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VILLAGE OF CAROLINE  
POLICY HUM-08-002

COUNCIL RELATIONSHIP AND CODE OF CONDUCT POLICY

Date Approved: March 24, 2017

Resolution No: 71 03 17

Date Effective: March 24, 2017

Initial Policy Date: March 11, 2008

Replaces: HUM-05-004

Revision Date: March 11, 2008

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**Policy Statement:**

The Village of Caroline Council, in keeping with their role and responsibilities as the duly elected government of the municipality, will conduct themselves in a professional, dignified, and courteous manner both in and out of the Council Chambers.

To ensure the integrity of Council, all Town Council Members will be familiar with the conflict of interest provisions, voting requirements, and statutory rules of conduct in the Municipal Government Act (MGA).

**Purpose:**

1. Maintain public confidence in the integrity of its government.
2. Provide guidance to Council so as to ensure that each member is accorded reasonable and fair treatment.
3. Through the provision of clear expectations assist Council Members in avoiding negative outcomes arising from the method in which they fulfill their roles.
4. Preserve the integrity of Council and administration.
5. Protect the individual rights of Council and Administration as normal citizens.
6. Ensure that municipal decisions and policy are made in the proper manner with outcomes that can withstand challenges.

**1. Definitions**

- a. Chief Administrative Officer (CAO): "chief administrative officer" means a person as duly appointed by Council to a position under section 205 of the MGA.
- b. Conflict of Interest: means any pecuniary interest, including all those persons, employer and legal entities whose financial interests in a decision of Council will disqualify the Councillor, as defined in Division 6, section 169 and 170 of the MGA.
- c. Council: Means the municipal council of the Village of Caroline elected pursuant to the provisions of the MGA, acting at a duly assembled meeting thereof.
- d. Councillor: means the current Mayor and members of the Village Council elected pursuant to the provisions of the MGA whose term is unexpired who has not resigned and who continues to be eligible to hold office as such under the terms of the MGA.
- e. Discrimination: means differential treatment of an individual or group of individuals based on race, religious belief, colour, sex, marital status, physical characteristics, age, ancestry, or place of origin. Discrimination can be intentional or unintentional and includes systemic discrimination; in which neutral systems often have an inconsistent or unequal effect upon a particular group (i.e. height and weight requirements may negatively affect employment opportunities).
- f. Harassment: means any unwanted physical or verbal conduct that is based on, but not restricted to:
  - i. Race, colour, national or ethnic origin, age, religion, sex, marital status, mental or physical disability, pardoned conviction, sexual orientation, or
  - ii. Any other conduct that a reasonable person ought to have deemed as being unwelcome.

- g. **Municipal Government Act (MGA):** means the current legislation enacted by Her Majesty, by and with the advice and consent of the Legislative Assembly of Alberta to establish local municipal governments and to related parameters and authorities.
- h. **Procedure Bylaw:** means the current, active procedures bylaw for the Village of Caroline establishing procedural guidelines for Village Council proceedings.

## 2. Responsibilities

- a. **Council:**
  - i. Adhere to the provisions of this policy
  - ii. Collectively hold each Council member accountable for following this policy.
  - iii. Determine appropriate sanctions should the policy be violated by a member of Council or a Council appointed Committee
- b. **Chief Administrative Officer (CAO)**
  - i. Oversee the development, distribution, implementation, and application of this policy and supportive procedures.
  - ii. Provide interpretation of policy if required.
  - iii. Ensure the policy and procedures are reviewed every five years and updated as required.
- c. **Committee Members**
  - i. Follow the guidelines in this policy and those guidelines of the Council Procedures Bylaw and the MGA as required.

## 3. Standards/Guidelines

The spirit and intent of these guidelines shall be recognized and observed by Members of Council. They shall not assume that any unethical activities not covered by, or specifically prohibited by these guidelines, or by any legislation, are therefore condoned.

These guidelines are in addition to any legal requirements and do not excuse any member from complying with any common law or statute law.

## 4. Statutory Rules of Conduct

- a. Each Councillor member must be familiar with Part 5, Division 6 of the MGA, including the following concepts:
  - i. Pecuniary Interest, including all those persons and legal entities whose financial interests in a decision of Council will disqualify the Councillor (Section 170, MGA).
  - ii. The definition of "Councillor's family" including the definition of "Spouse" (Section 169, MGA)
  - iii. The duty of a Councillor to declare a conflict of interest as soon as it arises, not to take part in any discussions of the issue giving rise to the conflict of interest and to excuse him/herself from chambers (Section 172, MGA)
- b. Councillors' have an obligation to vote, as per Section 183(1) of the MGA, and must be familiar with the consequences of wrongly failing to vote on a matter and the consequences of wrongly voting in the presence of a conflict of interest (disqualification).
- c. Each Councillor has the right to obtain legal and administrative advice on possible or identified conflict issues and on defences as necessary.
- d. Council shall be familiar with these statutory rules of conduct for Councillors:
  - i. Absenteeism, Sections 174 of the MGA
  - ii. Conviction of a criminal offence punishable by five or more years in prison, Section 174 of the MGA
  - iii. Violations of Sections 124 or 125 of the Criminal Code of Canada

- iv. Use of confidential municipal information for personal financial gain, Section 174 of the MGA

## 5. Conduct of Council in Chambers

- a. Councillors shall conduct themselves in a professional manner within the Chambers particularly with regard to the following:
  - i. Refrain from use of offensive language or rude gestures.
  - ii. Refrain from shouting or rising out of the chair during debate.
  - iii. Refrain from physical or verbal personal attacks on fellow Council members, administration, the public or the media.
  - iv. Refrain from defamation (i.e. An act of communication that causes someone to be shamed, ridiculed, held in contempt, or lowered in the estimation of the community).
  - v. Refrain from behavior that will limit the right of others to express their opinion.
  - vi. Refrain from use of electronic devices during Council meetings for purposes other than meeting related duties.
  - vii. Dress in a manner that is on-offensive, neat, clean, and appropriate for the representation of Council.
  - viii. Demonstrate respect for the role of the Chair particularly with regard to the Chair's right to restore order and limit debate.
  - ix. Raise objections only through the appropriate process and motions.
  - x. Demonstrate respect for the role of the CAO as the principle employee of Council and its chief policy advisor.
- b. Conduct of Council Out of Chambers:
  - i. Councillors comportment while representing the municipality at outside functions shall be in a professional manner consistent with all provisions of this policy.
  - ii. Council shall act in the best interest of the Village of Caroline in carrying out the functions and duties entrusted upon them as members of Council.
  - iii. Council shall not use their positions to secure special privileges, favours or exemptions for themselves or any other person.

## 6. Confidentiality

- a. Council shall safeguard any confidential information which comes before them and respect the requirements of the Freedom of Information and Protection of Privacy Act (FOIP) or its successor, the MGA or any other legislation which creates legal requirements which are specific to Council.
- b. Council shall not use confidential information for the personal profit of themselves or any other person.
- c. Council shall not communicate confidential information to anyone not entitled to receive it.
- d. Council shall exercise care in the handling of confidential information to ensure it remains confidential and the Village meets its obligations and retains its rights under the FOIP Act. If a Councillor has reason to believe that this confidentiality is breached, he or she shall report this immediately to the CAO.
- e. Councillors shall maintain the confidentiality of information in perpetuity.

## 7. Speaking or Acting on Behalf of Council or the Village

- a. The Mayor, or designated appointee of the Mayor, shall be the official spokesperson to the media. No Councillor shall represent the Village to the media without consent from the Mayor and/or designate.
- b. The Mayor shall not purport to speak for the Council or the municipality unless he or she has reason to believe that a consensus exists among a majority of Council.
- c. Councillors using social media sites must ensure postings do not speak on behalf of Council:
  - i. Councillors who establish social media sites outside of the Village shall post a disclaimer as follows: "the postings on this site are my own and don't necessarily represent the Town's positions or opinions."

- ii. Councillors may present facts and information about Council that are in the public domain, i.e. motions of Council, comments made in public meetings, facts and recommendations in reports to Council. Opinions or positions must be clearly identified as those of the Councillor posting the comments.
- d. Individual Councillors shall not make any financial or legal commitments on behalf of the municipality unless approved by a motion of Council.

#### **8. Access to Municipal Offices and use of Municipal Resources**

- a. Councillors shall have full access to Council Chambers, Council meeting rooms, and common areas in the Village Office and will show proper regard for all the assets of the Village at their disposal and for their intended use only.
- b. Councillors will direct their enquiries and requests for assistance through the CAO.
- c. No Councillor shall attempt to direct the work of Village Staff or the Village's contractors.
- d. Councillors will respect the work space and schedule of staff and will not unduly disrupt the day to day work of the organization.
- e. Councillors shall not access file rooms, the safe, staff work space, or secure storage areas unless they are required to do by direction of Council or have the approval of the CAO.
- f. Councillors' travel and education funds shall be used for their intended purpose. Without restricting the ability of Councillor's to decide the best use of their time it is expected that Councillors be in attendance at events where related registration fees and/or living expenses are covered by the municipality.
- g. Councillors will adhere to all municipal and provincial regulations when they are on municipal property or when they are conducting municipal business.

#### **9. Workplace Respect**

- a. Councillors and employees are equally entitled to dignity and respect in the performance of their duties. As any workplace discrimination and harassment is detrimental to the Village any complaints involving a Council member will be fully investigated by the Mayor or Deputy Mayor.
- b. All matters related to such investigation shall be treated in the strictest confidence.
- c. Council will determine if it is appropriate to impose sanctions against any Council member who displayed harassing or discriminatory behaviour. Any action they deem appropriate will be communicated to the Council member in writing and must be in compliance with MGA.

#### **10. General**

- a. Councillors shall support the decision-making role of the Council by adhering to and demonstrating respect for current policies, bylaws, and resolutions of the Village of Caroline. This does not in any way limit an individual Councillor's right to have and articulate a different opinion than the majority.
- b. Committee Members:
  - i. All the provisions of this policy shall apply to members of Council Committees. Committee members are expected to adhere to the spirit and detail of this policy in the performance of their municipal duties.

**VILLAGE OF CAROLINE  
PROCEDURAL BYLAW No. 2017-001**

A BYLAW OF THE VILLAGE OF CAROLINE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE AND GUIDELINES OF COUNCIL PROCEEDINGS.

**WHEREAS**, pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws in relation to the procedure and conduct of Council Proceedings: and

**WHEREAS**, a Council of a municipality desires to establish a procedural and conduct Bylaw;

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

**PART I – BYLAW TITLE**

This bylaw may be cited as the "Council Procedural Bylaw".

**PART II – DEFINITIONS**

1. In the bylaw, unless the context otherwise requires:
  - a) "Council" shall mean the Municipal Council of the Village of Caroline.
  - b) "C.A.O" means the Chief Administrative Officer of the Village of Caroline or duly appointed designate.
  - c) "Chair" shall mean the Mayor, Deputy Mayor, or any other duly appointed designate.
  - d) "MGA" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto.
  - e) "Village" means Village of Caroline.
  - f) "Decorum" means correct or proper behavior that shows respect and good manners.

**PART III – MEETINGS OF COUNCIL**

2. The regular meetings of Council shall be held in the Council Chambers of the Village on days and times established, by resolution of Council, at the annual Organizational Meeting of Council. Regular Meetings of Council may be cancelled or rescheduled by resolution of Council at any duly constituted meeting.
3. Special Meetings of Council must be called pursuant to Section 194 of the MGA.
4. The Council of the Village shall hold an annual Organizational Meeting of Council pursuant to Section 192 of the MGA.
5. Notice to the public of Special and Council Committee Meetings shall be deemed to be given by the C.A.O posting notice of all meeting dates and times at the Village Office or advertising the meeting dates and times in the Village newsletter or on its website.
6. The C.A.O shall record the time of arrival and/or departure of Council members at meetings should a member of Council arrive late at a meeting or depart prior to completion of a meeting.
7. If a quorum is not present within thirty (30) minutes after the time fixed for a Regular or Special meeting, the C.A.O shall record the names of the members of Council present and the Council shall stand adjourned until the next Regular or another Special meeting is called.
8. In the event that the Mayor or Deputy Mayor are not in attendance within fifteen (15) minutes after the hour of a scheduled meeting and a quorum is present, the C.A.O shall call the meeting to order and a chairperson shall be selected by the council members in attendance, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
9. Pursuant to Section 154 (1)(a) of the MGA, the Mayor, shall preside at meetings of Council, and the Mayor, at their discretion, may allow the Deputy Mayor to preside at a Council meeting at which the Mayor is in attendance.

**PART IV – CONDUCT OF MEETINGS**

10. Each member of Council has a responsibility to adhere to the highest ideals of civility and decorum while participating in all meetings conducted on behalf of the community. The Chair

shall have the cooperation and support of fellow Council members in maintaining order and civility throughout Council meetings.

11. A delegate, scheduled to address Council on a topic, shall address the Chair upon recognition of the Chair. The scheduled delegate shall be limited to a ten (10) minute presentation unless such time is extended by permission of the Chair.
12. The Chair may, upon request, authorize a person in the public gallery to address Council only on the topic being debated at that time in the meeting and the Chair shall specify the time limit provided to the person wishing to address the matter.
13. A member of Council may present a motion for consideration. The motion does not require a seconder. The motion shall be recorded and the motion shall be deemed to be "on the floor" and open for formal discussion and debate.
14. Following debate on the motion under consideration, the Chair may call for a vote on the motion. The motion may be:
  - a) Amended;
  - b) Carried;
  - c) Defeated;
  - d) Withdrawn by the presenter subject to there being no objection by a member of Council;
  - e) Tabled to another meeting.
15. When any member of Council desires to speak, they shall address their remarks to the Chair, confine themselves to the question, and avoid personality. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
16. All motions shall be voted upon by all members of the Council in attendance unless abstention by a member is duly noted in the minutes for reasons of conflict of interest.
17. The Chair shall declare a motion carried, carried unanimously or defeated. A member of Council wishing a recorded vote on a motion shall make such a request of the Chair prior to the calling of the vote.
18. A motion on the first reading of a bylaw shall be decided without amendment or debate.
19. Pursuant to the MGA, every proposed bylaw shall receive three separate readings but not more than two on the same day, unless the members of the Council present unanimously agree to consider a third reading. It shall be read twice before it is committed and engrossed, and the third time before it is signed by the Mayor and C.A.O. The C.A.O shall include the date of the passing upon every bylaw.
20. After any question has been decided, any member of Council who voted in the majority may at the same meeting or at the next regular meeting, move for reconsideration thereof. If reconsideration is approved by Council, the question to be considered may be dealt with immediately if all members of Council are present who voted on the same question originally; otherwise the question shall be tabled to the next regular meeting of Council and dealt with at that time.
21. Should any issue pertaining to procedure or process arise that is not covered under this Bylaw, it shall be decided by a majority of Council. If there are an equal number of Council members in attendance and the matter voted upon results in a tie, the Chair shall make the final decision.
22. When at any session of the Council, the duration of time reaches a total of ninety (90) minutes, the Chair shall call for a review of the agenda and the Council shall determine the action. When it has been determined that the meeting shall be in recess for the evening, the time and date of resumption of the meeting shall be by a majority vote of Council.
23. The Mayor shall act as ex-officio to all Committee appointments and may attend any meetings.

#### **PART V – AGENDA AND ORDER OF BUSINESS**

24. Prior to each Regular Meeting Council, the C.A.O shall prepare a statement of the order of all business, to be known as the "Agenda". To enable the C.A.O to do so, all documents and notices of delegations shall be placed in the hands of the C.A.O no later than 12:00 p.m.

local time the Wednesday prior to the Regular Meeting of Council. The Mayor and C.A.O shall meet to review the agenda prior to compiling the agenda package.

25. No further additions to the Agenda will be presented by the C.A.O unless they determine that the addition is of an emergent nature and the mayor is in agreement.
26. The C.A.O shall place at the disposal of each member of Council, a copy of the Agenda and all supporting materials no later than 3:00 pm local time on the Friday prior to the Regular meeting of Council.
27. The order of business on the agenda shall be as follows:
  - 1) Call to Order
  - 2) Adoption of Agenda
  - 3) Adoption of minutes
  - 4) Delegations
  - 5) Staff Reports
  - 6) Committee and Board Reports
  - 7) Business
  - 8) Discussion, Correspondence, Information Items
  - 9) In Camera
  - 10) Adjournment
28. The order of business established in 27. shall apply unless Council otherwise determines by a majority vote of the members in attendance and the vote on the matter of priority of business shall be decided without debate.
29. A person or representative of a delegation of persons who wishes to bring any matter to the attention of Council shall address correspondence to Council outlining the matter to be discussed. The correspondence shall clearly state the matter at issue and the request made shall be identified as the spokesperson on behalf of the delegation in the correspondence.

**PART VI – REPEALS**

30. Bylaw 12/04 and all other previous procedural bylaws.

**PART VII – EFFECTIVE DATE**

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

READ a first time this \_\_14\_\_ day of \_\_March\_\_, 2017\_

READ a second time this \_\_11\_\_ day of \_\_April\_\_\_\_, 2017\_

UNANIMOUSLY AGREED to present this By-Law for Third and Final Reading.

READ a third time this \_\_11\_\_ day of \_\_April\_\_\_\_, 2017.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER



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**VILLAGE OF CAROLINE  
POLICY HUM-17-001  
MEMBER OF COUNCIL POLICY**

**Council Approval:**

**Resolution No:**

**Last Review Date: February 14, 2017**

**Replaces: HUM-10-002**

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**INTRODUCTION**

The Village of Caroline Member of Council Policy covers those day-to-day policies that apply to all Members of Council of the Village of Caroline. Any and all Council related matters shall be pursuant to Part 5 of the *Municipal Government Act*.

**PREPARATION AND DISTRIBUTION OF POLICIES**

Upon election to office, Members of Council will receive a copy of this policy.

**INTERPRETATION**

Given that Council is the governing body for Council, any necessary clarifications and/or interpretations of this policy will be done as needed by Council. All meeting and expense records shall be approved by Council and/or Council Designate (Mayor/Deputy Mayor)

**HOURS OF WORK**

Members of Council have no set hours but are expected to attend all meetings of Council and any other meetings to which they have been appointed as a Village representative.

**REMUNERATION AND EXPENSES**

Members of Council and Board Members at Large will receive remuneration in accordance with Schedule A of this policy.

All payments to members of council are directly deposited to their bank account. Newly elected members must submit direct deposit information to Human Resources upon election to Council.

A record of meetings and expenses shall be submitted at any time and will be paid on the next regular payroll date. A schedule of payroll dates may be requested from Human Resources. It is advised that expense records are submitted regularly. All expenses for the calendar year must be submitted one week prior to the final regular payroll date for the calendar year end.

One third of the remuneration paid to members of Council shall be considered as an allowance for expenses, incidental to the discharge of duties and shall be excluded from income pursuant to the conditions of the *Income Tax Act*. All other applicable taxes and deductions are calculated on Council reimbursement payments per all relevant federal and provincial enactments.



**CLAIMABLE EXPENSES**

Attendance at Council meetings and committee/board meetings to which a Councillor has been appointed, including ad-hoc meetings at which Council participation is expected shall be eligible for remuneration as per Schedule A.

**Attendance at events such as grand openings, parades, ceremonies, seminars, conferences and graduations/convocations shall not be eligible for remuneration unless both attendance and remuneration are approved by Council before attendance at said event(s).**

Members of Council are not able to claim compensation for wages lost as a result of Council activities.

Members of Council claiming travel and subsistence expenses must submit claims on the Meeting and Expense Claim Form.

Members of Council will be compensated for the use of a personal vehicle and for reasonable lodging and meal costs while on Village business according to Schedule B.

Claims submitted that do not have a set compensation rate must be accompanied by a receipt.

The Village will not reimburse the purchase of alcoholic beverages.

Members of Council are not able to claim expenses related to meeting with residents, visitors or prospective business persons unless approved by Council. Examples of expenses of this nature would include coffee, meals, etc.

**LEAVES OF ABSENCE**

Should a member of council require a leave of absence from council it shall be pursuant to Section 174 of the *Municipal Government Act*.

**TRAINING AND ATTENDANCE AT CONVENTIONS AND EVENTS**

All Members of Council are encouraged to attend various programs, workshops, seminars, conventions and meetings for the purpose of:

- a. Upgrading their skills directly related to their positions and duties, or,
- b. Keeping themselves abreast of government policies on local government management, and,
- c. Making them better public trustees.

**Any and all councillors attending events shall have approval through Council resolution prior to the event taking place.**

The Village shall be responsible for the following costs associated with attendance at conventions:

- a. Provision of a private standard room to each member, if requested, within the convention hotel or in hotels of similar cost and standard to convention hotels;
- b. Registration Fees;
- c. Travel, parking, meal costs and gratuity costs in accordance with Schedule B; and,
- d. The cost of official gala/banquet events for the member of Council and their partner, if attending. This does not include the cost of alcoholic beverages.

- e. Should travel to the event exceed 150km in one direction the 4 hour meeting rate under Schedule A may be claimed for travel time in addition to mileage expenses.

The Village will not be responsible for entertainment outside of official gala/banquets or alcoholic beverage costs, meals consumed in lieu of those available through the convention, telephone costs, valet and service costs, and personal costs not specifically outlined in this policy.

When attending conferences that offer packages/itineraries for partners a Member of Council may claim up to half of the costs for that package and conference registration (if necessary). Members of Council will not be reimbursed for costs associated with a partner's travel to and from the Conference, nor for travel while at the conference unless such travel is part of a conference itinerary/package.

#### **ACCEPTANCE OF GIFTS**

A Member of Council shall not accept a gift, favours or service from any individual, organization or corporation, other than: the normal exchange of gifts between friends, the normal exchange of hospitality between persons doing business together, tokens exchanged as a part of protocol, or the normal presentation of gifts to persons participating in public functions.

#### **USE OF VILLAGE OWNED FACILITIES AND EQUIPMENT, INCLUDING SMALL TOOLS**

No Member of Council shall use any Village facility or equipment, including small tools, for their personal use unless such facility or tool can be used by any Village resident for a similar purpose.

	Approval Date:	Amends:
HUM-17-001		HUM-07-007
HUM-07-007	November 2, 2010	HUM-06-007
HUM-06-007	March 14, 2006	

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Mayor

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Chief Administrative Officer

**Schedule A**

**MEETING REMUNERATION**

	First 4 hours	4-7 Hours	7+ Hours
		Must Submit Meeting Minutes	
Any Meeting or Educational Day	\$ 75.00	\$ 100.00	\$ 125.00

Mayor Monthly Honorarium \$200.00  
Member at Large Annual Honorarium \$150.00

**Schedule B****TRAVEL AND SUBSISTENCE**

Subsistence costs will be reimbursed at the following rates, provided that a receipt accompanies the claim. Costs for alcoholic beverages will not be reimbursed.

<b>Expense</b>	<b>Amount</b>	<b>Receipt Required</b>
Parking	At cost	Yes
Meals- Breakfast	Up to \$15.00 per day	Yes
Meals-Lunch	Up to \$20.00 per day	Yes
Meals-Dinner	Up to \$30.00 per day	Yes

**Mileage**

Mileage shall be reimbursed at the annual rate as set by the Canada Revenue Agency.

**CODE OF CONDUCT  
BYLAW NO. 2017-008**

BEING A BYLAW OF VILLAGE OF CAROLINE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A CODE OF CONDUCT FOR COUNCIL, AND OTHER BODIES ESTABLISHED BY COUNCIL, THE CONDUCT OF COUNCILLORS AND THE CONDUCT OF MEMBERS OF OTHER BODIES ESTABLISHED BY COUNCIL.

WHEREAS Section 146.1(1) of the *Municipal Government Act*, as amended, a Council must, by Bylaw, establish a code of conduct governing the conduct of Councillors;

AND WHEREAS Section 146.1(3) of the *Municipal Government Act*, as amended, a Council may, by Bylaw, establish a code of conduct governing the conduct of members of Council committees and other bodies established by the Council who are not Councillors;

AND WHEREAS Section 3 of the *Municipal Government Act* establishes Municipal Purposes;

AND WHEREAS Section 153 of the *Municipal Government Act* establishes General Duties of Councillors;

NOW, THEREFORE, upon compliance with the relevant requirements of the *Municipal Government Act*, the Council of the Village of Caroline, Province of Alberta, duly assembled, enacts as follows:

1. TITLE

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

2. DEFINITIONS

In this Bylaw:

- 2.1 "Act" means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26
- 2.2 "Administration" means the Chief Administrative Officer (CAO) and all municipal employees under the CAO's authority.
- 2.3 "Chair" means the Mayor, Deputy Mayor or other person authorized to preside over a meeting.
- 2.4 "CAO" means the Chief Administrative Officer of Village of Caroline or designate.
- 2.5 "Conflict of Interest" means a pecuniary interest as described by s.170 of *Municipal Government Act* or a situation in which a member is in a position to derive personal benefit from actions or decisions made in their official capacity.
- 2.6 "Council" means the municipal Council of Village of Caroline.
- 2.7 "Councillor" means a member of Council who is duly elected and continues to hold office and includes the Mayor.
- 2.8 "Council Committee" means any committee, board or other body established by Council by Bylaw under the Act.
- 2.9 "In-Camera" means a meeting or portion of a meeting of Council without the presence of the public where the matter to be discussed is within one of the exceptions to disclosure in Division 2, of Part 1 of the *Freedom of Information and Protection of Privacy Act*.
- 2.10 "Member" includes a Councillor or a non-elected individual appointee of a Council Committee.
- 2.11 "Pecuniary Interest" means a pecuniary interest as defined within the *Municipal Government Act*.

2.12 "Mayor" means the Chief Elected Official of the Village.

### 3. APPLICATION AND INTERPRETATION

3.1 The Code of Conduct attached as Schedule "A" to this Bylaw represents the Code of Conduct that is applicable to Councillors for Village of Caroline, Member(s) of Council committees, or members of other Boards or bodies on which Village of Caroline is represented.

3.2 The Code of Conduct attached as Schedule "A" to this Bylaw shall be observed in all proceedings of Council and Council Committees.

3.3 If there are any inconsistencies between this Bylaw and policies or procedures previously established by Village of Caroline, this Bylaw shall take precedence.

3.4 Councillors shall use this Bylaw as a guide to conduct themselves in a manner that reflects the spirit and intent of the position of public trust that they hold.

3.5 This Bylaw shall be presented as part of Council's orientation at the beginning of each term of Council.

3.6 This Bylaw may be reviewed at any time to meet legislative requirements, or as required.

3.7 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.

3.8 Nothing in this Bylaw relieves any person from compliance with any other Bylaw or applicable federal or provincial law, regulation, or enactment.

### 4. SEVERABILITY

4.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw shall be deemed valid.

### 5. EFFECTIVE DATE

5.1. This Bylaw comes into force and effect upon third and final reading.

READ A FIRST TIME this 12 day of December A.D., 2017.

READ A SECOND TIME this 12 day of December A.D., 2017.

READ A THIRD AND FINAL TIME this day 12 of December A.D., 2017.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

## Schedule A

## CODE OF CONDUCT

**1. GOVERNING PRINCIPLES**

The Public expects the highest standards of personal and professional conduct from Members elected to Village of Caroline Council or appointed to Council Committees.

This Code of Conduct sets out guidelines for the ethical and interpersonal conduct of Members.

Village of Caroline requires that Councillors and Committee Members conduct themselves so as to maintain the honour and respect of their position and to not engage in actions which are, or could be reasonably perceived as, damaging to the trust, confidence and faith of the public.

Councillors and Committee Members must always seek to advance the good of Village of Caroline as a whole, for which they serve, and shall truly, faithfully and impartially exercise the duties and responsibilities of their position to the best of their knowledge and ability.

Councillors and Committee Members must adhere to all Council policies, respecting the Municipality and its Bylaws.

**2. CODE OF CONDUCT**

Members will:

**2.1. Foster Respect for Decision-making Process**

- 2.1.1. Maintain the highest standards in public office and faithfully discharge the duties of their office in accordance with the requirements and obligations set out in the legislation of the Province of Alberta;
- 2.1.2. Accurately and adequately communicate the attitudes and decisions of the Council, or the Committee, even if the Member disagrees with the decision, such that respect for Council's decision-making processes is fostered; and
- 2.1.3. Communicate concerns amongst the presence of the entire Council or Committee body and when publicly expressing personal opinions, doing so in a manner that maintains respect for other Members and any decisions made by Council or Committee.

**2.2. Release of Confidential Information**

- 2.2.1. Use confidential information only in their role as a Member of Council or Council Committee, and not for the personal profit of themselves or any other person;
- 2.2.2. Communicate confidential information only when authorized to do so;
- 2.2.3. Hold in strict confidence all information concerning matters dealt with during in-camera meetings;
  - i. A Member shall not, either directly or indirectly, release, make public or in any way divulge any such information or any aspect of the in-camera deliberations to anyone, unless expressly authorized by Council or required by law to do so.
- 2.2.4. Inform themselves of and strictly adhere to the provisions of the *Freedom of Information and Protection of Privacy Act*;
- 2.2.5. Not release information subject to solicitor-client privilege, unless expressly authorized by Council or required by law to do so; and,
- 2.2.6. Not release, disclose, publish, comment on or misuse confidential information (information that they have knowledge of by virtue of their position as a Member) that is not in the public domain, including emails and correspondence from other Members or third parties such that it may cause detriment to

Village of Caroline, Council, Committees or others, or benefit or detriment to themselves or others.

### 2.3. Release of Information to Public and Media

- 2.3.1. Acknowledge that official information related to decisions and resolutions made by Council or Committee will normally be communicated to the public and the media by the Mayor, or Chair of the Committee, or by the CAO or by other administrative staff as delegated by the CAO.
  - i. Members must keep in mind they are always a representative of the Village of Caroline, and Members are encouraged to identify when views expressed are theirs alone and not official Village of Caroline communication.

### 2.4. Avoid Conflict of Interest\*

- 2.4.1. Use their position for the good of the community and not to secure special privileges, favours or exemptions for themselves or any other person;
- 2.4.2. Not use any influence of office for any purpose other than official duties;
- 2.4.3. Not solicit, demand or accept the services of any municipal employee, or individual providing services on a contract for service, for re-election or re-appointment purposes, or to gain employment with the Village for themselves, family members or close associates;
- 2.4.4. Not use any information gained in the execution of office that is not available to the general public for any purpose other than official duties;
- 2.4.5. Not engage in any activity, pecuniary or otherwise, which is incompatible or inconsistent with the ethical discharge of official duties in the public interest;
- 2.4.6. Not place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
- 2.4.7. Not give preferential treatment to any person or organization in which a Councillor has a pecuniary interest;
- 2.4.8. Not influence any administrative, Council or Committee decision or decision-making process involving or affecting any person or organization in which a member has a pecuniary interest; and,
- 2.4.9. Not use municipal materials, equipment, facilities or employees for personal gain or for any private purpose.

*\*Members who have a Conflict of Interest in a matter before Council shall disclose the general nature of their interest and follow the procedure set out in s.172 of the MGA.*

### 2.5. Acceptance of Gifts Prohibited

- 2.5.1. Not solicit, accept, offer or agree to accept a commission, reward, gift, advantage or benefit of any kind, personally or through a family member or friend, which is connected directly or indirectly with the performance or duties of office.

The following are recognized as exceptions:

- i. Token or minor gifts valued at less than \$100 (such as corporate logoed items or commemorative gifts), or gifts involving tickets for event attendance of no more than \$300; cash or prizes from "luck of the draw" events (e.g. raffles, door prizes) or other advantages from any person or organization not connected directly or indirectly with the performance or duties of office.
- ii. Political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- iii. Food and beverages at banquets, receptions, ceremonies or similar events;
- iv. Services provided without compensation by persons volunteering their time;
- v. Food, lodging, transportation and entertainment provided by other levels of governments or by other local governments, boards or commissions;



- vi. A reimbursement of reasonable expenses incurred in the performance of duties or office, in accordance with Village of Caroline's *Member of Council* policy HUM-17-001; Gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.
- 2.5.2. Any gifts with an estimated value of \$100 or more will be reported on Elected Official Expense Report, noting the approximate value and the person or organization providing the gift, event ticket, etc.

## 2.6. Avoidance of Waste

- 2.6.1. Avoid waste, abuse and extravagance in the provision or use of public resources, and shall identify and discuss any misuse of which the Member is aware with the Mayor, Council, Council Committee Chair or the CAO.

## 2.7. Use of Village Resources During Election Periods

- 2.7.1. Public resources must not be used in any way that would influence the electorate in an election, except in regard to supporting the actual election process. Council and individual Councillors commit to complying with the following procedures:
- 2.7.2. Council will not authorize or request the Village, print, publish (including digitally on the Internet), or distribute an electoral advertisement, unless it only contains information regarding the election process. Any electoral advertisement that can be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:
- The election
  - A candidate in the election; or
  - An issue submitted to, or otherwise before the voters in connection with the election.
- 2.7.3. Council and individual Councillors will ensure that Village resources are not used inappropriately in any way that may influence voting during an election period, or provide an undue advantage for any candidate during a general election period from Nomination Day until the end of the Council term.
- 2.7.4. The CAO will ensure that all members of staff are advised in regards to the application of this code.
- 2.7.5. No Village staff will, as part of their employment with the Village, undertake any activity that may affect voting in the election, except where it relates only to the election process and is authorized by the CAO.
- i. No Councillor shall ask, or shall there be any direction, motion, or resolution from Council for staff or a staff member to authorize, use, or allocate a Village resource for any purpose that may influence voting in an election, except where it relates to the election process and is authorized by the CAO.
- 2.7.6. In applying these principles, Council and individual Councillors understand that the following will be normal practice during any municipal election period (nomination day to the end of the Council term):
- i. Public Events scheduled between Nomination Day and the end of the Council term will only be organized and operated by Village, if they are part of the normal services or operation of the Village.
  - ii. Speeches or any other form of communications for the Mayor, Deputy Mayor, and all other councillors will only be prepared by staff in relation to events that are part of the normal services or operations of Village and shall not contain any reference to the forthcoming election or potential or actual candidates.
  - iii. Media services and advice, including media releases, will not be provided for Councillors by Village staff during the time between Nomination Day and the end of the Council term.
  - iv. Village publication, newsletters, website, or social media, will not feature photographs or quotes from Councillors

- other than those that were previously available prior to Nomination Day.
- v. Village Logo's or stationary will not be used or allowed to be used by Councillors for any correspondence that in any way relates to references the election.
  - vi. Information on the Village website and social media, shall be limited to current Councillor's photographs, and any other information that was previously available prior to Nomination Day. References on the Village website and social media shall be limited to the process of conducting an election.
  - vii. No Councillor shall submit and no claim will be processed for expenses incurred for campaigning purposes. Claims will only be accepted if the expenditure is within Village Code for the Councillor conducting their regular Councillor duties.
- 2.7.7. Equipment and facilities, and any other Village resources provided to the Councillors as a part of the regular delivery of their duties will not be used for campaigning purposes.
- 2.7.8. Where Councillors have Village funded services, such as email accounts, internet connections, mobile phones, computers, and where it is impractical for the Village to discontinue their use of these during an election, Councillors will abstain or reimburse the Village for any usage of those services during an election period, exceeding normal usage.

## 2.8. Treat Every Person with Dignity, Understanding and Respect

- 2.8.1. Abide by the provisions of the Human Rights Code and, in doing so, shall treat every person, including other Members, municipal employees, individuals providing services on a contract for service, students on placements, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment, discrimination and disrespect;
- 2.8.2. Not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, record of offences, marital status, same sex partnership status, family status, or disability;
- 2.8.3. Not to engage in harassment or vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome; and,
- 2.8.4. Maintain a high level of respectful dialog with other Members of Council, the CAO, Council Committee members, Administration, and stakeholders.

## 2.9. Leadership and Governance

- 2.9.1. Commit to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as a Member;
- 2.9.2. Participate actively, openly, and transparently in the democratic process;
- 2.9.3. Preserve the integrity and impartiality of Council, or the Council Committee, when working with other levels of government;
- 2.9.4. Provide leadership, through the governance process and not take on responsibilities delegated to Administration;
- 2.9.5. Limit interactions with municipal staff to direction provided through the CAO;
- 2.9.6. Attend Councillor orientation, or Council Committee orientation, and other training sessions offered by the municipality;
- 2.9.7. Protect the reputation of the Council, the Council Committee and Administration;
- 2.9.8. Uphold the intent of this Bylaw and govern their actions accordingly; and,
- 2.9.9. For a period of 12 months after leaving office or Council Committee, abide by the guidelines listed above, except those related to confidential information, which shall apply in perpetuity.

## 3. COMPLIANCE / COMPLAINTS

**3.1. Responsibilities**

- 3.1.1. All Members shall cooperate in any investigation made pursuant to this Bylaw.
- 3.1.2. If any Member becomes aware of breach of this Code of Conduct by, or an allegation of breach of this Code of Conduct against, any other Member, it is the Member's responsibility to report the breach of this Code of Conduct or the allegation to the Mayor or CAO.
- 3.1.3. It is the responsibility of the CAO to forward all complaints in accordance with the Complaint Process detailed below.
- 3.1.4. Members shall not assume that any unethical activity or activity that is not in the best interest of the Village, not covered by or specifically prohibited by this Code of Conduct, or any legislation, are therefore condoned.

**3.2. Complaint Process - Councillors**

- 3.2.1. All complaints must be submitted in writing to the CAO and may be made by:
  - a) Councillor(s);
  - b) Committee member(s)
  - c) the CAO;
  - d) municipal employee(s); or
  - e) a member of the public.
- 3.2.2. The CAO shall forward all complaints to Council "in confidence" and shall include the Councillor(s) about whom the complaint is made. The Member who is subject of complaint is to provide a written response to complaint, to be provided to Council.
- 3.2.3. All formal complaints under this Section, shall be investigated by the CAO or their designate and dependent on the nature of allegation, a third-party investigator may be retained. The Member(s) concerned shall be notified of investigation in order that they may provide evidence to the investigator.
- 3.2.4. All proceedings of Council regarding the investigation shall be "in camera".
- 3.2.5. If, after receipt of investigation report, Council believes that the Member(s) concerned may have breached a provision of this Bylaw, it shall advise the Member(s) of this, and give them an opportunity to make oral or written submission to Council.
- 3.2.6. If Council concludes that the Member(s) concerned breached a provision of this Bylaw, it may, in its sole discretion, decide the sanctions to be imposed.
- 3.2.7. The Member(s) concerned shall be advised by Council of their conclusion and decision.

**3.3. Sanctions - Councillors**

- 3.3.1. If Council determines that a complaint reviewed under this Bylaw is valid then Council, by resolution, may impose one or more of the following sanctions against the offending Member:
  - a) A written warning from Mayor, Deputy Mayor and/or Council;
  - b) Require a verbal, written or public apology;
  - c) Require additional training on ethical and/or respectful conduct;
  - d) Restrict how confidential documents are provided;
  - e) Limit travel/representation on behalf of Council;
  - f) Require the return of municipal property;
  - g) Restrict access to municipal facilities;
  - h) Revoke some or all of the Councillor's appointments;
  - i) Reporting of misconduct to Alberta Municipal Affairs, agency/commission or authority of jurisdiction (i.e. RCMP)
  - j) Other consequences as deemed appropriate and necessary, but not including the disqualification of a Councillor.
- 3.3.2. Any retaliation against the complainant will not be tolerated and will be treated as a serious breach of this Code of Conduct.

**3.4. Complaint Process – Council Committee Members**

- 3.4.1. All complaints must be submitted in writing to the Committee Chair and may be made by:
  - a) Committee member(s);
  - b) Councillor(s);
  - c) municipal employee(s); or
  - d) a member of the public.
- 3.4.2. Should the complaint be against the Committee Chair, then the complaint should be submitted, in writing, to the CAO.
- 3.4.3. The Committee Chair shall forward all complaints to the Mayor and CAO "in confidence" and shall include the Committee Member(s) about whom the complaint is made. The Member who is subject of complaint is to provide a written response to complaint, to be provided to Council.
- 3.4.4. All formal complaints under this Section, shall be investigated by the CAO or their designate and dependent on the nature of allegation, a third-party investigator may be retained. The Member(s) concerned shall be notified of investigation in order that they may provide evidence to the investigator.
- 3.4.5. All proceedings of Council regarding the investigation shall be "in camera".
- 3.4.6. If, after receipt of investigation report, Council believes that the Committee Member(s) concerned may have breached a provision of this Bylaw, it shall advise the Member(s) of this, and give them an opportunity to make oral or written submission to Council.
- 3.4.7. If Council concludes that the Member(s) concerned breached a provision of this Bylaw, it may, in its sole discretion, decide the sanctions to be imposed.
- 3.4.8. The Committee Member(s) concerned shall be advised by Council of their conclusion and decision.

**3.5. Sanctions – Council Committee Members**

- 3.5.1. If Council determines that a complaint reviewed under this Bylaw is valid then Council, by resolution, may impose one or more of the following sanctions against the offending Committee Member:
  - i. A written warning from Mayor, Deputy Mayor and/or Council.
  - ii. Require a verbal, written or public apology.
  - iii. Require additional training on ethical and/or respectful conduct.
  - iv. Restrict how confidential documents are provided.
  - v. Revoke appointment of the Committee member.
  - vi. Reporting of misconduct to Alberta Municipal Affairs or agency or authority of jurisdiction (i.e. RCMP)
- 3.5.2. Any retaliation against the complainant will not be tolerated and will be treated as a serious breach of this Code of Conduct

**3.6. Acknowledgement**

By signing this Code of Conduct, I state that I have read and fully understand the contents of the Code of Conduct Bylaw. My signature is my contractual agreement that I will follow and abide by the Code of Conduct in good faith.

Member's Name

Member's Signature

\_\_\_\_\_

\_\_\_\_\_

(please print)

Witness Name

Witness Signature

\_\_\_\_\_

\_\_\_\_\_

(please print)

Dated:

\_\_\_\_\_

## October 2019 to October 2020 Council Appointments

Appointments	Councillor Rimmer	Councillor Cesaro	Councillor Sumyk	Councillor Parsons	Councillor Bugbee	CAO	Asst CAO	Members at Large
Mayor (Signing Authority)	X							
Deputy Mayor (Signing Authority)		X						
FOIP Coordinatoor							X	
<b>Committees and Boards</b>								
Tri-Council Committee (Regional)								
Caroline & District Recreation & Ag Society (1)(*1 MAL)								TABLED FOR REVIEW ToR
Clearwater Regional Emergency Advisory Committee Management Agency (CREMA) (Managing Partner Clearwater)(1)					X			
Clearwater Regional Fire Rescue Service (CRFRS) Advisory Committee (Managing Partner Clearwater)(1)	X							
Disaster Services Elected Official Caroline Committee	X	X			X			
Central Alberta Economic Partnership (CAEP) (1)/(*1 MAL)	X							Temporary until Substituted by Municipal Council
Rocky Senior Housing Council (1)					X			
Rocky Mountain Regional Solid Waste Authority (RMRSWA) (Managing Partner Clearwater) (1)			X					
Intermunicipal Collaboration (ICC) Committee (Regional) (2)								
FCSS Board Clearwater Regional (1) (*1 MAL)					X			Marjorie Peters (temporary until Vacancy filled 19)
Neighbourhood Place					X			
Caroline Municipal Library/Parkland Regional Library (1)/(*4 MAL Municipal Library)				X				Laura Kirbyson-21 Deidre McAngus-22 Cheryl Dezell-22 Charlette Harris-20
Clearwater Community Policing Adversary Committee CPAC (1)			X					
Rocky Hospital Committee								
Intermunicipal Collaboration (ICC) Committee (Regional) (2)								
Caroline Chamber of Commerce			X					
Parent Council Caroline School								
West Country Family Services Board		X						
Municipal Planning Commission(3)	X	X	X	ALTERNATE				
Subdivision Development Appeal Board (SDAB)	<b>Central Alberta Regional Subdivision Development Appeal Board</b>							
Assessment Review Board	<b>Central Alberta Regional Assessment Review Board</b>							

\* Members at Large (MAL)

\*\*Mayor ex officio to all Committees (MGA Section 154(2))

Council Meetings - 1st and 3rd Friday of the month, starting at 1:00 pm (2nd Friday @ 1:00 pm for December, July & Aug)

MPC Meetings - schedule as required

Location: Council Chambers, Administrative Office, 5004-50 Ave, Caroline

Municipal Association Memberships: CAEP, FCM and AUMA

External Contracted Consultants:

Assessor: Rod Viske, Wildrose Assessment Services

Banking: ATB Financial

Engineering: Stantec