



VILLAGE OF LOUGHEED PROVINCE OF ALBERTA BYLAW 814 - 24.

BEING A BYLAW OF THE VILLAGE OF LOUGHEED IN THE PROVINCE OF ALBERTA, CANADA, TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF THE COUNCIL.

WHEREAS, according to section 146.1(1) of the Municipal Government Act, a council must, by bylaw, establish a Code of Conduct governing the conduct of councilors;

AND WHEREAS, according to section 153 of the Municipal Government Act, councilors must 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 Village of Lougheed;

AND WHEREAS the establishment of a Code of Conduct for members of the council is consistent with the principles of transparent and accountable government;

AND WHEREAS a Code of Conduct ensures that members of the council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of councilors;

NOW THEREFORE, the Council of the Village of Lougheed, in the Province of Alberta, duly assembled, enacts as follows:

Title.

1. This Bylaw is hereby known as the "Code of Conduct for members of the Council Bylaw."

Definitions.

2. 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 Chief Administrative Officer (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;

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- e) "Investigator" means Council or the individual or body established by Council to investigate and report on complaints;
- f) "Member" means a member of the Council and includes the "Mayor";
- g) "Municipality" means the Village of Lougheed municipal corporation.

Application and Interpretation.

- 3.1 This bylaw aims to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and a procedure for investigating and enforcing those standards.

Representing the municipality.

4.1 Members shall:

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

Communication on behalf of the municipality

5.1 A Member must not speak on behalf of the Council unless authorized.

5.2 Unless the Council directs otherwise, the "Mayor" is the Council's official spokesperson 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 the Council's official spokesperson.

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

Respecting the decision-making process.

6.1 Decision-making authority lies with the 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 a quorum is present. Unless authorized by Council, no Member shall 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.

A handwritten signature in blue ink, appearing to be "AL" followed by a flourish.

6.2 Members shall conduct and convey Council business and all their duties openly and transparently other than for those matters which by law are authorized to be dealt with confidentially in a closed 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 specific actions.

6.3 Members shall accurately communicate the decisions of the Council, even if they disagree with the Council's decision, such that respect for the Council's decision-making processes is fostered.

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 the Council.

7.2 Members shall respect the Municipality as an institution, its bylaws, policies, and procedures and encourage public respect for it, 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 the rule of law.

Respectful Interactions with council members, staff, and the public.

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 further the public interest.

8.2 Members shall treat one another, Municipality employees, and public members 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 Municipality employee, or any public member.

8.4 No Member shall speak in a discriminatory manner to any individual based on the person's race, religious beliefs, disability, age, or marital status.

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 "CAO" as defined above;
- b) use, or attempt to use, their authority or influence for 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.

Confidential Information.

9.1 Members must keep in confidence matters discussed in a "closed session". Council and/or committee meeting until the matter is discussed at a meeting.

9.2 Members may also become privy to confidential information received outside a "CLOSED" meeting during their duties. Members must not disclose or release by any means to any member of the public, including the media, any confidential information acquired under their office unless the disclosure is required by law or authorized by the Council to do so.

9.3 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 following applicable Council bylaws and policies.

9.4 Use confidential information for personal benefit or the benefit of any other individual or organization. Confidential information includes information in the possession of or received in confidence by the Municipality that the Municipality is prohibited from disclosing under the 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 confidential, including but not limited to information concerning security of the property of the Municipality, a proposed or pending acquisition or disposition of land or other property, a tender that has or will be issued but has not been awarded contract negotiations employment and labor relations draft documents and legal instruments, including reports, policies, Bylaws, and resolutions, that has not been the subject matter of deliberation in a meeting open to the public law enforcement matters litigation or potential litigation, including matters before administrative tribunals and advice that is subject to solicitor-client privilege.



Conflicts of interest.

- 10.1 Members have a statutory duty to comply with the pecuniary interest provisions 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 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 capable of persuasion.
- 10.4 It is the individual responsibility of each Member to seek independent legal advice, at the Member's sole expense, concerning any situation that may result in a pecuniary or other conflict of interest.

Improper use of influence.

- 11.1 No Member shall use the influence of the Member's office for any purpose other than to exercise 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 the Council, a committee of the Council, or any other body established by the Council.
- 11.3 Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members, or close associates.

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

Orientation and other training attendance.

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



Remuneration and expenses.

14.1 Members are stewards of public resources and shall avoid waste, abuse, and extravagance in the use of public resources.

14.2 Members shall be transparent and accountable concerning all expenditures and strictly comply with all municipal bylaws, policies, and procedures regarding claims for remuneration and expenses.

Gifts and hospitality.

15.1 Members shall not accept gifts, hospitality, or other benefits that would, to a reasonable public member, appear to be in gratitude for influence, to induce influence, or otherwise go beyond the necessary and appropriate public functions involved.

15.2 Gifts received by a Member on behalf of the Municipality as a matter of official protocol which has significance or historical value for the Municipality shall be left with the Municipality when the Member ceases to hold office.

Election campaigns.

16.1 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.

Informal complaint process.

17.1 Any Member who has identified or witnessed conduct by a member that the member reasonably believes, in good faith, is in contravention of this Bylaw and may address the prohibited conduct by advising the Member that the conduct violates this Bylaw and encourages the Member to stop, requesting the mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. If the Mayor is the subject of or is implicated in a the complaint, the person may request the assistance of the Deputy Mayor.

17.2 Individuals are encouraged to pursue this informal complaint procedure as the first remedy they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure before pursuing the formal complaint procedure outlined below.

Formal complaint process.

18.1 Any Member who has identified or witnessed conduct by a member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint under 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. Suppose the Investigator thinks 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. In that case, 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 steps as it may consider appropriate, including seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential. 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;
- g) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before the Council deliberates and makes any decision or any sanction is imposed;
- h) A Member who is the subject of an investigation is entitled to be represented by legal counsel at the Member's sole expense.

Compliance and enforcement.

19.1 Members shall uphold the letter and the spirit and intent of this Bylaw.

19.2 Members are expected to cooperate in every way possible in securing compliance with the application and enforcement of this Bylaw.

19.3 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 any other person;
- b) Obstruct Council, or any other person, from carrying out the objectives or requirements of this Bylaw.



- 19.4 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 councilor;
 - b) requesting the councilor to issue a letter of apology;
 - c) publication of a letter of reprimand or request for apology;
 - d) a requirement to attend training;
 - e) suspension or removal of the appointment of a councilor as the chief elected official under section 152(2) of the Act;
 - f) suspension or removal of the appointment of a councilor as the deputy chief elected official or acting chief elected official under 152 of the Act;
 - g) suspension or removal of the chief elected official's presiding duties under section 154 of the Act; suspension or removal from some or all council committees and bodies to which the council has the right to appoint members;
 - h) Reduction or suspension of remuneration as defined in Section 275.1 of the Act corresponds to reduced duties, excluding allowances for attendance at council meetings.

Review.

20.0 This Bylaw shall be reviewed 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.

This Bylaw rescinds any previous Bylaws regarding the Code of Conduct for council members, including Bylaw 744-15 and all amendments.

This Bylaw shall have force and take effect on the final reading thereof.

READ A FIRST TIME THIS 15th DAY OF FEBRUARY 2024.

READ A SECOND TIME THIS 20th DAY OF MARCH 2024.

READ A THIRD TIME AND FINALLY PASSED THIS 20th of MARCH 2024.



MAYOR Shawn Sieben.



C.A.O. Richard A Lavoie.