

CORPORATION OF THE TOWN OF GRAND VALLEY
BY-LAW NUMBER 2019-08
CODE OF CONDUCT

A By-law to adopt a Code of Conduct for Members of Council.

WHEREAS, effective March 1, 2019, the *Municipal Act, S.O., 2001*, as amended (the "Act") Section 223.2(1) provides that municipalities shall establish codes of conduct for members of the council of the municipality and of its local boards;

AND WHEREAS, effective March 1, 2019, Ontario Regulation 55/18 prescribes the subject matters that a municipality shall include in the codes of conduct for members of the council of the municipality and of its local boards;

AND WHEREAS section 270(1) of the Act provides that municipalities shall adopt and maintain policies with respect to the relationship between members of council and the officers and employees of the municipality;

AND WHEREAS Section 5 (3) of the Act provides that municipal powers shall be exercised by by-law;

NOW THEREFORE the Council of the Corporation of the Town of Grand Valley enacts as follows:

1. Code of Conduct

1.1. Members shall conduct themselves according to the Code of Conduct.

2. Preamble

2.1. A written Code of Conduct helps to ensure that the members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that the Town's elected representatives operate from a base of integrity, justice and courtesy.

3. General

- 3.1. The Council Code of Conduct is a general standard that augments provincial laws and municipal by-laws that govern conduct. It is not intended to replace personal ethics.
- 3.2. All members shall serve their constituents in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of their official duties.

4. Gifts and Benefits

- 4.1. Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties as Town Councillors, except compensation authorized by law.
- 4.2. This section does not apply to tokens, mementoes, souvenirs, or such gifts or benefits up to and including a value of \$100.00 that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of office. Tokens, mementoes, souvenirs or gifts with a value of greater than \$100.00 shall be the property of the municipality.
- 4.3. No member shall seek or obtain, by reason of their office, any personal privilege or advantage with respect to Town services not otherwise available to the general public and not consequent to their official duties.

5. Confidentiality

- 5.1. All information, documentation or deliberation received, reviewed or taken in closed session of Council and its committees is confidential, except as otherwise directed by Council.
- 5.2. Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so.
- 5.3. Members shall not permit any person(s) other than those who are entitled thereto to have access to information that is confidential.
- 5.4. Particular care should be exercised in ensuring confidentiality of the following types of information:
 - labour negotiations;
 - information about suppliers provided for evaluation which might be useful to other suppliers;

- matters relating to the legal affairs of the Town;
- sources of complaints where the identity of the complainant was given in confidence;
- items under negotiation;
- information defined as “personal information” under the *Municipal Freedom of Information and Protection of Privacy Act*.

This list is provided for example and is not inclusive. Requests for information should be referred to the Chief Administrative Officer to be addressed as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

6. Use of Property of the Municipality

- 6.1. Members shall not use property of the municipality except such items as provided for their use in their role as Councillor (e.g., computer, tablet).

7. Election Campaigns

- 7.1. No member shall use Town facilities, services, or property for their re-election campaign.
- 7.2. No member shall use the services of Town employees for their re-election campaign during hours in which the employees are in the paid employment of the Town.

8. Representing the Town

- 8.1. Members shall make every effort to participate diligently in the activities of the agencies, boards, and commissions to which they are appointed.

9. Influence on Staff

- 9.1. Members shall be respectful of the fact that staff work for the Town as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective without undue influence from any individual member or group of members of Council.
- 9.2. In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the municipality and are required to do so without any undue influence from any individual member or group of members of Council.

10. Business Relations

10.1.No member shall borrow money from any person who regularly does business with the Town unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

11. No Member shall Act as a Paid Agent

11.1.No member shall act as a paid agent before Council or a committee of Council or any agency, board, or committee of the Town.

12. Encouragement and Respect for Town

12.1.Members shall encourage public respect for the Town and its bylaws.

13. Attendance at Meetings

13.1.Members shall make best attempts to attend Council and Committee meetings and be on time. When a member cannot attend a meeting, they shall contact the Clerk or Deputy Clerk in advance.

14. Conduct during Meetings

14.1.During meetings, members shall conduct themselves with decorum. Respect for delegations, fellow members and staff requires that all members show courtesy and not distract from the business of the Council or Committee during presentations or when other members have the floor.

14.2.Members will avoid any conduct towards a member of Council or staff which is known or ought reasonably to be known to be unwelcome, which offends, embarrasses or intimidates, or which reflects intolerance towards any group or individual.

15. Harassment

15.1.Harassment is defined in accordance with the Ontario Human Rights Code as vexatious comment or conduct that is unwelcome or ought reasonably to be known to be unwelcome.

15.2.Members of Council acknowledge that every person who is a Councillor or employee has a right to freedom from harassment in the workplace.

15.3.Harassment of another member, staff or any member of the public is misconduct.

16. Bullying

16.1. Workplace bullying is defined as “repeated” unreasonable behaviour directed towards an employee or a group of staff that creates a risk to health and safety. Unreasonable behaviour can be defined as behaviour that harms, intimidates, threatens, victimizes, undermines, offends, degrades or humiliates another staff member(s).

16.2. When bullying escalates to include incidents of physical assault or threats, it is considered workplace violence.

Examples of Workplace Bullying

The most common types of workplace bullying are:

- spreading malicious rumours, gossip or innuendo that is not true;
- excluding or isolating someone socially;
- intimidating a person;
- undermining or deliberately impeding a person’s work;
- withdrawing necessary information or purposefully giving the wrong information;
- setting impossible deadlines;
- making inappropriate jokes;
- persistent criticism of appropriate work;
- freezing out, ignoring or excluding;
- attempts to humiliate staff in front of others;
- unjustified monitoring of work;
- verbal/non-verbal threats;
- abusive, offensive or insulting language;
- behaviours that frighten, humiliate, belittle or degrade;
- belittling a person’s opinions;
- damaging or interfering with a person’s property or work equipment;
- threats of violence or actual incidents of violence;
- regular ultimatums and/or threats of dismissal;
- inappropriate comments about a person’s appearance, lifestyle or their family.

16.3. When bullying escalates to include incidents of physical assault or threats, it is considered workplace violence.

16.4. Bullying another member of Council, staff or any member of the public is misconduct.

17. Interpretation

17.1. Members of Council seeking clarification of any part of this Code of Conduct should consult with the Town's Integrity Commissioner.

18. Alleged Breaches of the Code of Conduct

18.1. If a breach of the Code of Conduct is alleged, the complaint should be lodged with the Integrity Commissioner.


19. Repeal


19.1. By-law 2016-27 of the Corporation of the Town of Grand Valley, and all by-laws or parts of by-laws inconsistent with this by-law are hereby repealed.

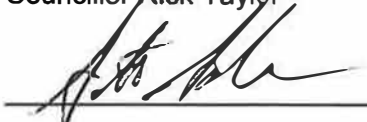
20. Force and Effect

20.1. This By-law shall come into force and take effect on the date it is enacted.

By signing below, members of Council acknowledge that they will respect the Town of Grand Valley's Code of Conduct in the exercise of the duties of their office.


Councillor Sam Pringle


Councillor Rick Taylor



Mayor Steve Soloman


Councillor Elizabeth Taylor


Deputy Mayor Philip Rentsch

READ as first, second and third time and finally passed this February 12, 2019.


Steve Soloman, Mayor


Jane M. Wilson, CAO/Clerk-Treasurer