

VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

Being a bylaw of the Village of Innisfree in the Province of Alberta to provide the Code of Conduct for the Council of the Village of Innisfree.

WHEREAS the citizens and taxpayers of the Village of Innisfree have the right to be served by a Council committed to conducting its service in an ethical and professional manner.

AND WHEREAS Council must pass bylaws respecting the conduct of Council, Council Committees and other bodies established by Council under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta, Chapter M-26 and amendments thereto;

AND WHEREAS the *Code of Conduct for Officials Regulation*, AR provides that a Code of Conduct must contain certain provisions;

AND WHEREAS each individual Councillor of the Village of Innisfree hereby commits to upholding this Code of Conduct for the purpose of ensuring that all Councillors of the Village of Innisfree maintain appropriate conduct when carrying out their roles as Councillors;

NOW THEREFORE the Council of the Village of Innisfree duly assembled enacts as follows:

1. Title


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

2. Interpretation

- 2.1. Council shall use this Bylaw as a guide to conduct themselves in a manner that reflects the spirit and intent of the position they hold. This Bylaw is to be given a broad, liberal interpretation in accordance to applicable legislation.
- 2.2. This Bylaw shall be brought forward for review at the beginning of each term of Council, to meet legislative requirements, or as required.
- 2.3. References to provisions of statutes, rules or regulations shall be deemed to include all references to such provisions as amended, modified or re-enacted from time to time.
- 2.4. Nothing in this Bylaw relieves any person from compliance with any other bylaw or applicable federal or provincial law, regulations or enactment.

3. Definitions:

- 3.1. "Act" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto.
- 3.2. "Applicant" means the registered owner of land or his/her representation or agent certified as such applying for re-designation, subdivision or development approval of land situated within the Village of Innisfree.
- 3.3. "Bias" means common law bias and includes such situations where a Councillor or Board member has prejudged a matter to be decided to the extent of being no longer capable of persuasion. In situations where the Councillor or Board Member is engaged in a "quasi-judicial" function or role, "bias" will also include situations where the Councillor may be perceived as being in capable of deciding the matter fairly. Situations leading to a reasonable perception of bias includes the following:
 - 3.3.1. relationships with persons involved in the matter: Where the Councillor or Board Member has a "sufficiently close" personal relationship with someone who has a direct interest in



VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

the outcome of the decision, that relationship may give rise to a “reasonable apprehension or bias”;

- 3.3.2.** outside knowledge or involvement in the matter: The primary concerns in this scenario is that the Councillor will be unable to avoid making use of information that he/she obtained outside the hearing thereby violating the rule that all parties “must know the case to be met” and be given full opportunity to respond to all relevant information that may form the basis of Council or a Board Member’s decision; or
- 3.3.3.** inappropriate comments, activity or behavior: If a Councillor or Board member makes any comments or engages in any activity or behaviour which is consistent with the Councillor or Board member being perceived by a “reasonable person” as not being impartial, this may result in a finding of bias.
- 3.4.** “Board” means a Council board, commission or committee.
- 3.5.** “Board Member” means a person appointed to a Council board, commission or committee.
- 3.6.** “Bullying” means repeated and hostile or demeaning behavior by an individual in the municipality, either directly or through any medium whatsoever, where the behavior results in harm, fear or distress to one or more individuals in the municipality including, but not limited to, physical harm, psychological harm or harm to an individual’s reputation.
- 3.7.** “CAO” means the Chief Administrative Officer, pursuant to the Act.
- 3.8.** “Censure Motion” means a motion passed by council prescribing consequences for non-compliance with the Council Code of Conduct Bylaw.
- 3.9.** “Conflict of Interest” means a situation where a Councillor’s personal or private interests may or may be perceived as influencing the Councillor on a matter of public interest before Village of Innisfree including situations which may result in common law bias, which include direct or indirect pecuniary interest, prejudgement, closed mindedness or undue influence.
- A conflict of interest situation also includes using the Councillor’s position, confidential information or Village of Innisfree employees, materials or facilities for personal or private gain or advancement in the expectation of personal or private gain or advancement. A Conflict of Interest may include advancing the specific interests of the Councillor’s family, friends, neighbours or business associates.
- 3.10.** “Councillor” means a member of Council for the Village of Innisfree.
- 3.11.** “Develop” means re-designation, development, subdivision or other type of development as defined in the Act and/or the Village of Innisfree Land Use Bylaw that will involve Council as the decision maker.
- 3.12.** “Developer” means a person or company that develops or proposes to develop land situated within the Village of Innisfree.
- 3.13.** “Harassment” includes, but is not limited to:
- 3.13.1.** Written or verbal comments, posts, actions, gestures or other behaviors that are humiliating, offensive, hurtful or belittling;
- 3.13.2.** Bullying or intimidation;
- 3.13.3.** Abusing authority;
- 3.13.4.** Deliberately excluding a Councillor, Board Member or an employee from relevant work activities or decision-making; or
- 3.13.5.** Attempting to discredit a Councillor, Board Member or an employee by spreading false information about him/her.

VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

- 3.14** *"Investigation"* means the process of examining and determining the evidence and facts related to a complaint made pursuant to this Bylaw alleging that an individual is in breach of the Code of Conduct.
- 3.15** *"Pecuniary Interest"* has the same meaning as stated in the Act.
- 3.16** *"Special Interest Groups"* means a person, group of people or an organization who attempt to influence Village policy or decision making in a way that benefits a particular set of interest, cause or issue.
- 3.17** *"Sexual Harassment"* means unwanted sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature that:
- 3.17.1** implicitly or explicitly makes submission to such conduct a term and condition of an individual's work;
 - 3.17.2** affects access to employment;
 - 3.17.3** creates an unwelcome, intimidating, hostile or offensive work environment;
 - 3.17.4** intimidates, embarrasses, offends, coerces or humiliates an individual in the workplace; and/or
 - 3.17.5** arises out of relationship that is not based on mutual consent
- 3.18** *"Village"* means the municipal incorporation of the Village of Innisfree, pursuant to the MGA.
- 3.19** *"Violence"* means the threatened, attempted or actual conduct of a person that causes, or is likely to cause, physical injury whether at the worksite or work related. For the purposes of this Bylaw, worksite shall include the locations where Council and Board meetings take place.

4. Code of Conduct – Behavior

For the purpose of providing ethical and effective leadership for the Village of Innisfree and its residents, the Council of the Village of Innisfree has adopted the following principles to ensure that all Councillors and Board Members act honestly, in good faith and in the best interests of the Village of Innisfree as a whole.

Village Council and Board members agree and commit to the following principles of conduct:

- 4.1** To act honestly and in good faith at all times.
- 4.2** To engage in respectful, fulsome and healthy debate on matters in Council or Board meetings and then support the majority decision of Council or the Board.
- 4.3** To respect the personal opinions of other Councillors and Board Members.
- 4.4** Unless authorized by Council to represent Council's position on an issue, ensure that any public statements are clearly stated to reflect the personal opinion of the Councillor, not the opinion or position of the Council.
- 4.5** Unless authorized by the Board to represent the Board's position on an issue, ensure that any public statements are clearly stated to reflect the personal opinion of the Board Member, not the position of the Board.

VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

- 4.6 To publicly express his/her personal opinions in such a manner that maintains respect for Council or Board, other councillors, Board Members, or Village Administration and any majority decisions made by Council or a Board.
- 4.7 To adhere to the Pecuniary Interest requirements established in the Act.
- 4.8 To avoid situations which may result in a Conflict of Interest or Bias.
- 4.9 To avoid situations where it may be perceived that the Councillor or Board Member is using his/her position on Council or a Board to gain a personal benefit including but not limited to seeking the award of service or supply contracts or influencing the hiring of Village of Innisfree Administration.
- 4.10 To act with integrity, professionalism and respect when interacting with other Councillors or Board Members, the Village of Innisfree Administration, members of the public and other government officials.
- 4.11 To consider the welfare and interests of the Village of Innisfree as a whole.
- 4.12 To actively participate in all meetings respectfully, responsibly and consistent with approved procedures.
- 4.13 To fulfill the duties and obligations of Elected Officials as established by the Act.
- 4.14 To keep in confidence all matters discussed in camera at a Council or Board meeting until that matter is discussed in at public meeting or otherwise required by law.
- 4.15 To demonstrate fairness, accountability and impartiality on all matters.
- 4.16 To not make use of his/her position as an Elected Office or Board member to:
 - 4.16.1 gain or attempt to gain or advance, directly or indirectly, a personal or private interest for him/herself or another person;
 - 4.16.2 cause or attempt to cause detriment to the Village of Innisfree, Council, any individual councillor, any board, any individual Board Member, or any member of Administration, any member of the public or third parties; or,
 - 4.16.3 seek personal benefit or gain from any information obtained through his/her position as a Councillor or Board Member.

5. Code of Conduct – Actions

The Village of Innisfree Council and Board Members agree to commit to the following principles of conduct:

Decision Making

- 5.1 The appropriate forum for healthy and fulsome debate and discussion of matters before Council or a Board is in a Council or a Board meeting.
- 5.2 All Elected Officials and Board Members should be given full opportunity to address issues before Council or a Board in a full, open and professional manner to encourage and promote healthy debate of issues.



VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

- 5.3** Council decisions are made by majority vote by the Elected Officials. Board decisions are made by majority vote by the Board Members. The decision of Council or a Board must be accepted and respected by all Elected Officials and Board Members even if some individual Elected Officials or Board Members do not agree with the majority decision.
- 5.4** While an individual Elected Official or Board Member may publicly state that he/she did not vote with the majority of Council or a Board on an issue, this type of statement must be made in a manner that respects Council or a Board, Council's or the Board's decision and other Elected Officials, Board Members or Village Administration.

Use of Village Assets and Services

- 5.5** Councillors and Board members shall not use electronic devices provided by the Village for business use. Use of Village electronic devices for personal use is allowed providing this use is in adherence with Village policies.
- 5.6** Councillors and Board Members may not use any other Village resources, property, equipment, services, information or supplies to pursue their private interest or the interest of someone they know.

Expenditures

- 5.7** When incurring expenditures, Councillors and Board Members shall act responsibly and respect that public money must be used for the public good.
- 5.8** Councillors and Board members shall avoid waste, abuse and extravagance in the provision or use of public monies and resources.
- 5.9** Councillors and Board Members shall be transparent and accountable with respect to all expenditures.
- 5.10** Councillors and Board Members shall strictly adhere to all Village of Innisfree bylaws, policies and guidelines addressing expenditures and reimbursement.

Interaction with Administration and the Public

- 5.11** Councillors and Board members shall respect the professional opinions of Administration.
- 5.12** Councillors shall not abuse relationships or dealing with Administration by attempting to take advantage of their positions as Councillors or Board Members. Council and Board Members will, at all times, refrain from behaviour that may be perceived to be Bullying of staff including behaviour exhibiting intimidation and coercion.
- 5.13** Requests for information shall be directed through the CAO or his/her designate in accordance with Village policies.
- 5.14** Councillors and Board Members will treat all members of Administration and the public with professionalism, courtesy and respect.
- 5.15** Councillors and Board Members will treat all individuals in good faith and without bias and shall not discriminate against any person on the basis of:
- 5.15.1** differences in personal opinions; or
- 5.15.2** race, ancestry, place of origin, colour, ethnic origin, culture, citizenship, religion, creed, language, gender, sexual orientation, age, family status, disability or occupation.

VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

- 5.16** It is recognized that it is the sole responsibility of the CAO to hire, discipline and terminate staff and that all information pertaining to staff employment matters is considered confidential. No member(s) of Council or a Board or a Board, either as an individual or as group, shall interfere with the CAO's role in the hiring, disciplinary action or termination of any staff member by way of coercion, persuasion, threats, intimidation, Bullying or any other form of influence, The CAO shall immediately report any incident of this nature to Council as a whole during an in camera meeting.

Attendance at Orientation and Other Training

- 5.17** Unless excused by Council, Elected Officials are expected to attend:
- 5.17.1** orientation at the start of each Council term; and
 - 5.17.2** any training organized at the direction of Council or mandated by the Province of Alberta.
- 5.18** Councillors may attend training/conferences of their choosing so long as there is budget available within the Elected Officials Training account.

Pecuniary Interest

- 5.19** It is the Councillor's or Board Members' personal responsibility to review and understand the Pecuniary Interest provisions of the Act.
- 5.20** The decision with respect to whether or not the Councillor or Board Member may have a Pecuniary Interest is the individual Councillor's or Board Member's decision to make.
- 5.21** It is the individual responsibility of each Councillor or Board Member to seek independent legal advice, at his or her own expense, with respect to any situation that may result in a Pecuniary Interest.
- 5.22** If Councillor or a Board Member believes that he/she may have or may reasonably be perceived to have a Pecuniary Interest in a matter before Council, he/she shall strictly adhere to the Pecuniary Interest provisions under the Act.
- 5.23** Where a Councillor or a Board Member believes that he/she may have a Pecuniary Interest in a matter before council, he/she should notify the Mayor or Chair of the meeting, before the matter is considered that the Councillor or Board Member has a Pecuniary Interest in the matter.
- 5.24** The decision with respect to whether or not the Councillor or Board Member may have a Conflict of Interest is the individual Councillor's or Board Member's decision to make.
- 5.25** Receipt of gifts can result in a perceived Conflict of Interest. With the exception of token and minor gifts, having an estimated value under One Hundred (\$100) Dollars. Councillors and Board Members shall provide a written declaration to Council detailing the acceptance of any gifts including the estimated value and donor or the gift.
- 5.26** While token and minor gifts can be accepted by Councillors and Board Members, substantial or material gifts should either be rejected by Councillors and Board Members or accepted on behalf of Council for the Board and donated to a non-profit organization, that is not associated with the Councillor or Board Member.
- 5.27** This Bylaw does not apply to gifts donated to the Village of Innisfree community nor to gifts or hospitality that are normally received as a matter of protocol or social obligations that normally

VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

accompany the position of Councillor or Board Member and that are not related to any particular transaction or activity of the Village of Innisfree or decision by Council.

- 5.28** Councillors and Board Member shall not engage in any activity that is incompatible or inconsistency with the ethical discharge of a Councillor's or Board Member's duties and obligations as a Councillor or Board Member in the Village of Innisfree.

Bias

- 5.29** A Councillor or Board Member shall be free from Bias with respect to any matter that requires a decision of Council or a Board.
- 5.30** Councillors or Board Members may attend open houses or exchange communication with potential Applicants, Developers and Special Interest Groups prior to the submission of a Development application being submitted to the Village of Innisfree and should:
- 5.30.1** state that any opinions expressed by the Councillor or Board Member are personal and do not in any way represent Council or the Boards possible opinion or ultimate decision with respect to a potential Development;
 - 5.30.2** make it clear to potential Applicants, Developers or Special Interest Groups that the Councillor or Board Member can provide only general information on the Development application process but cannot give definitive advice about the Development's chance of success;
 - 5.30.3** suggest that the Applicant, Developer or Special Interest Group seek independent professional advice; and
 - 5.30.4** if applicable, encourage potential Applicants, Developers or Special Interest Groups to seek preliminary information on their Development proposal by utilizing the pre-application process with Administration.
- 5.31** After a Development Permit Application has been filed with the Village of Innisfree, where Council or a Board will have a decision-making role in the Development approval process or where a Councillor or Board Member is a member of the Subdivision and Development Appeal Board and the matter may be appealed, Councillors and Board Members should not meet with the Applicants, Developers or Special Interest Groups to discuss the Development prior to the public hearing, formal consideration of the Development application by Council, Board or appeal hearing and decision being issued by Council, the Board or the Subdivision and Development Appeal Board.
- 5.31.1** All Development inquiries should be directed to Administration.
 - 5.31.2** Any information forwarded by an Applicant, Developer or Special Interest Group to a Councillor or Board Member with respect to a pending Development Application should be forwarded to the CAO, who will record the information received and determine what further distribution or disclosure of the information is required.
 - 5.31.3** In the event that a Development Application should proceed to any type of court proceeding, no meeting between Councillors, Board Members, Applicants, Developers or Special Interest Groups should take place.

Two handwritten signatures in black ink are located at the bottom right of the page. The first signature is a cursive 'A' and the second is a cursive 'BM'.

VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

Use and Disclosure of Information

- 5.32 Councillors and Board Members shall not use information gained through their position on Council or a Board for any private or personal benefit or gain.
- 5.33 Councillors and Board Members shall inform themselves of and strictly adhere to the provisions of the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, Chapter F-25, and any amendments thereto, with respect to the access to, gathering, use and disclosure of information.
- 5.34 Councillors and Board Members shall not release, disclose, publish or comment on confidential information including any information received during an "in camera" meeting until such information is disclosed at a public meeting as part of an approved agenda. This obligation continues in perpetuity.
- 5.35 Councillors and Board Members shall not release information that is subject to solicitor-client privilege unless expressly authorized by Council, the Board or required by law to do so.
- 5.36 Councillors and Board Members shall not misuse confidential information that they have knowledge of by virtue of their position as an Elected Official or Board Member that is not in the public domain, including emails and correspondence from other Elected Officials, Board Members or third parties such that it may cause harm, detriment or embarrassment to the Village of Innisfree, Council, other Elected Officials, a Board or other Board Members, Administration, members of the public or third parties.

Representations on Behalf of the Village or Board

- 5.37 Public or media statements or the release of information conveying the Village of Innisfree's position or decisions on matters made by the Council will only be communicated by the Mayor, or in his absence the Deputy-Mayor, or in the absence of both the Mayor and Deputy-Mayor the Acting Mayor.
- 5.38 Public or media statements or the release of information conveying a Board's decision or decisions on matters made by the Board will only be communicated by the Chair, or in his absence the Vice-Chair, or in the absence of both the Chair and Vice-Chair, the Acting Chair.

6. Harassment/Sexual Harassment/Violence-Free Workplace

- 6.1 Village of Innisfree Councillors and Board Members are required to read and strictly adhere to the "Village's Respectful Workplace Policy."
- 6.2 Village of Innisfree Councillors and Board Members agree and commit to the following principles:
- 6.2.1 prevention of harassment, sexual harassment and violence in the workplace and promotion of a harassment/sexual harassment/violence-free workplace in which all people respect one another and work together to achieve common goals. Any act of harassment, sexual harassment or violence committed by or against any Councillor or Board member is unacceptable and such conduct will not be tolerated.
- 6.2.2 attend educational or training sessions;
- 6.2.3 addressing all incidents of harassment/sexual harassment/violence individual Councillors or Board Members witness or are made aware of;
- 6.2.4 ensuring incidents of harassment, sexual harassment and violence are investigated in an objective and timely manner;



VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

6.2.5 taking necessary action in response to such incidents; and

6.2.6 providing appropriate support for complainants.

6.3 Whereas many problems encountered in the workplace arise from unintentional miscommunication or misunderstanding, Councillors, Board Members and Administration are encourage to resolve differences through direct communication and with the least formality possible. When direct communication fails or if the issue is of a more serious nature, either party is encouraged to advise:

6.3.1 in the case of Council, the Mayor (or Deputy-Mayor if the Mayor is involved);

6.3.2 in the case of a Board, the Chair (or Vice-Chair if the Chair is involved);

6.3.3 in the case of an employee, the CAO (or Council if the CAO is involved.) In a situation arising from a complaint regarding an employee, it is the CAO who is ultimately responsible for any resulting investigation.

Should there be no resolution; the complainant may choose to follow the complaint procedure laid out in Section 6.9.

Harassment/Sexual Harassment

6.4 Council is committed to discouraging behaviours that create an unproductive and/or poisoned environment.

Violence

6.5 Acts of Violence can take the form of physical contact or the threat of violence, either overt or covert. Abuse in any form erodes the mutual trust and confidence that are essential to the Village's operation effectiveness. Acts of violence destroy individual dignity, lower morale, create fear and break down work unit cohesiveness.

6.6 Acts of Violence may occur as a single event or may involve a continuing series of incidents. Violence can involve both men and women and may be directed by or towards Councillors, Board Members, Village Administration, customers and members of the general public.

6.7 An incident involving workplace violence constitutes an accident that has the potential of causing serious injury to a worker pursuant to the *Occupational Health and Safety Act*. As a result, the Village must investigate the incident and prepare and maintain a report.

Investigations

6.8 A complaint alleging a breach of the Code of Conduct may be made by a Councillor, member of Administration or a member of the public.

6.9 A complaint must be filed in writing either by mail, email or facsimile and shall contain the following information:

6.9.1 the name of the complainant;

6.9.2 the nature of the alleged complaint; and

6.9.3 name of any witnesses to the incident.



VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

- 6.10** An investigation will not be started without first having reasonable grounds to believe that the suspected breach is likely to occur or has already occurred. This will be determined by Council weighing of the seriousness of the alleged action and the determination of whether the Code of Conduct has jurisdiction over the alleged incident. As well, the method of investigation itself will be reasonable with regard to the totality of the circumstances. The method of investigation is to be determined by Council. Both parties to the investigation will be advised of the decision to pursue an investigation within five (5) business days after the receipt of the complaint.
- 6.11** Investigations will be carried out in accordance with the following:
- 6.11.1** incidents will be investigated as promptly as possible;
 - 6.11.2** only those individuals absolutely necessary to verifying the complaint will be interviewed in order to maintain the confidentiality of the complainant and the respondent to the greatest extent possible. In all cases, both the complainant and the respondent will be interviewed and the respondent will be advised of the allegations they face and provided an opportunity to answer the same. The respondent will be notified of the complaint within five (5) working days of receipt of the complaint and will be given five (5) working days to respond to the complaint in writing wither by mail, email or facsimile.
 - 6.11.3** individuals with knowledge of the incident will be encouraged not to discuss the details with others; and
 - 6.11.4** the safety of the complainant will be a paramount consideration throughout the investigation process.
- 6.12** With respect to any alleged breach of the Code of Conduct by a Councillor or Board Member, where found to be warranted by a majority of Councillors, a third party investigator may be brought in to conduct the inquiry.
- 6.13** With respect to an alleged breach of the Code of Conduct by the CAO, a third party investigator will be brought in to conduct the inquiry.
- 6.14** Should a complaint filed under this Section 6 be found to be valid, Council will meet as a whole to determine what censure under Section 7 is appropriate to the nature of the breach.

Elected Officials, Board Members and employees are responsible for cooperating with investigations and respecting the confidentiality related to the investigation process.

No Elected Official or Board Member shall take retaliatory action against a complainant with the intention of dissuading or punishing an individual for participating in the complaint process.

7. Bylaw Compliance

- 7.1** Elected Officials and Board Members shall strictly comply with the Code of Conduct Bylaw.
- 7.2** Elected Officials and Board Members shall report violations of the Code of Conduct Bylaw using one or more of the following options:
- 7.2.1** An Elected Official or Board member who perceives or is aware of a violation of the Code of Conduct may speak directly with the person;
 - 7.2.2** Elected Officials may discuss concerns of a violation of the Code of Conduct with the Mayor or Deputy Mayor.
 - 7.2.3** Board Members may discuss concerns of a violation of Code of Conduct:



VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

7.2.3.1 with the Chair or Vice-Chair in event the Chair or Vice Chair is an Elected Official;
or

7.2.3.2 with the Mayor in the event the Chair or Vice-chair is not an Elected Official.

7.2.4 Where a situation warrants, Elected Officials and Board Members may report the concern to the whole of Council in an in camera session at a meeting of Council. An inquiry and/or investigation will be undertaken as directed by council and may result in:

7.2.4.1 private verbal or written warning;

7.2.4.2 public verbal or written warning; and/or

7.2.4.3 a Censure Motion (Section 8) as determined by Council in order to restore the accountability of the Office of Council.

7.3 Elected Officials shall uphold the law, establish by the parliament of Canada and the legislature of Alberta and the bylaws, policies and procedures adopted by Council.

7.4 Elected Officials 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.

7.5 An Elected Official must not encourage disobedience of any bylaw, policy, or procedure of the Municipality in responding to a member of public as this undermines public confidence in the Municipality and the rule of law.

8. Censure Motions

In determining an appropriate Censure Motion, Council should have some practical rationale for doing so in the interest of proportionality and fairness. Once a Censure Motion has been passed, only a motion of Council can rescind the Censure Motion unless the Motion was date specific.

Censure Motions by position are as follows:

Mayor

8.1 Restrict or limit the Mayor's power such as presiding over Council meetings and/or being a member of all Council Boards as set out in Section 154 of the Act.

8.2 Direct the Deputy-Mayor to assume the Mayor's official obligations and responsibilities including presiding over meetings, calling special meetings, signing bylaws and cheques.

8.3 Redirect the Mayor's additional compensation for performing the above duties to the Deputy-Mayor as set out in Section 275.1 of the Act.

8.4 Restrict the Mayor from attending meetings as the Village's representative and acting as the Village's spokesperson.

8.5 Restrict the Mayor in his/her communications with Administration and third parties such as the Provincial and Federal governments and other municipalities.

8.6 Direct the Mayor to adhere to the statutory obligations under the Act and the Village's Council Code of Conduct Bylaw.

8.7 Restrict the Mayor from attending FCM, AUMA and/or other conferences.



VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

8.8 Any other sanction or requirement Council may decide upon including but not limited to:

8.8.1 a letter of reprimand addressed to the Mayor which may be published

8.8.2 a request for the Mayor to issue a letter of apology which may be published;

8.8.3 a requirement for the Mayor to attend training; and

8.8.4 suspension or removal of the appointment of a Mayor as Elected Official under Section 150(2) of the Act.

Deputy Mayor:

8.9 Restrict or limit the Deputy-Mayor's power such as presiding over Council meetings when the Mayor is absent or presiding over any Boards of council and/or being a member of all Council Boards.

8.10 Direct one of the Councillors to assume the Deputy-Mayor's official obligations and responsibilities in the absence of the Mayor, including presiding over meetings, calling special meetings, signing bylaws and cheques.

8.11 Restrict the Deputy-Mayor from attending meetings as the Village's representative and acting as the Village's spokesperson.

8.12 Restrict the Deputy-Mayor in his/her communications with Administration and third parties such as the Provincial or Federal governments and other municipalities.

8.13 Direct the Deputy-Mayor to adhere to the statutory obligations under the Act and the Village's Council Code of Conduct Bylaw.

8.14 Restrict the Deputy-Mayor from attending FCM, AUMA and/or other conferences.

8.15 Any other sanction or requirement Council may decide upon including but not limited to:

8.15.1 a letter of reprimand addressed to the Deputy-Mayor which may be published;

8.15.2 a request for the Deputy-Mayor to issue a letter of apology which may be published.

8.15.3 a requirement for the Deputy-Mayor to attend training; and

8.15.4 suspension or removal of the appointment of a Deputy-Mayor as Chief Elected Official under Section 150(2) of the Act.

Councillors:

8.16 Restrict or limit the Councillor's power such as presiding over Council Committee meetings and/or being a member of all Council Committees;

8.17 Restrict the Councillor in his/her communications with Administration and third parties such as the Provincial or Federal governments and other municipalities;

8.18 Direct the Councillor to adhere to the statutory obligations under the Act and the Village's Council Code of Conduct Bylaw;

8.19 Restrict the Councillor from attending FCM, AUMA and/or other conferences;

8.20 Any other sanction or requirement that Council may decide upon including but not limited to:



VILLAGE OF INNISFREE - COUNCIL CODE OF CONDUCT BYLAW 657-20

- 8.20.1 a letter of reprimand addressed to the Councillor which may be published;
- 8.20.2 a request for the Councillor to issue a letter of apology which may be published;
- 8.20.3 a requirement of the Councillor to attend training.
- 8.21 This Code of Conduct, or sanctions imposed under this Code of Conduct shall not prevent any Councillor from fulfilling the legislated duties of a councillor.
- 8.22 Nothing in this section restricts or attempts to countermand a Mayor's, Deputy-Mayor's or Councillor's legal right to challenge a decision by Council through established legal channels.

9. Severability:

- 9.1 Should any section, subsection, clause or provision of this Bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this bylaw as a whole or any part thereof, other than the part so declared to be invalid.

10. Enactment:

- 10.1 Bylaw 632-18 is hereby rescinded.
- 10.2 This Bylaw will take effect at the date of final passing thereof and rescind any previous Code of Conduct Bylaws of the Village of Innisfree.

READ A FIRST TIME THIS 15th DAY OF September, 2020.

READ A SECOND TIME THIS 15th DAY OF September, 2020.

AND WITH UNANIMOUS CONSENT OF COUNCIL, READ A THIRD TIME AND FINALLY PASSED THIS 15th DAY OF September, 2020.



Mayor



Chief Administrative Officer