

BYLAW NO. 2023-7

CODE OF ETHICS BYLAW

A Bylaw of the Rural Municipality of Browning No. 34, in the Province of Saskatchewan, being a Bylaw to Outline a Code of Ethics for all Members of Council

The Council of the Rural Municipality of Browning No. 34, in the Province of Saskatchewan, pursuant to Section 93.1 of *The Municipalities Act*, enacts as follows:

Short Title

1. This bylaw may be cited as the Code of Ethics Bylaw.

Legal Requirement

2. This bylaw has been created to comply with section 93.1 of *The Municipalities Act* and as outlined in section 3.1, Schedule 1, of *The Municipalities Regulations*.

PART 1 CODE OF ETHICS

Code of Ethics for Members of Council

Preamble

As members of council, we recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

The quality of the public administration and governance of the Rural Municipality of Browning No. 34, as well as its reputation and integrity, depends on our conduct as elected officials.

Purpose and Interpretation

The purpose of this code is to outline basic ethical standards and values for members of council. It is to be used to guide members of council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials.

This code is to be interpreted in accordance with the legislation applicable to the Rural Municipality of Browning No. 34, the common law and the policies and bylaws of the Rural Municipality of Browning No. 34.

Neither the law nor this code is to be interpreted as exhaustive, and there will be occasions on which a council will find it necessary to adopt additional rules of conduct in order to protect the public interest and to enhance the public confidence and trust in local government.

It is the responsibility of each member of council to uphold the standards and values set out in this code.

Standards and Values

a. Honesty

Members of council shall be truthful and open in their roles as council members and as members of the communities they serve.

b. Objectivity

Members of council shall make decisions carefully, fairly and impartially.

c. Respect

Members of council shall treat every person, including other members of council, municipal employees and the public, with dignity, understanding and respect.

Members of council shall not engage in discrimination, bullying or harassment in their roles as members of council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

d. Transparency and Accountability

Members of council shall endeavour to conduct and convey council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.

Members of council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

e. Confidentiality

Members of council 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. Members shall not take advantage of or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in the public domain. This includes complying with *The Local Authority Freedom of Information and Protection of Privacy Act* in their capacity as members of council of a local authority.

f. Leadership and the Public Interest

Members of council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government.

Members of council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for person benefit, wrong doing or unethical conduct. Members of council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

g. Responsibility

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of council is individually responsible for preventing potential and actual conflicts of interest.

**PART 11
CONTRAVENTION OF THE CODE OF ETHICS**

Complaint Procedure

3. As required by clause 93.1(5)(c) of *The Municipalities Act*, the following section details the procedure for handling contraventions of the code of ethics.
 - a. Council shall appoint an independent Code of Ethics Committee to review and make recommendations for any complaints received.
 - b. To report an alleged contravention of the code of ethics, anyone may submit the form found in Schedule A, by sending the form directly to the Administrator of the R.M. of Browning No. 34, by mail, e-mail, fax, courier or hand deliver. The Administrator shall open a case file and submit the complaint and case file to the Code of Ethics Committee within five business days.
 - c. Upon receipt of a case file, the Code of Ethics Committee shall open an investigation of the complaint and take all necessary steps to determine the validity of a complaint.
 - d. The Code of Ethics Committee shall in a reasonable time frame prepare a report of the complaint determining the validity of the complaint, and make recommendations regarding the remediation of the complaint. This report shall be submitted to the Administrator upon completion of the report.
 - e. The Administrator shall present the complaint, report, and case file to Council in a closed session of Council at the next regular meeting. Any member of Council a complaint is against shall recuse themselves from the meeting during any discussion on the complaint.
 - f. Council shall review the complaint, report and case file, and shall come out the closed session to make an appropriate resolution to remediate the complaint which may include and is not limited to:
 - i. Dismissal of complaint;
 - ii. An apology by the Member of Council;
 - iii. Appropriate educational training;
 - iv. Repayment of gifts and monies received;
 - v. Suspension or dismissal of Committee appointments; and
 - vi. Suspension of duties and privileges of Council outside the scope of *The Municipalities Act* that may be suspended including supervision.
 - g. Council shall inform the claimant, member of council, and any other relevant party of Council's decision, which includes:
 - i. Informing the claimant and member of council that the complaint is dismissed, or

- ii. Informing the claimant and member of council of the corrective action and/or the measures taken to ensure the behavior or activity does not continue.

**PART III
COMING INTO FORCE**

4. Bylaw No. 2016-8 is hereby repealed
5. This bylaw comes into force and effect upon final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 2ND DAY OF NOVEMBER, 2023.

READ A SECOND TIME THIS 2ND DAY OF NOVEMBER, 2023.

**READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL
PRESENT THIS 2ND DAY OF NOVEMBER, 2023.**



Reeve

Administrator

Certified a true copy of Bylaw No. 2023-7
passed by resolution of the Council present
at their regular meeting on November 2, 2023.

Administrator

Schedule A
Formal Complaint form

Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.

I _____ of _____
(First and Last Name) (Full Mailing Address)
do solemnly swear/(affirm and declare) that the following contents of this statement are true and correct and hereby request the Council of the R.M. of Browning No. 34 to *(look into/ conduct an investigation/ inquiry/ follow-up on)* whether or not the following member(s) of the R.M. of Browning No. 34 Council has (have) contravened the Code of Ethics:

Member(s) of Council name(s)

I have reasonable and probable grounds to believe that the above member(s) has (have) contravened the Code of Ethics by reason of the following:

1. Insert date(s), time and location of conduct;
2. Include the sections of this bylaw that have been contravened;
3. Provide the particulars and names of all persons involved, and of all witnesses;
4. Provide contact information for all people listed;
5. Any exhibits can be attached; and
6. If more space is required, please attach additional pages as needed.

(Signature of Complainant)

(Date signed)

For Office Use Only

(Date filed)

(Signature of Administrator or other applicable position pursuant to subsection 4(a) of bylaw)