

POLICY NUMBER: 85
POLICY TITLE: COUNCIL CODE OF CONDUCT
EFFECTIVE DATE:
APPROVAL:

POLICY:

The residents of the Village of Valemount are entitled to have a fair, ethical and accountable municipal Council that performs their duties on behalf of the village faithfully, diligently, honestly and to the best of their abilities. Elected officials are also required to operate within a legal framework designed to prevent use of the office for personal interest or benefit.

POLICY OBJECTIVES:

The purpose of this policy is to establish guidelines for the ethical and interpersonal conduct of members of Council.

DEFINITIONS:

“Council” means Village of Valemount council members

“Village” means the Village of Valemount

STANDARDS OF CONDUCT

1. Act in the Public Interest

- 1.1. Council members shall act in the public interest by conducting its business with integrity, in a fair, honest and open manner.

2. Comply with the Laws

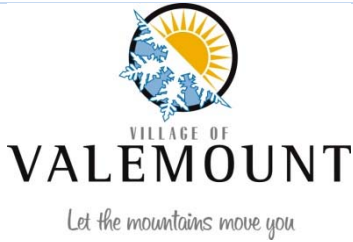
- 2.1. Council members shall comply with all applicable federal, provincial, and municipal laws in the performance of their public duties, including but not limited to: the *Local Government Act*, the *Community Charter*, the *Freedom of Information and Protection of Privacy Act*, the *Financial Disclosure Act*, and all applicable Village bylaws and policies

3. Conduct of Council

- 3.1. The conduct of Council in the performance of their duties and responsibilities with the Village must be fair, open and honest.
- 3.2. Council shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, Village staff or the public.

4. Respect for Process

- 4.1. Council shall perform their duties in accordance with the policies and procedures and rules of order established by the Council.



POLICY NUMBER: 85
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5. Decisions Based on Merit

- 5.1. Council shall base their decisions on the relevant merits and substance of the matter at hand, including input received from Village staff and the public.

6. Sharing Substantive Information

- 6.1. Subject to Section 9 of this policy, council members shall share with other members, substantive information that is relevant to a matter under consideration by the Council, which they may have received from sources outside of the public decision-making process.
- 6.2. If a council member has a concern regarding whether the information received should be shared, they shall first consult with the Chief Administrative Officer.

7. Conflict of Interest

- 7.1. Council shall familiarize themselves and act in accordance with the provisions set out in the conflict-of-interest sections of the *Community Charter*.

7.1.1. Disclosure of Conflict:

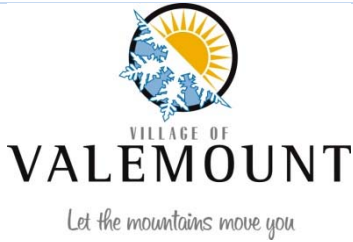
The *Community Charter* requires a council member to declare a conflict of interest if he or she has a direct or indirect pecuniary interest in a matter under consideration. A member must also declare a conflict if he or she has some other, non-pecuniary type of interest that places the person in a conflict position (e.g., bias). This could include any benefit obtained by relations, close friends, or associates of a member who is in conflict. Examples may include a rezoning application by a relative or close personal friend or a business license decision involving a competitor business to one operated by a close friend. The facts of each situation will be unique and will need to be considered when determining if a member is in a non-pecuniary conflict of interest situation.

7.1.2. Restrictions on Participation:

The *Community Charter* also sets out the basic rules that, if a council member has a direct or indirect pecuniary interest in a matter, the member must not:

- a) remain or attend any part of a meeting during which the matter is under consideration;
- b) participate in any discussion of the matter; or
- c) vote on the matter or attempt in any way to influence the voting of the matter, whether before, during or after a meeting.

These rules apply at all times, not just when a person makes a declaration of conflict under the *Community Charter*.



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7.1.3. Exceptions from Conflict Restrictions:

- a) the council member's pecuniary interest is an interest in common with the electors of the municipality;
- b) the council member's pecuniary interest, related to a local service, is in common with other persons who are or would be liable for the local service tax;
- c) the matter under consideration relates to the remuneration, expenses or benefits payable to local government officials in their capacity as members of council of the municipality;
- d) the pecuniary interest is so remote or insignificant that it cannot reasonably be viewed as likely to influence the member; and
- e) the council member has a legal right to be heard in respect of a matter or to make representations to council, in which case, the member may appoint a representative to exercise that right.

8. Gifts

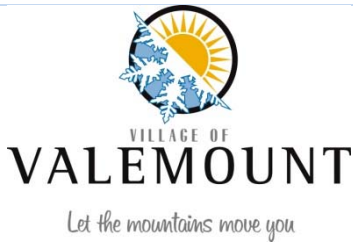
- 8.1. Council must not, directly or indirectly, accept a fee, gift or personal benefit that is connected with the member's performance of their duties, except in accordance with the provisions of the *Community Charter*.

9. Confidential Information

- 9.1. Council shall respect the confidentiality of information concerning the property, personnel, legal affairs, or other information of the Village distributed for the purposes of, or considered in, a closed Council meeting.
- 9.2. Council shall neither disclose confidential information without proper authorization, nor use such information to advance their own or anyone's personal, financial or other private interests. Without limiting the generality of the foregoing, members shall not disclose Council resolutions or staff report contents from a closed meeting of Council unless and until a Council decision has been made for the information to become public, and shall not disclose detail on Council's closed meeting deliberations or how individual members voted on a question in a closed meeting.

10. Council Use of Social Media

- 10.1. It is not the role of individual Council members to report directly on Village related business. Council members will use caution in reporting decision-making by way of their social media profiles and websites prior to official communication by the Village.
- 10.2. Council members will include an "in my opinion", or similar disclaimer, either within the banner of their individual social media site(s) or separately when making follow up posts to the



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EFFECTIVE DATE:
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Village’s social media postings and when creating original posts pertaining to Village related business.

- 10.3. Council members shall take steps to remove from their social media account any publication by another person of content that violates this policy.

11. Interactions with the Public and the Media

- 11.1. The Mayor is the official Council media spokesperson. The Mayor may designate an alternate spokesperson on a case-by-case basis.
- 11.2. Council members will accurately communicate the decisions of the Council, even if they disagree with the majority decision of Council, and by so doing affirm the respect for and integrity in the decision-making processes of Council.
- 11.3. When discussing the fact that he/she/they did not support a decision, or voted against the decision, or that another Council member did not support a decision or voted against a decision, the Council member will refrain from making disparaging comments about other Council members or about Council’s processes and decisions.
- 11.4. Nothing in this Policy is intended to affect the rights under the Charter of Rights and Freedoms.

12. Use of Public Resources

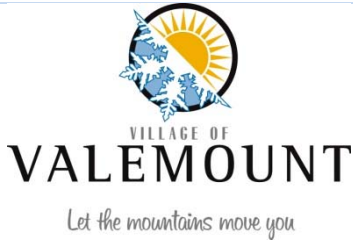
- 12.1. Members shall not use Village resources such as staff time, equipment, supplies or facilities, for private gain or personal purposes. Specifically, members shall not undertake municipal election campaign related activities at the municipal office or on other premises owned by the Village during regular working hours, unless such activities are organized by the Village (e.g., all-candidate information sessions).
- 12.2. Members shall not use Village-owned equipment, technology or other property for municipal election campaign work (e.g., photocopiers, computers, etc.).

13. Advocacy

- 13.1. Members shall represent the official policies or positions of the Village Council to the best of their ability when designated as delegates for this purpose.
- 13.2. When presenting their individual opinions and positions, council members shall explicitly state they do not represent Council or the Village, nor shall they allow the inference that they do.

14. Policy Role of Council

- 14.1. Council shall respect and adhere to the Council-CAO structure of municipal government as practiced in the Village. In this structure, the Council determines the policies of the Village with the advice, information and analysis provided by the Village staff and council committees.
- 14.2. Council therefore shall not interfere with the administrative functions of the Village or with the



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professional duties of Village staff, nor shall they impair the ability of staff to implement Council policy decisions.

15. Positive Work Place Environment

- 15.1. Members shall treat other members, the public and Village staff with respect and shall be supportive of the personal dignity, self-esteem and well-being of those with whom they come in contact with during the course of their professional duties.
- 15.2. Comments about Village staff performance shall only be made to the CAO through private correspondence or conversation.

16. Council Questions/Inquiries to Village Staff

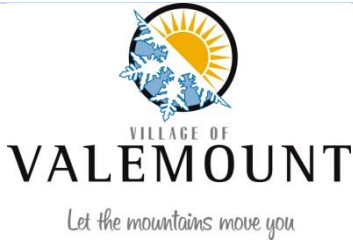
- 16.1. Council requests for information from staff shall be directed to the CAO or their designate. If the response constitutes more than a technical clarification, then the response shall be provided to all council members so that all members have access to the same information.

17. Implementation

- 17.1. As an expression of the standards of conduct for Council expected by the Village, this policy is intended to be self-enforcing. This policy therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.
- 17.2. This policy shall be provided as information to candidates for Council. Those elected to Council shall be requested to sign a member statement affirming they have read and understand this policy, and that they agree to conduct themselves in accordance with it (Appendix A).

18. Compliance and Enforcement

- 18.1. This policy expresses standards of ethical conduct expected for members of council; members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the Village.
- 18.2. The Village will not retaliate against Council or Village staff who, in good faith, report a known or suspected violation of this policy. No reprisals or threat of reprisals shall be made against such a complainant, or against anyone for providing relevant information in connection with a suspected violation of this Code.
- 18.3. Council may impose sanctions on members whose conduct does not comply with this policy, including but not limited to a motion of censure.
- 18.4. To ensure procedural fairness, a member who is accused of violating any provision of this policy shall have a minimum of two weeks, or the time between two consecutive Council



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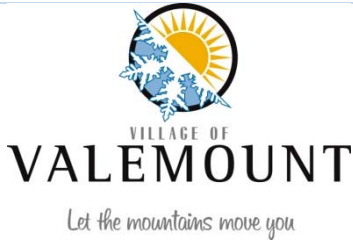
meetings, whichever is greater, to prepare his or her response to these allegations. Specifically, before considering a sanction, Council must ensure that a member is provided with:

- a. a copy of a written report setting out the alleged breach of this Code, and possible sanctions that may be considered against him or her;
- b. a minimum of two weeks, or the time between two consecutive meetings, whichever is greater, to prepare a response against any allegations and possible sanctions; and
- c. an opportunity to make representations and be heard by Council.

A violation of this Code shall not be considered a basis for challenging the validity of a Council decision.

Approved by Council Resolution No. # _____ on _____, 2021.

CAO



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APPENDIX 'A'

COUNCIL CODE OF CONDUCT

The public expects a responsive local government with the highest standards of professional conduct from those elected to it. The residents of the Village of Valemount are entitled to have a fair, ethical and accountable municipal Council that has earned the public's full confidence for integrity. It is an honour and a privilege to serve the public.

As local elected representatives, we recognize that responsible conduct is essential to providing good governance for the Village of Valemount. We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration.

In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards, by being active participants in ensuring that the standards set out in the Council Code of Conduct Policy are followed in all of our dealings with other elected officials, staff, and the public.

Our signatures below are evidence of our individual commitments to abide by the spirit and letter of the Code of Conduct Policy.

Signed at the Village of Valemount, this 22nd day of November, 2022.

Mayor Owen Torgerson

Councillor Blanchette

Councillor MacLean

Councillor Mulyk

Councillor Pearson