



BYLAW

Agenda Item Number: 6.2.1

Meeting Date: 5/7/2024

Author: J. Sawatzky

TO: Mayor and Council
FROM: Corporate Services
BYLAW: Bylaw No. 2418, 2024 – Council Code of Conduct Bylaw

RECOMMENDATION:

THAT Council adopt Bylaw No. 2418, 2024 – Council Code of Conduct Bylaw.

PURPOSE

Council members are entrusted with the responsibility of serving the public interest and upholding the highest standards of integrity, accountability, and ethical conduct. To reinforce these principles and provide clear guidance on expected behavior, the adoption of a Council Code of Conduct bylaw is essential. This bylaw will serve as a framework for promoting transparency, professionalism, and ethical decision-making among Council members in Peachland.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

*Community Charter s.113.1, s.113.2,
Principles for Codes of Conduct Regulation B.C. Reg. 136/2022*

Council Resolution RC-23/04/18-008

Moved by: Councillor Ingram

Seconded by: Councillor Brophy

THAT Council direct Administration to prepare a Council Code of Conduct Bylaw for Council's consideration.

CARRIED

Council Resolution RC-23/04/23-005

Moved by Councillor Ingram

Seconded by Councillor Condon

THAT Council give first, second and third reading to Bylaw No. 2418, 2024 – Council Code of Conduct Bylaw with the following amendments:

- *Remove Section 13(3)(c), which states “refrain from discussing the matter with any other Council Member publicly or privately”; and*
- *Amend section 19(1) to read as follows: “On receipt of a complaint, the CAO or Corporate Officer shall, within 30 days of a complaint, conduct a preliminary assessment of the complaint or*

forward the complaint to the Solicitor to conduct a preliminary assessment.

CARRIED

CHIEF ADMINISTRATIVE OFFICERS COMMENTS

Approved for Council's consideration.

REPORT

BACKGROUND

A Council Code of Conduct Bylaw is a standard practice in municipalities across Canada and is instrumental in maintaining public trust in local government. While existing legislation and policies outline general expectations for Council members' conduct, a dedicated Code of Conduct Bylaw offers a comprehensive set of principles and guidelines tailored to the unique context of our municipality.

DISCUSSION

Codes of Conduct provide standards that supplement conduct already required by legislation. The proposed bylaw establishes shared standards and expectations with respect to the conduct expected of Council members.

The Council Code of Conduct Bylaw aims to:

1. Define the ethical standards and expectations for behaviour of Council members in their official capacity.
2. Promote transparency, accountability, and integrity in decision-making processes.
3. Ensure respectful and professional conduct in interactions with colleagues, staff, and the public.
4. Provide mechanisms for addressing conflicts of interest, ethical breaches, and violations of the code.
5. Uphold public confidence and trust in the integrity of Council and the District of Peachland.

Key Components of the Bylaw:

1. Foundational Principles – the bylaw articulates fundamental principles such as integrity, accountability, leadership, respect, transparency and collaboration, which Council members are expected to uphold.
2. Conduct – clear guidelines are established for Council Member interactions with other Council members, Staff, the Public and the Media.
3. Confidentiality – Council members are required to maintain the confidentiality of sensitive information obtained in the course of their duties and refrain from unauthorized disclosure.
4. Conflicts of Interest – Clear processes are established for identifying, disclosing, and managing conflicts of interest to prevent undue influence or bias in decision-making.
5. Complaints and Enforcement – Procedures are outlined for filing complaints alleging breaches of the code, along with mechanisms for informal resolution, investigation, adjudication, and remedies for violations of the code.

IMPLICATIONS/RELATED ISSUES/RISK

Possible cost implications associated with a complaint and enforcement procedures.

STRATEGIC DIRECTION

Good Governance

Adopting a Code of Conduct supports Council's values of transparency and good governance.

CONCLUSION

Adopting a Council Code of Conduct Bylaw is crucial for reinforcing the values of transparency, accountability, and ethical behaviour within our local government. By establishing clear expectations and mechanisms for accountability, the bylaw will enhance public confidence in the integrity of the Council and its decision-making processes.

Administration therefore recommends that Council approve this bylaw as a proactive step towards maintaining the highest standards of ethical conduct and governance in Peachland.

SUPPORTING DOCUMENTATION

Bylaw No. 2418, 2024 – Council Code of Conduct Bylaw

REVIEWED & APPROVED BY Joe Creron, CAO