



**BYLAW NO. 1622-18
OF THE TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA, TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL;

WHEREAS Section 3 of the Municipal Government Act states the purposes of a municipality.

WHEREAS Section 145(b) of the Municipal Government Act states that “A council may pass bylaws in relation to the procedure and conduct of council, council committees and other bodies established by council, the conduct of councilors and the conduct of members of council committees and other bodies established by the council.”

WHEREAS Section 153(b) of the Municipal Government Act states the general duties of councillors.

WHEREAS the Council for the Town of Pincher Creek wishes to enact a bylaw to provide for a Code of Conduct for Members of Council, Council Committees and other Bodies Established by the Council;

NOW THEREFOR the Council for the Town of Pincher Creek in the Province of Alberta enacts as follows:

1. That the Municipal Council Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council, Schedule “A”, attached hereto and forming part of this Bylaw be adopted;
2. That the Procedure for Council Code of Conduct – Breaches and Sanctions, Schedule “B”, attached hereto and forming part of this Bylaw be adopted;
3. This Bylaw may be referred to as the “Council Code of Conduct Bylaw”.
4. This Bylaw comes into full force and effect when it has received third (3rd) reading and has been signed in accordance with the Municipal Government Act.

READ A FIRST TIME THIS 26 DAY OF FEBRUARY, 2018, A.D.



Mayor, Don Anderberg



CAO, Laurie Wilgosh

READ A SECOND TIME THIS 12 DAY OF MARCH, 2018, A.D.



Mayor, Don Anderberg



CAO, Laurie Wilgosh

READ A THIRD TIME THIS 12 DAY OF MARCH, 2018, A.D.



Mayor, Don Anderberg



CAO, Laurie Wilgosh

Schedule A

1. Council Representation:
 - a) Municipal Councilors, which include the Mayor are the elected Officials and governing body of the Town of Pincher Creek, whose role and responsibility is to represent the municipality.
 - b) The Mayor is the official voice of the Municipality and all of Council must recognize that they will be called to communicate on behalf of the Town of Pincher Creek.
 - c) Members of Council must at all times respect the decision making process of the municipality as provided in the Procedural Bylaw # 1596-17 and amendments thereto.
 - d) Members of Council must be mindful of and adhere to the approved Policies, Procedures and Bylaws of the Town of Pincher Creek.
 - e) Council member interactions must be respectful at all times with other councilors, municipal staff, members of the public and others.
 - f) Council members will be provided and privy to confidential information which must remain confidential until such time as Council business requires it to be made public, and must otherwise be vigilant to keep the information confidential permanently.
 - g) Council members must be vigilant to avoid any perception or actual activity which may be seen as a Conflict of Interest, with Council business. As a municipal representative, the municipal organization's best interest must always be a councilor's priority.
 - h) Council members must never use their influence as the elected representative for personal advantage.
 - i) Council members must be responsible stewards of the municipal assets and services, and abstain from seeking personal benefit of same.
 - j) Council members will be offered an orientation within 90 days of being elected to municipal council, and will be expected to avail themselves of that opportunity, in order to gain knowledge about the municipality and their respective roles and responsibilities.
 - k) Council members must recognize the role of administration and respect the position of the Chief Administrative Officer as head of the municipal staff.

Schedule B

Council Code of Conduct – Breaches and Sanctions

Complaint process:

Organizations or individuals (including the public, Council Members or Municipal Employees;

- Who have identified or witnessed any prohibited activity by a Town Council member
- Who have witnessed or experienced discriminatory treatment by a Council member
- Who have witnessed or experienced harassment by a Council member, all under this Code of Conduct, may address the behavior or activity as follows:

Provide a letter outlining the complaint, with any witnesses or proof of allegation to the Mayor of Pincher Creek. If the complaint is regarding the Mayor, the complaint should be provided in confidence to the Deputy Mayor. A review and investigation into the allegation of misconduct must take place within 40 days following the initial complaint. If the complaint is found to be valid, the following sanction(s) may be imposed by a resolution of Council:

- a) A letter of reprimand addressed to the Council member, citing the resolution number of council,
- b) A request to the Council member for a verbal or formal letter of apology to be provided to the complainant
- c) A publication of a letter of reprimand or request for apology from Council to the offending member of Council, with a copy of the written apology
- d) A requirement as directed by Council for the offending member of Council to attend appropriate training
- e) A suspension or removal of the appointment of the Council member as the Chief Elected Official under section 150(2) of the M.G.A.
- f) A suspension or removal of the appointment of a councilor as the deputy chief elected official or acting chief elected official of section 152 of the M.G.A,
- g) A suspension or removal of the chief elected official's presiding duties under section 154 of the M.G.A.
- h) A suspension or removal from some or all Council committees and organizations that Council has a right to be appointed
- i) A reduction or suspension of remuneration as per section 275.1 of the M.G.A. corresponding to the reduction in duties, with the exception of remuneration for Council meeting attendance
- j) In addition, Town Council may choose to report the misconduct to Alberta Municipal Affairs
- k) The complainant may choose to file a complaint with Alberta Human Rights

The sanctions above may not include disqualification of the offending Town Council Member. Retaliation against the complainant will not be tolerated and may be subject to further consequences

Bylaw 1622-18

The Code of Conduct will be reviewed by Town Council at a minimum of every four years, following the municipal election.

I have read and fully understand the contents of the Town of Pincher Creek Council Code of Conduct.

Member's Name Don Anderson

Members Signature [Signature]

Date 26 MARCH 2018

Member's Name Sussanne O'Rourke

Members Signature [Signature]

Date 26 March 2018

Member's Name LORNE JACKSON

Members Signature [Signature]

Date 26 MARCH 2018

Member's Name MARC BAABER

Members Signature [Signature]

Date March 26, 2018

Member's Name BRIAN MCGILLIVRAY

Members Signature [Signature]

Date March 26, 2018

Member's Name Scott Korbett

Members Signature [Signature]

Date MARCH 26, 2018

Member's Name WAYNE ELLIOTT

Members Signature [Signature]

Date 9 APR 2018