hi Colleen,

I was wondering if the Town is interested in sponsoring the Bull Riding saddle again for the CARA finals for the 2024 season?

**April de Heer**  
CARA Treasurer  
Box 268, Eckville  
AB T0M 0X0  
403-348-1238



Mtg. Date March 11, 2024

Agenda Item 6.1

## **TOWN OF ECKVILLE**

## **BYLAW NO. 793-24**

### **Advertising Bylaw**

**A BYLAW OF THE TOWN OF ECKVILLE** in the Province of Alberta to establish an alternate method for advertising Statutory Notices.

**WHEREAS**, pursuant to section 606 of the *Municipal Government Act*, a council must give notice of certain bylaws, resolutions, meetings, public hearings or other things by advertising in a newspaper or other publication circulating in the area, mailing or delivering a notice to every residence in the affected area or by another method provided for in a bylaw under section 606.1;

**AND WHEREAS**, pursuant to section 606.1(1) of the *Municipal Government Act*, a council may, by bylaw, provide for one or more methods, which may include electronic means, for advertising proposed bylaws, resolutions, meetings, public hearings and other things referred to in section 606;

**AND WHEREAS** Council is satisfied that the advertising method set out in this Bylaw is likely to bring matters advertised by that method to the attention of substantially all residents in the area to which the bylaw, resolution or other thing relates or in which the meeting or hearing is to be held;

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

#### **Short Title**

1. This Bylaw may be referred to as the Advertising Bylaw.

#### **Advertising Method**

2. Any notice required to be advertised under section 606 of the *Municipal Government Act* of a bylaw, resolution, meeting, public hearing or other thing may be given, in accordance with the timelines prescribed in section 606 by using any two of the following methods but endeavoring to use all three;
  - a) Electronically by posting the notice prominently on the Town of Eckville Official Website.
  - b) Electronically by posting the notice prominently on the Town of Eckville Facebook Page.

- c) By posting the notice prominently on the bulletin board provided and maintained for that purpose in front of the Eckville Town Office at 5023 – 51<sup>st</sup> Avenue, Eckville, Alberta.

READ a First time this [redacted] day of [redacted]

[redacted]

[redacted]

[redacted]

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CAO

7



**MANAGEMENT REPORT  
TO ECKVILLE TOWN COUNCIL**

**March 11, 2024**

Mtg. Date March 11, 2024

Agenda Item 7.1

**Current Activities:**

- **Consideration of Joining the Sylvan Lake Regional Water/Wastewater Commission:**

Mayor Ebdon and CAO Jack Ramsden will be meeting with the Sylvan Lake Regional Water / Wastewater Commission at the March 11<sup>th</sup> commission meeting which is being held at the Lacombe County Office. We should be able to report how the meeting went at the March 11<sup>th</sup> council meeting.

- **Arena Operating Society:** It appears that the Arena Operating Society has taken over the payroll of their Operators, with the assistance of Bookkeeping Solutions by Lynda. We will continue to monitor the situation.

- **Public Works Highlights:**

- **Lagoon Outfall Meter:** Public works tried a couple of fixes that SFE Global recommend but they didn't work. As a result, they have been asked to come to Eckville and see if they can figure out the issue. **Good news – the meter started working again before we had to pay SFE to come out.**
- **East Sewer Lift Station:** So far, we seem to be running normally again.
- **West Sewer Lift Station:** We have been experiencing some major problems with this lift station. Both of our lift stations have two pumps that move our effluent (sewage). (As much of the original town's sewer mains drained to the west, and our sewage lagoons are located to the east of town, approximately 60 to 70 percent of our effluent has to be pumped east until it can free flow to the east or main lift station). One of the pumps at our lift station need to be rebuilt, but the replacement parts are 6 to 8 weeks away, so our Public Works Operators and our Contractor are monitoring the single pump that his working and we are hoping to make some minor changes to the warn out pump to try to buy a bit more time. Be assured that this situation is being monitored daily.
- **Water Pump Station:** We now have a new Pro-Talk device installed at the pump station and our Public Works Operators are now receiving notices and alarm as they occur.
- **Water Quality Samples:** We recently had WSP Engineering take water samples from our raw / well water and from our treated water (after the water filters). The test results stated that our green sand filters were still necessary, however we are suggesting that another test should be conducted with the addition of chlorine, but without the use of the filters. In other words, we are thinking that it is the chlorine that is bringing the water into standard and maybe not the old filters. Our reason for looking at this situation is twofold: firstly, we use treated water to backwash our filters; and secondly our green sand filters are 38 years old and are likely in need of rebuilding or replacement. We will keep you informed.

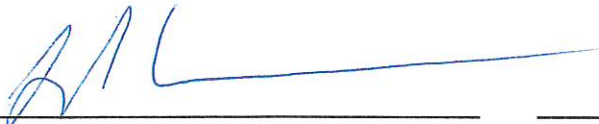


Management Report – February 26, 2024

- The Street Sweeper was sent to Industrial Machines in Acheson on February 22<sup>nd</sup>. It should be back in time for spring street sweeping. We are holding off on repairs until we can do a bit more analyzing on our repair costs on the sweeper.


**Future / Planned Activities:**

- **CASA DE VIDA DEVELOPMENTS INC.** Purchase of Lot 31, Block 2, Plan 0720639. Nothing new to report at this time.
- **Highway 11 Twinning Project:** Nothing new to report at this time.
- **New Website and Municipal APP:** Nothing new to report.
- **Year End Audit:** Field work is underway. We await a date for the pre-audit meeting.
- **Budget:** Administration is also working on the 2024 operating and capital budgets. We will schedule time with Council when the CAO returns from vacation. On a side note, AB Munis is looking at our benefit account in order to see if there is an opportunity to lower the rate increase.



---

Jack Ramsden, CAO



---

Darcy Webb, Deputy CAO

Batch ID: AP FEB 22/24  
 Batch Comment: Ap

Audit Trail Code: PMCHQ00000863  
 Posting Date: 2024-02-22

Chequebook ID: ATB - GEN

Mtg. Date March 11, 2024

\* Voided Cheques

Agenda Item 7.2

Cheque Number	Date	Payment Number	Vendor ID	Cheque Name	Amount
027704	2024-02-22	00000000000023556	AAM001	Canoe	\$3,991.05
027705	2024-02-22	00000000000023557	AMS001	AMSC	\$22,948.47
027706	2024-02-22	00000000000023558	AUM003	AUMA	\$567.76
027707	2024-02-22	00000000000023559	CEN014	Central Alberta Co-op Ltd.	\$605.32
027708	2024-02-22	00000000000023560	CEN04	Central Labs	\$351.00
027709	2024-02-22	00000000000023561	ECK001	Eckville Machining & Welding (	\$273.00
027710	2024-02-22	00000000000023562	LAC001	Lacombe County	\$4,247.97
027711	2024-02-22	00000000000023563	MNP001	MNP	\$5,565.00
027712	2024-02-22	00000000000023564	NEX002	NextGen Automation	\$608.31
027713	2024-02-22	00000000000023565	SFE001	SFE Global	\$1,132.56
027714	2024-02-22	00000000000023566	TAG001	Tagish Engineering Ltd.	\$208.66

Total Cheques: 11

Cheques Total: \$40,499.10  
 =====

10

Batch ID: AP MARCH CQ  
 Batch Comment: AP March 6, 2024

Audit Trail Code: PMCHQ0000864  
 Posting Date: 2024-03-06

Chequebook ID: ATB - GEN

\* Voided Cheques

Cheque Number	Date	Payment Number	Vendor ID	Cheque Name	Amount
027715	2024-03-06	0000000000023567	ATB001	ATB Financial Mastercard	\$3,152.56
027716	2024-03-06	0000000000023568	AUM004	AMSC Insurance Services Ltd,	\$162,642.00
027717	2024-03-06	0000000000023569	CAN11	Canadian Linen and Uniform Ser	\$368.88
027718	2024-03-06	0000000000023570	CEN0015	Central Alberta Window Cleanin	\$939.75
027719	2024-03-06	0000000000023571	CEN04	Central Labs	\$526.50
027720	2024-03-06	0000000000023572	FOR02	Fortis Alberta	\$119.15
027721	2024-03-06	0000000000023573	GAR003	Gary Heisler	\$19.62
027722	2024-03-06	0000000000023574	GTI001	GTI Petroleum Ltd	\$1,486.41
027723	2024-03-06	0000000000023575	HEL002	Hellbound Services Corp	\$6,452.25
027724	2024-03-06	0000000000023576	HOT001	Hotsy Cleaning Systems	\$731.34
027725	2024-03-06	0000000000023577	KEY001	Key Agventures Inc	\$151.20
027726	2024-03-06	0000000000023578	LAC010	Lacombe Regional Waste Service	\$200.00
027727	2024-03-06	0000000000023579	LIT002	Little Jon's Portable Toilet S	\$357.00
027728	2024-03-06	0000000000023580	MAD01	Mad Catering	\$210.00
027729	2024-03-06	0000000000023581	MES001	Messer Canada INC.	\$47.68
027730	2024-03-06	0000000000023582	MIS001	Missing Link Internet Inc.	\$1,102.50
027731	2024-03-06	0000000000023583	PC01	PCPS	\$1,965.79
027732	2024-03-06	0000000000023584	PRO005	PROTEC	\$130.62
027733	2024-03-06	0000000000023585	REC	Receiver General	\$16,331.46
027734	2024-03-06	0000000000023586	TEL001	Telus	\$1,161.24
027735	2024-03-06	0000000000023587	TEL002	TELUS MOBILITY	\$133.11
027736	2024-03-06	0000000000023588	THE018	The Trenchless Guy's	\$1,706.25
027737	2024-03-06	0000000000023589	TOW011	Town of Blackfalds	\$6,050.00
027738	2024-03-06	0000000000023590	WIL001	Wild Rose Assessment Services	\$1,424.15
027739	2024-03-06	0000000000023592	WOL003	Wolf Creek Building Supplies S	\$61.22
<b>Total Cheques:</b>	<b>25</b>			<b>Cheques Total:</b>	<b>\$207,470.68</b>

ANIMAL CONTROL SERVICES o/a 327241 Alberta Ltd  
BILLING SUMMARY

Mtg. Date March 11, 2024  
Agenda Item 7.3

MONTH OF SERVICE February 2024

MUNICIPALITY

ECKVILLE

DATE	HOURS	TOTAL	COST	COMPLAINT	RTO	ADOPT	COST
1			0.00				
2			0.00				
3			0.00				
4			0.00				
5			0.00				
6	9-11	2	230.00				
7	4-6	2	230.00				
8			0.00				
9	11-1	2	230.00				
10			0.00				
11			0.00				
12	3-5	2	230.00				
13	8-10	2	230.00				
14	12-2	2	230.00				
15			0.00				
16			0.00				
17			0.00				
18			0.00				
19			0.00				
20			0.00				
21	2-4	2	230.00				
22			0.00				
23			0.00				
24			0.00				
25			0.00				
26			0.00				
27	1-3	2	230.00	1 Cat		X	100.00
28			0.00				
29			0.00				
30			0.00				
31			0.00				

PATROL COSTS	16	\$1,840.00
IMPOUND FEES		\$100.00
SUBTOTAL		\$1,940.00
GST		\$97.00
TOTAL		\$2,037.00

12





Mtg. Date March 11, 2024  
Agenda Item 9.1

## HIGHLIGHTS OF THE REGULAR COUNCIL MEETING FEBRUARY 22, 2024

---

### AGRICULTURE SERVICE BOARD MEETING NOTES

Council reviewed the meeting notes of the January 17, 2024 Lacombe County Agriculture Service Board (ASB) meeting and approved recommendations as follows:

- That the Drought Support Programming Report be received for information.
- That the 2023 Insect Surveillance Report be received for information.
- That the 2024 Agricultural Services Operational Plan be received for information.
- That the County Manager be directed to explore options to support veterinary students practicing within Lacombe County.
- That Council consideration be given for an Agricultural Service Board Member to participate as a member of the Alternative Land Use Services (ALUS) Lacombe Public Advisory Committee.
- That the 2024 Provincial ASB Conference Resolutions be received for information.
- That the Agricultural Plastics Volume Report be received for information.
- That the 2024 – 2028 ALUS Lacombe Strategic Plan be received for information.

### COMMITTEE OF THE WHOLE MEETING NOTES

The following recommendations from the Committee of the Whole meeting held on February 6, 2024 received the approval of Council:

- That the Dust Control Program Overview be received for information; and further, that the County Manager be directed to provide a report and recommendation regarding subsidy options, the number of calcium applications, and the impact of loopholes (ie. landowner applications on behalf of commercial or industrial businesses to mitigate cost) related to the Dust Control Program, for consideration at a future Council meeting.
- That the FCSS Funding Allocation and Program Review be received for information; and further, that the County Manager be directed to provide a report with further details about current FCSS servicing in Lacombe County as well as home support options for outlying communities, for consideration at a future Council meeting.
- That the Golf Carts on Municipal Roads Presentation be received for information; and further, that the County Manager be directed to prepare a report and recommendation, identifying lobbying efforts and next steps in advancing the issue of golf carts on municipal roads (including writing a letter to Minister of ATEC as well as speaking notes to address the Minister at the Spring RMA Convention), for consideration at a future Council meeting.
- That the Elizabeth Lake Presentation be received for information; and further, that the County Manager be directed to provide a report and recommendation regarding the City's request for County support of the Elizabeth Lake Outlet Project, for consideration at a future Council meeting.
- That the presentation on Environmental Regulatory Requirements for Municipal Operations be received for information.
- That the discussion regarding Brownfield Solar sites be received for information.
- That the Lacombe Lake Water Level discussion be received for information; and further that the County Manager be directed to send a response letter to the Alexander Family advising



WHERE PEOPLE ARE THE KEY

that the County's position remains that the control structure is being operated in accordance with the lake levels set out in the 1970 Grant of Easement and that no further action will be taken at this time.

- That Mark Sproule, Manager of Community Peace Officer Services, be directed to draft a response to the Provincial Police Advisory Questionnaire on behalf of Council for consideration at a future Council meeting.

### TOWN OF BLACKFALDS REQUEST TO ACQUIRE AN INTEREST IN LAND

By resolution of Council, Lacombe County consents to the Town of Blackfalds purchasing an approximate 9.02-acre parcel of land within the County located in Lot 5, Block 1, Plan 152 0048 (SE 3-40-27-W4M) to facilitate the construction of a stormwater management system.

### CITY OF LACOMBE ELIZABETH LAKE OUTLET PROJECT

Lacombe County will provide the City of Lacombe with a letter of support, in principle, to change the portion of the Elizabeth Lake boundary that affects the southern end of Wildrose Street; and further, that Lacombe County supports the City of Lacombe engaging with the Lacombe County private land owner to change the Elizabeth Lake bed-and-shore boundary.

### POLICY RC(9) COUNTY SUPPORT OF COMMUNITY PROGRAMS, EVENTS, & ACTIVITIES UPDATE

Council approved the following 2024 RC(9) funding applications:

Lacombe County RC(9) Grant Program  
2024

Community	Applicant	Event	Amount Requested	Eligible	New	Recommended Amount
Alix	Alix Public Library	July 1st Canada Day	\$ 500	Y	N	\$ 500.00
Bentley	Bentley & District Ag Society	Bentley Fair and Rodeo	\$ 1 000	Y	N	\$ 1 186.00
Blackfalds	Town of Blackfalds	Blackfalds Day	\$ 8 972	Y	N	\$ 8 972.00
Clive	Village of Clive	Clive Furfest	\$ 1 186	Y	N	\$ 1 186.00
Eckville	Town of Eckville	Eckville Canada Day	\$ 1 500	Y	N	\$ 1 186.00
Lacombe	Lacombe Performing Arts Centre Foundation	Music in the Park	\$ 2 000	Y	N	\$ 1 000.00
Lacombe	City of Lacombe Arts Endowment Fund	Creation Station	\$ 2 200	Y	N	\$ 2 055.00
Lacombe	Lacombe Days Association	Lacombe Days	\$ 13 000	Y	N	\$ 8 000.00
Lacombe	Lacombe Regional Tourism	Canada Day Celebrations	\$ 5 000	Y	N	\$ 841.00
Lacombe County	Friends of Mirror Library Society	May Long Children's activities	\$ 280	Y	Y	\$ 500.00
Lacombe County	Mirror & District Museum	May Day Event	\$ 500	Y	N	\$ 500.00
Lacombe County	Mirror Jolly Senior Social Club	Seniors Week Open House				
Lacombe County	Mirror Recreation Society	Labour Day BBQ	\$ 500	Y	Y	\$ 500.00
Lacombe County	Mirror Recreation Society	Easter/Spring Celebration	\$ 500	Y	N	\$ 500.00
Lacombe County	Mirror Recreation Society	Children's Halloween Party & Haunted House	\$ 500	Y	N	\$ 500.00
Lacombe County	Mirror Recreation Society	Christmas Celebration (Santa)	\$ 500	Y	N	\$ 500.00
Lacombe County	Mirror Association for Ball Diamonds, Campers	Fire and Ice	\$ 2 000	Y	N	\$ 1 200.00
Lacombe County	Joffre Community Association	Skate Party, Easter, Family BBQ				
Lacombe County	Joffre Community Association	Earth Day, Horseshoe Tournament	\$ 1 000	Y	N	\$ 1 000.00
Lacombe County	Tees Agricultural Society	Spring Chili Cook-off and Bingo	\$ 500	Y	N	\$ 500.00
Lacombe County	Tees Agricultural Society	Christmas Concert and Carol Festival	\$ 500	Y	N	\$ 500.00
Lacombe County	Birch Bay Community Association	Family Day, July 1st fireworks				
Lacombe County	Wilson Beach Estates	Beach Day BBQ	\$ 1 750	Y	N	\$ 1 431.00
Lacombe County	Wilson Beach Estates	Christmas Parade	\$ 1 000	Y	N	\$ 500.00
Lacombe County	Ellis Bird Farm	Canada Day, Blue Bird Festival				
Lacombe County	Ellis Bird Farm	Bug Jamboree	\$ 3 000	Y	Y	\$ 1 000.00
SV of Birchcliff	SV of Birchcliff	Summer Celebration	\$ 500	Y	N	\$ 593.00
SV of Birchcliff	SV of Birchcliff	Family Day, Canada Day				
SV of Gull Lake	Gull Lake Community League	Christmas Pot Luck	\$ 2 100	Y	N	\$ 593.00
SV of Sunbreaker Cove	SV of Sunbreaker Cove	Sunbreaker Cove Regatta	\$ 500	Y	N	\$ 593.00
SV of Half Moon Bay	SV of Half Moon Bay	July 1st Canada Day	\$ 500	Y	N	\$ 593.00
			\$ 65,418			\$ 36,429.00





WHERE PEOPLE ARE THE KEY

### **ALBERTA COMMUNITY PARTNERSHIP GRANT APPLICATION – REGIONAL RECREATION FACILITY PLAN**

The City of Lacombe has proposed the development of a long-range recreation facility plan for the City of Lacombe, Lacombe County, and the Town of Blackfalds, to be funded through an Alberta Partnership Grant, with the intent of developing a future multi-use facility. This topic will be further discussed at a future Council Committee of the Whole meeting.

### **RCMP ANNUAL PERFORMANCE PLANS**

At the request of the RCMP Detachment Commanders in Bashaw, Blackfalds, Ponoka, Rimbey, and Sylvan Lake, Council identified crime reduction, road safety, communication, and mental health and wellness as priorities for inclusion in the Detachment Commander's Annual Performance Plans. Councillor Kreil, Councillor Weenink, and Mark Sproule, Manager of Community Peace Officer Services, were authorized as the Lacombe County representatives to meet with the Blackfalds and Sylvan Lake Detachment Commanders to discuss these priorities.

### **ASPELUND JOINT ECONOMIC AREA WATER AND WASTEWATER SERVICING**

The County Manager was authorized to enter into an agreement with the Town of Blackfalds for the upgrade of the Broadway Reservoir and Pumps to service the Lacombe County and Town of Blackfalds Joint Economic Area. The County's share of this project, estimated at \$2,540,000, will be funded from the Aspelund Water Offsite Levy Reserve.

### **BYLAW NO. 1408/24 RESERVE LAND DESIGNATION**

Bylaw No. 1408/24, a bylaw of Lacombe County to designate certain lands as municipal reserve, environmental reserve and public utility lot received first reading and approval to hold a public hearing. A public hearing for Bylaw No. 1408/24 will be held on April 25, 2024 commencing at 9:00 a.m. at Lacombe County Council Chambers.

**Next Regular Council Meeting is**  
**March 14, 2024 – 9:00 a.m.**

**Next Committee of the Whole Meeting is**  
**April 2, 2024 – 9:00 a.m.**

**Lacombe County Administration Building**

**\*\*For more details from Lacombe County Council meetings, please refer to the meeting minutes. All meeting minutes are posted on the website ([www.lacombecounty.com](http://www.lacombecounty.com)) after approval.**

15





Mtg. Date March 11, 2024

Agenda Item 9.2

## MEDIA RELEASE

### February 28, 2024

## SAVE THE DATE | Join us on March 21 for a *Spring Tune-Up* health and safety event

(Lacombe, Alberta, February 28, 2024) Lacombe County is excited to announce its seventh annual "Spring Tune Up" event on March 21, 2024. Anyone interested in their health, the environment, and farm safety is invited to attend this free event, which will feature a variety of health, environmental and safety professionals.

"The health and safety of our rural community is important to Lacombe County," explained Jalene Makus, Lacombe County Agriculture Coordinator and event organizer. "By bringing in vendors that support both physical, environmental, and mental health/safety, we are doing our part to support and connect attendees with relevant and useful information."

### NEW THIS YEAR

Starting at 10 AM, there will be a different presenter each hour, taking the stage to discuss various topics relevant to the community:

- 10 AM - Lacombe County Peace Officers: Farm Vehicle Inspection Program (rules/legislation)
- 11 AM - ATCO Gas
- 1 PM - Battle River Watershed Alliance: Drought Resiliency
- 2 PM - Red Deer/Lacombe Alternative Land Use Services (ALUS) program

Additionally, organizers are adding a stronger focus on the environment and how it relates to the lives of rural Albertans.

Make sure to join us for the 2024 Spring Tune-Up Health and Safety event! Everyone who attends the event will have their name entered for raffle door prizes.

**Date: March 21, 2024**

**Time: 10 AM – 3 PM**

**Location: Lacombe Memorial Center**

**Cost: Free**

**BBQ lunch 11 AM – 2:30 PM**

**Presentations: Hourly, starting at 10 AM**

Watch our social media/website ([www.lacombecounty.com](http://www.lacombecounty.com)) for more details!

### WHO WILL BE AT THIS YEAR'S SPRING TUNE UP?

There will be approximately two dozen organizations on-site for this year's event, including The MAN VAN®, which will be set up at the LMC.

16



The MAN VAN®, operated by the Prostate Cancer Centre, is Canada's first mobile men's clinic offering free PSA (prostate-specific antigen) blood testing, which can help with early prostate cancer detection. If you or a man in your life is between 50-70\*, take control of your health and make it a point to stop by the MAN VAN® on March 21, 2024, to **GET CHECKED**.

This invaluable opportunity provides a fast, free PSA blood test, and men over 18 can also receive additional health measurements, including blood pressure, blood sugar, waist circumference and mental wellness checks – **all without the need for an appointment**.

The MAN VAN® will be set up from 11AM – 3PM. Don't miss out on this opportunity!

Additional vendors include:

**Rural Crime Prevention Centre**  
**SPCA (Society for the Prevention of Cruelty to Animals)**  
**Alberta Lung Association**  
**Lacombe County Community Peace Officers**  
**Red Deer/Lacombe ALUS (Alternative Land Use Services)**  
**Wolf Creek Primary Care Network**  
**Building Bridges to Health Naturally**  
**Canadian Blood Services**  
**Just Safety Supplies**  
**Alberta Mental Health**  
**Red Deer Restorative Justice Program**  
**Hear Right Canada**  
**Lacombe County Fire**  
**Alberta Health Services**  
**ATCO**  
**FORTIS**  
**Northwood Safety**  
**RCMP Livestock**  
**AWES (Agroforestry and Woodlot Extension Society)**  
**Red Deer River Watershed Alliance**  
**Parkland Airshed Management Zone (PAMZ)**  
**Battle River Watershed Alliance (BRWA)**  
**AND MORE!!**

To learn more about the event or for any questions, please call 403-782-8959 or email [jmakus@lacombecounty.com](mailto:jmakus@lacombecounty.com).

14

**TOWN OF ECKVILLE**

**BYLAW NO. 744-18**

**Council Code of Conduct Bylaw**

A BYLAW OF THE TOWN OF ECKVILLE 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 146.1(3) of the Municipal Government Act, a Council may, by bylaw, establish a code of conduct governing the conduct of Appointed Members of the Municipal Planning Commission who are not 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 Eckville;

**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 Eckville, in the Province of Alberta, duly assembled, enacts as follows:

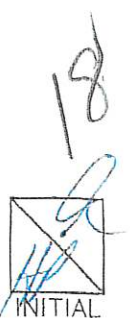
**1. Short Title**

1.1. This Bylaw may be referred to as the "Council Code of Conduct Bylaw".

**2. Definitions**

2.1. In this Bylaw, words have the meanings set out in the Act, except that:

- (a) "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- (b) "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
- (c) "CAO" means the chief administrative officer of the Municipality, or their delegate;
- (d) "FOIP" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
- (e) "Investigator" means Council or the individual or body established by

18  
  
INITIAL

Council to investigate and report on complaints;

(f) "Member" means a member of Council and includes a Councillor or the Mayor and includes appointed members of the Municipal Planning Commission who are not Councillors or the Mayor;

(g) "Municipality" means the municipal corporation of the Town of Eckville.

### **3. Purpose and Application**

3.1. 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 investigation and enforcement of those standards.

### **4. Representing the Municipality**

4.1. Members shall:

- (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
- (c) conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and
- (d) arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.

### **5. Communicating on Behalf of the Municipality**

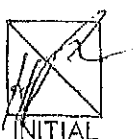
5.1. A Member must not claim to speak on behalf of Council unless authorized to do so.

5.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.

5.3. A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.

5.4. No Member shall make a statement when they know that statement is false.

5.5. No Member shall make a statement with the intent to mislead Council or members of the public.

19  
  
INITIAL



**6. Respecting the Decision-Making Process**

- 6.1. Decision making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present.
- 6.2. Members shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in an in-camera session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 6.3. Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

**7. Adherence to Policies, Procedures and Bylaws**

- 7.1. Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
- 7.2. Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.
- 7.3. A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

**8. Respectful Interactions with Council Members, Staff, the Public and Others**

- 8.1. 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 in furtherance of the public interest.
- 8.2. Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
- 8.3. No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality or any member of the public.
- 8.4. No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
- 8.5. Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.

20  
  
  
INITIAL

8.6. Members must not:

- (a) involve themselves in matters of Administration, which fall within the jurisdiction of the CAO;
- (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
- (c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

**9. Confidential Information**

- 9.1. Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.
- 9.2. In the course of their duties, Members may also become privy to confidential information received outside of an "closed-session" meeting. Members must not:
  - (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;
  - (b) access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Member's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;
  - (c) use confidential information for personal benefit or for the benefit of any other individual or organization.
- 9.3. No Member shall use confidential information for personal benefit or for the benefit of any other individual organization.

**10. Conflicts of Interest**

- 10.1. Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
- 10.2. Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.
- 10.3. Members shall approach decision-making with an open mind that is capable of persuasion.
- 10.4. It is the individual responsibility of each Member to seek independent legal advice, at the Member's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

21  
  
INITIAL

### **11. Improper Use of Influence**

- 11.1. No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.
- 11.2. No Member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
- 11.3. Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 11.4. Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members or close associates.
- 11.5. Members are ineligible to apply or be considered for any direct employment with the Municipality while they hold their elected position and for one year after leaving office.

### **12. Use of Municipal Assets and Services**

- 12.1. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member.
- 12.2. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:
  - (a) municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges;
  - (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not for personal gain, offensive or inappropriate.

### **13. Orientation and Other Training Attendance**

- 13.1. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.
- 13.2. Unless excused by Council, every Member must attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.
- 13.3. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office. Attendance at additional training sessions throughout the Council term is discretionary.

### **14. Remuneration and Expenses**

- 14.1. Members shall be transparent and accountable with respect to all expenditures

22  
  
INITIAL

and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

## **15 Gifts and Hospitality**

- 15.1 Members shall comply with all municipal bylaws, policies and procedures regarding the acceptance of gifts and hospitality.



## **16 Election Campaigns**

No Member shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.

## **17 Formal Complaint Process**

17.1 Any Member who has identified or witnessed conduct by a Member that the Person Member reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:

- a) All complaints shall be made in writing and shall be dated and signed by an identifiable Member;
- b) All complaints shall be addressed to the Investigator;
- c) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
- d) If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator;
- e) Upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Investigator is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;
- f) If the Investigator decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;

3  
  
  
INITIAL



- g) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- h) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- i) A Member who is the subject of an investigation is entitled to be represented by legal counsel, at the Member's sole expense.

## **18 Compliance and Enforcement**

- 18.1 Members shall uphold the letter and the spirit and intent of this Bylaw.
- 18.2 Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 18.3 No Member shall:
  - a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
  - b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 18.4 Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:
  - a) a letter of reprimand addressed to the Member;
  - b) requesting the Member to issue a letter of apology;
  - c) publication of a letter of reprimand or request for apology and the Member's response;
  - d) suspension or removal of the appointment of a Member as the chief elected official under section 150(2) of the Act;
  - e) suspension or removal of the appointment of a Member as the deputy chief elected official or acting chief elected official under section 152 of the Act;
  - f) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
  - g) suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
  - h) reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
  - i) any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Member from

24  
  
INITIAL

fulfilling the legislated duties of a councillor and the sanction is not contrary to the Act.

**19 Review**

19.1 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 Members.

THAT this Bylaw shall take effect upon final passing thereof,

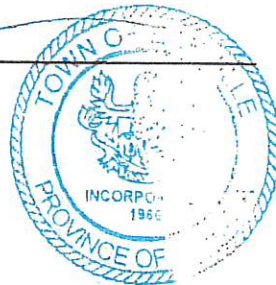
READ A FIRST TIME this 28 day of May, 2018

READ A SECOND TIME this 11 day of June, 2018

READ A THIRD AND FINAL TIME this 11 day of June, 2018

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO



25



# Councillor Codes of Conduct

*A Guide for Municipalities*





---

# Councillor Codes of Conduct: A Guide for Municipalities

## Table of Contents

<b>Part 1: The Councillor Code of Conduct Guide</b> .....	3
I. What is a Code of Conduct? .....	3
II. Why adopt a Councillor Code of Conduct? .....	3
III. Why have Councillor Codes of Conduct become Mandatory? .....	3
IV. What do the new Municipal Government Act amendments require? .....	4
V. Are there sanctions for breaching the Code? .....	9
VI. Who should enforce the Code? .....	10
VII. How do you develop, approve and communicate your new Code? .....	11
<b>Part 2: Bylaw Template</b> .....	15

---

The following has been prepared by the Alberta Association of Municipal Districts and Counties (AAMDC), and the Alberta Urban Municipalities Association (AUMA), in partnership with Brownlee LLP.

***This Guidance Document is an educational tool that contains general information intended to assist municipalities in developing a Council Code of Conduct Bylaw. This information is NOT a substitute for legal advice and municipalities are encouraged to consult with their legal advisors.***

# Part 1: The Councillor Code of Conduct Guide

## I. What is a Code of Conduct?

A Code of Conduct sets standards to govern people's actions. Typically, a Code of Conduct will outline behaviour that is acceptable and behaviour that is prohibited; it may also include a statement of principles that set out an organization's values which can help guide decision making when the Code of Conduct is silent on a particular matter.

There is currently no set format or model for a Councillor Code of Conduct (Code). Some Codes are aspirational: setting out principled standards of conduct councillors ought to aspire to. Other Codes are prescriptive: laying out prohibitions and rules councillors must abide by or risk sanction. The most effective Codes are a hybrid of both, combining core values and key principles related to the holding of public office and outlining those behaviours and conduct councillors are obliged to model or avoid.

## II. Why adopt a Councillor Code of Conduct?

In Alberta, many municipalities have code of conduct policies that apply to their employees; however, it is less common to find a Code that applies to councillors. Although many issues addressed in an employee code may equally apply to councillors, councillors are not municipal employees.

The *Municipal Government Act* establishes the general duties of all councillors and requires that all councillors take the official oath prior to assuming office.<sup>1</sup> It establishes rules regarding pecuniary interests<sup>2</sup> and specifies what events/conduct will cause a councillor to be disqualified from holding office.<sup>3</sup> Despite this, the *Municipal Government Act* does not address councillor conduct that falls short of being a disqualifying event. Instead, the Legislature has seen fit to leave it to each Council to consider how it will govern itself and, accordingly, has delegated authority to a Council to pass bylaws in relation to the conduct of Council and councillors.<sup>4</sup>

## III. Why have Councillor Codes of Conduct become mandatory?

In recent years, there is an increased recognition that municipalities benefit from a more detailed and comprehensive Code that governs Council and which complements legislation. In some jurisdictions, such codes have been mandatory for some time.<sup>5</sup> A Code is one aspect of accountability and transparency both internally, among councillors and between Council and Administration, as well as externally, to the public at large.

In 2016, when the Government of Alberta sought feedback on the current *Municipal Government Act*, it received submissions about councillor conduct. These included submissions that Codes needed to be updated and enforced; that disciplinary sanctions, systems and tools to discourage inappropriate conduct needed to be considered in order

---

<sup>1</sup> MGA, ss. 153, 155 and 156 respectively.

<sup>2</sup> MGA, ss. 169-173.

<sup>3</sup> MGA, ss. 174-179.

<sup>4</sup> MGA, s. 145.

<sup>5</sup> For example, Ontario and Saskatchewan.

to hold councillors accountable; and, that municipalities should have the power to determine the accountability of their councillors through the creation and enforcement of a Code. Submissions were also made about mechanisms to remove councillors and disallowing disqualified councillors from seeking re-election.

The result of these consultations led to the provisions in Bill 20, *Municipal Government Amendment Act, 2015.a*.

#### **IV. What do the new *Municipal Government Act* amendments require?**

Bill 20, *Municipal Government Amendment Act, 2015* came into force on October 26, 2017. It amends the *Municipal Government Act* to provide that Council must, by bylaw, establish a Code to govern all councillors equally, by **July 23, 2018**. It also provides that councillors cannot be disqualified or removed from office for a breach of the Code. Further, it amended the councillor duties listed in section 153 to include the duty that councillors adhere to the Code established by Council.

The *Code of Conduct for Elected Officials Regulation, AR 200/2017 (Regulation)* also came into force on October 26, 2017. The *Regulation* sets out the topics each municipality's Code must include.

According to the *Municipal Government Act* and the *Regulation*, Codes must, at minimum, address the following topics:

- a. representing the municipality;
- b. communicating on behalf of the municipality;
- c. respecting the decision-making process;
- d. adherence to policies, procedures and bylaws;
- e. respectful interactions with councillors, staff, the public and others;
- f. confidential information;
- g. conflicts of interest;
- h. improper use of influence;
- i. use of municipal assets and services; and,
- j. orientation and other training attendance.

Additionally, Codes must:

- a. adopt a complaint system outlining who can make complaints, the method by which complaints can be made, the process to determine a complaint's validity, and the process to determine how sanctions will be imposed for valid complaints;
- b. incorporate by reference any matter required in the Code that is in addressed or included in another bylaw; and

- c. include a provision for the review of the Code and any bylaws incorporated by reference at least once every four years from the date the Code was passed.

Council is to consider ss. 3 and 153 of the *Municipal Government Act* when drafting their Code, but Council is prohibited from including provisions or sanctions that prevent a councillor from fulfilling their legislated duties as a councillor.

### **What kinds of conduct should be addressed under each of the topics?**

The topics enumerated in the *Municipal Government Act* and the *Regulation* are purposefully broad, leaving it open to each Council to determine its values and prescribe conduct that will govern individual councillors. Alberta Municipal Affairs has developed an "Implementation Fact Sheet" for Codes which outlines the intent and rationale of each of the topics, as noted below.<sup>6</sup> However, there are a number of issues Council may want to consider in relation to each topic as it develops its Code.

- a. ***Representing the municipality: to build and inspire public trust and confidence in local government by upholding high standards and ideals***

Council may want to consider its key values and principles under this topic. Council should consider the purposes of a municipality<sup>7</sup> and the general duties of councillors<sup>8</sup>, particularly the duty to consider the welfare and interests of the municipality as a whole and to bring to Council's attention to anything that would promote the welfare or interests of the municipality. In addition, Council may want to provide that councillors should aspire to be good public role models by governing their public behaviours in accordance with Code and ensuring they conduct their personal affairs with integrity in accordance with the law.

- b. ***Communicating on behalf of the municipality: to promote public confidence by respecting the process established by council for communicating with the public on behalf of council***

Council may want to consider establishing communication protocols in its Code to address a number of communication issues, including: which councillor or councillors speak on behalf of Council when a matter is decided upon (usually this would be the Mayor/Reeve), how Council and individual councillors address the media, and how Council and individual councillors address communications with third parties, particularly other levels of government.

Council may also want to clarify that communications concerning matters of a political nature should be directed through the Mayor/Reeve whereas matters of an administrative/operational nature are to be directed through the Chief Administrative Officer (CAO). With respect to political matters, the Code should set limits on the

---

<sup>6</sup> See "Implementation Fact Sheet: Code for Elected Officials" at <https://open.alberta.ca/dataset/ab5db63d-302c-4c1b-b777-1eeb0fe23090/resource/7909d159-924a-4429-a3ea-062d1197e136/download/Code-of-Conduct-for-Elected-Officials.pdf>.

<sup>7</sup> MGA, s. 3.

<sup>8</sup> MGA, s. 153.

Mayor/Reeve's authority and confirm that the Mayor/Reeve must be careful to communicate only positions approved by Council as a whole.

**c. *Respecting the decision-making process:* to support effective decision-making through the processes set out in legislation and local bylaws for making decisions**

The *Municipal Government Act* requires Council to conduct its deliberations and make its decisions in public, save for exceptions expressly set out in the *Municipal Government Act*. Therefore, Council may want to include provisions in its Code that require councillors to bring their issues, correspondence, secondary materials and information to the attention of all of Council by placing such matters on the agenda or presenting the information to Council in accordance with the process set out by Council. These types of provisions should be consistent with the Council Procedure Bylaw, specifically those provisions dealing with public meeting requirements and agenda processes.

Council may also want its Code to affirm that Council as a whole maintains the authority for all decision-making and that an individual councillor must not purport to bind Council, either by publicly expressing personal views on behalf of Council when not authorized to do so or by giving direction to Administration. Your Code may reinforce that Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum.<sup>9</sup> Your Code may confirm that once Council makes a decision, individual councillors should respect the decision and should not attempt to undermine it.

**d. *Adherence to policies, procedures and bylaws:* to promote service of the public interest and show leadership up holding legislation, local bylaws and policies adopted by council**

Council should include provisions in its Code that require individual councillors to abide by and uphold legislation, local bylaws and policies adopted by Council. Council may also want to include provisions that disallow councillors from encouraging the public to disobey or disrespect laws, bylaws or council policies.

**e. *Respectful interactions with councillors, staff, the public and others:* to promote treatment of council members, municipal employees, and others with dignity, understanding and respect**

The Code should recognize the different roles and responsibilities of Administration, Council and individual councillors. The *Municipal Government Act* provides that councillors are to obtain information about the operation or administration of the municipality from the CAO or someone designated by the CAO.<sup>10</sup> Moreover, councillors must avoid involving themselves in matters of Administration, which fall within the jurisdiction of the CAO.<sup>11</sup> The Code should be consistent with these statutory requirements.

---

<sup>9</sup> MGA, ss. 180 and 181.

<sup>10</sup> MGA, s. 207(c).

<sup>11</sup> MGA, s. 201(2).



As such, Council may want to establish provisions in its Code for making inquiries of Administration outside of Council meetings. The Code may outline the manner in which inquiries are made of Administration and should stipulate that any information provided in response to a councillor inquiry is provided to all of Council.<sup>12</sup> The Code should be consistent with any existing Council Procedures Bylaw or any such Bylaw must be amended concurrently with the adoption of the Code.

Council may also want to include communication protocols when a member of the public makes an inquiry to a councillor and when a councillor, as a member of the public, makes an inquiry to Administration.

**f. Confidential information:** *to promote public trust by refraining from using information in a way that would be detrimental to the public interest*

The *Municipal Government Act* provides that a councillor must keep in confidence matters discussed in private at a Council or Council Committee meeting until discussed at a meeting held in public.<sup>13</sup> However, councillors may also be privy to confidential information received outside of an *in-camera* meeting. As such, Council may wish to broaden the definition of confidential information and prohibit disclosure unless such disclosure is required by law.

It should be noted that the determination of whether confidential information ought to be disclosed is not the decision of an individual councillor. In general, it is a decision that ought to be made by Council as a whole. In the case of information requests made under the *Freedom of Information and Protection of Privacy Act* (FOIP), the determination of whether such information should be released is made by the head of the municipality for the purposes of FOIP.

In order to reduce the risk of unauthorized disclosure of confidential information (inadvertent or otherwise), Council may want to include provisions in its Code that require councillors to return all confidential documents at the conclusion of an *in-camera* portion of a meeting. Further, your Code may remind councillors that it is an offence to willfully collect, use or disclose personal information in contravention of Part 2 of FOIP. A conviction for an offence under this legislation carries with it a fine of up to \$10,000.

**g. Conflicts of interest:** *to promote public trust by refraining from exploiting the position of councillor for private reasons or that would bring discredit to the office*

The *Municipal Government Act* addresses both the process by which a councillor must deal with pecuniary (i.e. financial) conflicts of interest and the sanctions.<sup>14</sup> Your Code may affirm the importance of abiding by these provisions and should confirm that the determination of whether a councillor has a pecuniary interest is a decision to be made by the individual councillor. Council cannot draft provisions in its Code that allow Council the discretion to dictate whether a councillor must recuse him or herself from discussion of a particular matter.

---

<sup>12</sup> MGA, s. 153.1.

<sup>13</sup> MGA, s. 153(e).

<sup>14</sup> MGA, ss. 169-172.

Although councillors must make their own determination about conflicts of interest, a councillor may seek the advice of the CAO respecting a potential conflict prior to the matter coming before Council. Council may go further and include provisions in its Code that encourage a councillor to obtain *independent* legal advice on a potential conflict. If Council includes such provisions, it should address whether the municipality will pay for (or reimburse) a councillor for obtaining independent legal advice and under what circumstances, or whether such advice is obtained at the councillor's sole expense.

With respect to non-financial conflicts of interest, it is important to remember that the Code cannot include provisions or sanctions that prevent a councillor from fulfilling his or her legislated duties as a councillor<sup>15</sup>, including the duty to vote.<sup>16</sup> Therefore the Code cannot create additional duties that require councillors to abstain for non-financial conflicts of interest, but it may include value statements that guide councillor conduct in this regard including statements about acting in the interests of the municipality as a whole, keeping an open mind, allowing affected persons fair and reasonable opportunities to share their views and considering all arguments fairly and thoughtfully before making a decision.

***h. Improper use of influence: to promote the priority of municipal interests over the individual interests of councillors, and to refrain from seeking to influence decisions for personal reasons***

Council should emphasize the importance of advocating for the municipality as a whole in its Code. It should also include statements that promote municipal interests over individual interests, including individual councillor interests. Council should also prohibit councillors from using their influence inappropriately, including to obtain employment with the municipality for themselves, close friends or family, to give individuals or organizations preferential treatment, to act as an agent or advocate of an individual or organization before Council or any of its committees, and to influence members of any adjudicative body whose members are appointed by Council, such as the Subdivision and Development Appeal Board or the Local or Composite Assessment Review Board.

Additionally, Council may want to reiterate the federal *Criminal Code* prohibitions against municipal corruption.<sup>17</sup> The *Criminal Code* states that councillors shall not use the influence of their office for any purpose other than the exercise of their official duties and shall not use their office for any private advantage, sell their vote or receive any preferential treatment from or provide any preferential treatment to another person or corporation.

***i. Use of municipal assets and services: to promote stewardship and public trust by refraining from the use of municipal assets or resources for personal reasons***

Councillors may, by virtue of their office, have access to various municipal property, equipment and supplies. Council must include provisions in its Code addressing appropriate access and use. Council may want to limit use for municipal and council purposes and disallow business use, personal use or profit. Council may also want to

---

<sup>15</sup> Regulation, s. 6.

<sup>16</sup> MGA, s. 174(1)(f).

<sup>17</sup> Criminal Code of Canada, s. 123.

address appropriate use of electronic devices (i.e. visiting appropriate sites, streaming and downloading limits, roaming charges).

*j. Orientation and other training attendance: to promote effective leadership and personal development by accessing training opportunities*

The amendments to the *Municipal Government Act* include a provision that municipalities must offer orientation to councillors within 90 days of the councillor taking the oath of office.<sup>18</sup> Council must draft provisions that address orientation and may want to require councillor attendance at orientation and other training as determined by Council.

**V. Are there sanctions for breaching the Code?**

Without an enforcement mechanism, a Code is merely a series of guidelines. A Code must establish procedures and consequences in the event a councillor fails to adhere to any provision contained in the Code. This will require designating a person or persons for overseeing compliance of the Code.

The *Regulation* provides that sanctions may be imposed if a councillor fails to adhere to the Code and it provides a list of possible sanctions. These include the following:

- 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 section 150(2) of the *Municipal Government Act*;
- f. suspension or removal of the appointment of a councillor as the deputy chief elected official or acting chief elected official under section 152 of the *Municipal Government Act*;
- g. suspension or removal of the chief elected official's presiding duties under section 154 of the *Municipal Government Act*;
- h. suspension or removal from some or all council committees and bodies to which council has the right to appoint members; and,
- i. reduction or suspension of remuneration as defined in section 275.1 of the *Municipal Government Act* corresponding to a reduction in duties, excluding allowances for attendance at council meetings.

Council may choose to adopt some or all the sanctions listed in the *Regulation*. Arguably, Council may also choose to adopt other sanctions more directly related to addressing the breach of the Code, such as limiting council related travel and/or expenses, requiring the return of certain municipal property, limiting access to certain municipal facilities or

---

<sup>18</sup> MGA, s. 201.1(1).

restricting how documents are provided to the councillor. If Council decides to adopt any of these sanctions, it is important to remember that any sanctions that are imposed cannot have the effect of preventing a councillor from carrying out his or her legislated responsibilities under the *Municipal Government Act*. Additionally, Council does not have the authority to remove a councillor from office; only a Court or the Minister of Municipal Affairs can do so.<sup>19</sup>

## VI. Who should enforce the Code?

Although the recent amendments to the *Municipal Government Act* have made Codes mandatory, the provisions still respect the autonomy of Councils to govern themselves. Council, as a whole, is expected to enforce its Code. It is not appropriate for a member of Administration, such as the CAO, to enforce the Code or impose sanctions against a councillor.

Each Code must have a complaint system. Council must develop a system which considers the following:

- a. Who can make complaints? – Fellow Councillors? Administration? Ratepayers? The general public? Affected parties? All the above?
- b. How will complaints be made? - Do complaints have to be in writing? To whom must complaints be made or given? Will anonymous complaints be accepted?
- c. How will Council determine if a complaint is valid? - Who will conduct the investigation? Will all complaints require a formal investigation? Will there be a mechanism to address/dismiss invalid, frivolous or vexatious complaints?
- d. How will sanctions be imposed? – What will be considered in deciding which sanction to impose?

Your Code must specify who can make complaints and who will receive complaints. If complaints are to be handled internally by Council, complaints may be received by the Mayor/Reeve but there should be an alternate person, such as the Deputy Mayor/Reeve, if the complaint is about the Mayor/Reeve. Alternatively, complaints could be directed to a third party investigator or independent integrity commissioner (if Council creates such an office) but it is not appropriate for complaints to be directed to the CAO or staff in Administration for investigation.

Council may want to consider if it will have an initial informal complaint process which must be engaged prior to accessing a formal complaint process. Council should have a process to vet complaints to determine if a complaint is invalid, frivolous or vexatious and the Code should outline what it will do with such complaints.

The Code should also address who will investigate complaints and how they will be investigated. It may be Council as a whole, or authority may be delegated to the Mayor/Reeve to investigate complaints. Alternatively, Council may want to create a local or even an intermunicipal council committee comprised entirely of councillors or public members or a combination of both to investigate complaints. A further option would be to

---

<sup>19</sup> MGA, ss. 175-178 and 572-574 respectively.

35

assign an independent third party to investigate complaints, either through retaining an external consultant on an ad hoc or standing basis or by establishing an office of the integrity commissioner. If Council chooses to tailor investigations to the nature of the complaint, the Code should identify the factors that would trigger a particular type of investigation (Mayor/Reeve versus council committee versus third party) and the process for setting up each investigation (how would the committee be formed or how would the third party be retained).

Although the *Municipal Government Act* and the *Regulation* require every Code to include a complaint process, neither imposes a specific process on Council. Therefore, in deciding what type of complaint process to adopt, Council should consider the following:

- Availability of resources and/or expertise;
- Costs;
- Formality of process;
- Seriousness of complaint; and
- Level of independence.

In enforcing the Code, Council must bear in mind that principles of natural justice and procedural fairness likely apply to Council sanctions. In other words, prior to imposing any sanction, the accused councillor should be provided with notice as to the nature of the alleged contravention of the Code and the potential sanction(s) as well as a right to respond to the allegation. Procedurally, after reviewing the results of the investigation and receiving the submissions from the accused councillor, Council should withdraw *in-camera* to consider whether a breach has been established. If there is no consensus then separate reasons can follow, but the decision of Council on whether to sanction the accused councillor must be delivered in public, as Council can only pass a resolution in the public portion of the meeting.

As noted above, some municipalities may choose to create an office of the integrity commissioner to receive complaints, investigate, and recommend sanctions. If you decide to pursue this option, it is important to note that the commissioner needs to be independent and that their mandate should only extend to investigating complaints and *recommending* sanctions. It is still up to Council to make a final determination about the enforcement of its Code and the imposition of sanctions. Establishing an independent office of the integrity commissioner is a significant undertaking which may involve the creation of a designated officer position by bylaw, with potentially significant cost implications, and a thorough discussion regarding this matter is beyond the scope of this Guidance Document.

## **VII. How do you develop, approve and communicate your new Code?**

The ideal time to consider adopting a Code is when there are no immediate or ongoing councillor conduct issues or disputes. That way, your Code can be developed in a calm environment and in a reasonable, principle-driven way. Developing a Code early in Council's term ensures that expectations are agreed upon at an early stage, setting the groundwork for good governance. **Your Code must be adopted by July 23, 2018.**

Developing a Code requires consideration of Council's values. These values will help formulate the ethical basis of the Code and they will help guide behaviour when the Code is unclear or silent. Your Code should not be driven by Administration – it should be driven by Council.

Workshopping with a facilitator can be an effective way to reflect on the values and behaviours Council wants to adopt. Council may also want to seek public input on the values and standards the public believes Council should abide by. Council should also seek legal advice prior to formally adopting the Code to ensure its Code is in line with relevant legislation and case law.

Council must adopt its Code by bylaw. This means the Code will be available for public review and comment. Once adopted, the Code should be made available to Council, Administration and the public. Council may also want to make an annual review and/or training about the Code a provision of the Code.

### **What are some other things to consider in your Code?**

The *Municipal Government Act* and the *Regulation* provide the minimum topics your Code must address. However, there are a number of other issues that are often included in Codes. We have addressed a few of these additional optional considerations below.

#### **a. A Statement of Values**

As discussed above, many Codes identify and elaborate on key principles and values that Council agrees are fundamental to the successful performance of a councillor's duties as an elected official. Common themes include, but are not limited to, integrity, accountability, leadership, responsibility, service, respect, and transparency.

#### **b. Councillor Conduct at Meetings**

If not already dealt with in a Council Procedure Bylaw, the Code could set out appropriate behaviours at meetings including prohibitions on inappropriate, foul or abusive language or limitations on the use of electronic devices.

#### **c. Election Campaigns**

The regulation of municipal election campaigns is governed by the *Local Authorities Election Act* (LAEA). Nevertheless, your Code may address campaign-related issues in a manner that complements the LAEA. For example, your Code may stipulate that councillors are not permitted to use the municipality's equipment and facilities for campaign-related activities. Similarly, the Code may provide that councillors may not engage municipal staff for any election-related purpose during working hours. It would also be prudent to prohibit the use of municipal websites, email and social media accounts for election campaigning, including restricting the linking of private campaign websites and social media accounts to the municipality's website. Further, your Code may stipulate that councillors are personally responsible for ensuring their compliance with all applicable election-related statutes, and therefore should not make inquiries of, or rely on municipal employees for advice and direction in this regard.

#### **d. Remuneration and Expense Claims**

Councillors inevitably incur a diverse array of expenses in the course of the official duties. Many Codes set out what expenses are reimbursable, including the imposition of any expense limits. Council may want to establish parameters for reimbursement in the following instances:

- Conference fees and any incidental costs including travel, meal and lodging expenses;
- Tickets to community and charitable functions;
- Expenses incurred while hosting third parties, including officials from other heads of government and out-of-town delegations;
- Meal expenses;
- Mileage;
- Cell phone charges;
- General out-of-pocket expenses; and
- Political fundraising events.

With respect to political fundraising events, it is important to note that a municipality is a "prohibited corporation" for the purposes of the *Election Finances and Contributions Disclosure Act*. A prohibited corporation must not reimburse a councillor for buying a ticket to a fund-raising event held by a Provincial political party, a constituency association or a candidate. Such reimbursement has been determined by Alberta's Chief Electoral Officer to be an indirect contribution in violation of the *Act*.

Further, your Code may set out a process for the review and approval of expense claims, if such a process does not already exist elsewhere in policy.

#### **e. Gifts and Hospitality**

Council may want to include provisions about the acceptance of gifts, including prizes, and hospitality in its Code, which are items closely related to the topics of "conflict of interest" and "undue influence". Councillors often received gifts or hospitality as an incidental benefit and as a genuine token of appreciation but if a gift or hospitality is given, *or perceived to be given*, in an effort to influence, or manipulate a councillor, it may be problematic. Council may want to include provisions in its Code to clarify when acceptance of a gift or offer of hospitality is acceptable, including protocols and parameters which address the following:

- circumstances where a councillor receives a benefit from a supplier and subsequently participates in a decision involving that supplier;
- the receipt of food, alcoholic beverages, lodging, transportation and/or entertainment from third parties;

- the entitlement of councillors to accept a complementary ticket or a reduced ticket rate for events such as fundraisers, golf tournaments, concerts, sporting events, etc., and if so when, and in what context;
- the use of property or facilities such as vehicles, office space, or vacation property from third parties;
- the maximum value of gifts which may be accepted by an individual councillor; and,
- the receipt of a gift for the municipality.

It is common for Codes to recognize certain exemptions for gifts and benefits received by a councillor that “normally accompany the responsibilities of office” and are received “as an incident of protocol or social obligation”. Food and beverages consumed by a councillor at events that serve “a legitimate business purpose” is another common exception to the rule against accepting gifts, although additional parameters may be established, such as requiring a representative of the organization extending the invitation to be in attendance and/or a stipulation that the value of the food/drink be “reasonable” and the invitations “infrequent”.

As noted above, your Code may also establish monetary limits respecting the receipt of gifts and benefits from any one person or organization over the course of a specified period. Further, or in the alternative, your Code might require that councillors file an annual disclosure statement listing the gifts and benefits received during a specified period, including an approximation of their monetary value.

Council may also want to address the receipt of “official gifts” received on behalf of the municipality by a councillor as a matter of protocol. The Code may, for example, clarify that such gifts are the property of the municipality and will remain with the municipality after the councillor ceases to hold office.

#### ***f. Use of Social Media***

Although Council is required to address a number of communication issues, Council may want to specifically address the appropriate use of social media. Council may want to adopt provisions that recognize that personal use of social media should be kept separate from a councillor’s professional use. Your Code may want to discourage councillors from opening up their personal social networks for official business as doing so can result in a blurring of the lines between a councillor’s official capacity and their personal capacity and potentially expose the councillor to unintended and undesirable consequences.

Councils may also consider adopting guidelines on responsible social media use by councillors to ensure that the reputation of Council and the municipality is not adversely affected by the social media activity of one councillor. Council may also want to develop protocols about how councillors should respond to comments from residents posted on social media sites, whether these are service requests, compliments or complaints.



## Part 2: Bylaw Template

The following is a sample bylaw for a councillor code of conduct. It is intended to be a template for municipalities in Alberta to assist in the drafting of a bylaw that establishes a code of conduct. It should be carefully reviewed and tailored to the specific needs of each municipality. Each municipality should use their respective bylaw review processes to ensure consistency and accuracy.

---

**[INSERT NAME OF MUNICIPALITY]**

**[INSERT BYLAW NUMBER]**

A BYLAW 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;

**[Optional provision if the Code is also to apply to non-elected members of Council Committees: AND WHEREAS, pursuant to section 146.1(3) of the *Municipal Government Act*, a council may, by bylaw, establish a code of conduct governing the conduct of members of council committees and other bodies established by the council who are not councillors]; [NOTE: if this bylaw is to apply to non-elected members of council committees the definition of "Member" in Section 2 below will need to be updated accordingly.]**

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 **[insert name of municipality]**;

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 **[insert name of municipality]**, in the Province of Alberta, duly assembled, enacts as follows:

### 1. Short Title

1.1. This Bylaw may be referred to as the "Council Code of Conduct Bylaw".

### 2. Definitions

2.1. In this Bylaw, words have the meanings set out in the Act, except that:

- (a) "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- (b) "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the [insert applicable title: e.g. CAO];
- (c) [Insert applicable title, e.g. "CAO", "City Manager", County Manager, "Town Manager", etc] means the chief administrative officer of the Municipality, or their delegate;
- (d) "FOIP" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
- (e) "Investigator" means Council or the individual or body established by Council to investigate and report on complaints;
- (f) "Member" means a member of Council and includes a councillor or the [insert as applicable: Mayor or Reeve];

-OR-

- (f) "Member" means a member of Council and includes a councillor or the [insert as applicable: Mayor or Reeve] and includes members of council committees or other bodies established by Council who are not councillors or the [insert as applicable: Mayor or Reeve];
- (g) "Municipality" means the municipal corporation of the [Insert name of municipality].

### **3. Purpose and Application**

3.1. 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 investigation and enforcement of those standards.

### **4. Representing the Municipality**

4.1. Members shall:

- (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
- (c) conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and

41

- (d) arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.

## **5. Communicating on Behalf of the Municipality**

- 5.1. A Member must not claim to speak on behalf of Council unless authorized to do so.
- 5.2. Unless Council directs otherwise, the **[Insert as applicable: Mayor/Reeve]** is Council's official spokesperson and in the absence of the **[Insert as applicable: Mayor/Reeve]** it is the **[Insert as applicable: Deputy Mayor/Deputy Reeve]**. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 5.3. A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.
- 5.4. No Member shall make a statement when they know that statement is false.
- 5.5. No Member shall make a statement with the intent to mislead Council or members of the public.

## **6. Respecting the Decision-Making Process**

- 6.1. Decision making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
- 6.2. Members shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in an in-camera session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 6.3. Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

## **7. Adherence to Policies, Procedures and Bylaws**

- 7.1. Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
- 7.2. Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.

- 7.3. A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

## **8. Respectful Interactions with Council Members, Staff, the Public and Others**

- 8.1. 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 in furtherance of the public interest.
- 8.2. Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
- 8.3. No Member shall use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality or any member of the public.
- 8.4. No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
- 8.5. Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members.
- 8.6. Members must not:
  - (a) involve themselves in matters of Administration, which fall within the jurisdiction of the [Insert applicable title, e.g. "CAO", "City Manager", County Manager, "Town Manager", as defined above];
  - (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
  - (c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

## **9. Confidential Information**

- 9.1. Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.
- 9.2. Members shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so.

- 9.3. No Member shall use confidential information for personal benefit or for the benefit of any other individual organization.
- 9.4. **[Alternative provision to section 9.2 above]:** In the course of their duties, Members may also become privy to confidential information received outside of an "in-camera" meeting. Members must not:
- (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council to do so;
  - (b) access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the Member's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;
  - (c) use confidential information for personal benefit or for the benefit of any other individual or organization.
- 9.5. **[Optional additional provision]:** Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:
- (a) the security of the property of the Municipality;
  - (b) a proposed or pending acquisition or disposition of land or other property;
  - (c) a tender that has or will be issued but has not been awarded;
  - (d) contract negotiations;
  - (e) employment and labour relations;
  - (f) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
  - (g) law enforcement matters;
  - (h) litigation or potential litigation, including matters before administrative tribunals; and
  - (i) advice that is subject to solicitor-client privilege.

## 10. Conflicts of Interest



- 10.1. Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
- 10.2. Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.
- 10.3. Members shall approach decision-making with an open mind that is capable of persuasion.
- 10.4. **[Optional additional provision:]** It is the individual responsibility of each Member to seek independent legal advice, at the Member's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

## 11. Improper Use of Influence

- 11.1. No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.
- 11.2. **[Optional additional provision:]** No Member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.]
- 11.3. **[Optional additional provision:]** Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 11.4. **[Optional additional provision:]** Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members or close associates. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

## 12. Use of Municipal Assets and Services

- 12.1. Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member.
- 12.2. **[Alternative Provision:]** Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:
  - (a) municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges;
  - (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the



Municipality to a Member, may be used by the Member for personal use, provided that the use is not for personal gain, offensive or inappropriate.

### **13. Orientation and Other Training Attendance**

- 13.1. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office.
- 13.2. Unless excused by Council, every Member must attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.

#### **[Alternate Provision]**

- 13.3. Every Member must attend the orientation training offered by the Municipality within 90 days after the Member takes the oath of office. Attendance at additional training sessions throughout the Council term is discretionary.

#### **[Alternate Provision]**

- 13.4. Every Member must attend all orientation and other training organized at the direction of Council for the benefit of Members throughout the Council term.

#### **[Optional Provision: Remuneration and Expenses]**

- 13.5. Members are stewards of public resources and shall avoid waste, abuse and extravagance in the use of public resources.
- 13.6. Members shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

#### **[Optional Provision: Gifts and Hospitality]**

- 13.7. Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 13.8. Members may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the hospitality, gift or benefit does not exceed **[insert dollar limit]**.
- 13.9. Gifts received by a Member on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality shall be left with the Municipality when the Member ceases to hold office.

#### **[Optional Provision: Election Campaigns]**

- 13.10. No Member shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.

### **[Optional Provision: Informal Complaint Process**

- 13.11. **[Insert as applicable: Any person [or] Any Member]** who has identified or witnessed conduct by a Member that the **[Insert as applicable: person [or] Member]** reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
- (a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop,
  - (b) requesting the **[insert as applicable: Mayor/Reeve]** to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the **[insert as applicable: Mayor/Reeve]** is the subject of, or is implicated in a complaint, the person may request the assistance of the **[insert as applicable: Deputy Mayor/Deputy Reeve]**.
- 13.12. Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

### **14. Formal Complaint Process**

- 14.1. **[Insert as applicable: Any person [or] Any Member]** who has identified or witnessed conduct by a Member that the **[Insert as applicable: person [or] Member]** reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
- (a) All complaints shall be made in writing and shall be dated and signed by an identifiable individual;
  - (b) All complaints shall be addressed to the Investigator;
  - (c) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
  - (d) If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Investigator;
  - (e) Upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Investigator is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;



- (f) If the Investigator decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- (g) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- (h) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- (i) A Member who is the subject of an investigation is entitled to be represented by legal counsel, at the Member's sole expense.

## **15. Compliance and Enforcement**

- 15.1. Members shall uphold the letter and the spirit and intent of this Bylaw.
- 15.2. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 15.3. No Member shall:
  - (a) undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
  - (b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 15.4. Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:
  - (a) a letter of reprimand addressed to the Member;
  - (b) requesting the Member to issue a letter of apology;
  - (c) publication of a letter of reprimand or request for apology and the Member's response;
  - (d) suspension or removal of the appointment of a Member as the chief elected official under section 150(2) of the Act;
  - (e) suspension or removal of the appointment of a Member as the deputy chief elected official or acting chief elected official under section 152 of the Act;
  - (f) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
  - (g) suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;

- (h) reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
- (i) 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.

**16. Review**

16.1. 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 Members.

READ a First time this \_\_\_ day of \_\_\_\_\_ 2018.

READ a Second time this \_\_\_ day of \_\_\_\_\_ 2018.

READ a Third time this \_\_\_ day of \_\_\_\_\_ 2018.

SIGNED AND PASSED this \_\_\_ day of \_\_\_\_\_ 2018.

---

[INSERT: MAYOR/REEVE]

---

[INSERT: CHIEF ADMINISTRATIVE OFFICER/OTHER]

49