

**CORPORATION OF  
THE TOWNSHIP OF WHITEWATER REGION**

**BY-LAW # 10-12-456**

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**Being a By-Law to implement a municipal code of conduct for municipal  
elected officials**

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**WHEREAS** Section 11(2) of the Ontario Municipal Act, 2001 allows Council to pass bylaws;

**AND FURTHER** that the Municipal Council for the Township of Whitewater Region deems it prudent to implement a Code of Conduct for municipally elected officials

**THEREFORE** the Council of the Corporation of the Township of Whitewater Region:

1. Implement a code of conduct for members of the Township of Whitewater Region Council and they be required to execute such at the inaugural meeting or when it is deemed appropriate.

**READ** a First, Second and finally passed on the Third Reading this 1<sup>st</sup> day of December, 2010

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CAO/CLERK

## Township of Whitewater Region

### Code of Conduct Members of Council

The Township of Whitewater Region's Members of Council fundamentally understand that:

- a. the proper operation of democratic and representative municipal government requires that they be independent, impartial and responsible to the people,
- b. there are open and proper channels for decision making and approval of policy
- c. Conflicts between private interests and public responsibilities are unacceptable and must be avoided, and
- d. as leaders of the community, they are held to a higher standard of behaviour and conduct.

This document will provide a guideline for elected officials in exercising their policy-making role having regards to the statements and ideals as enunciated hereunder:

#### **1. Roles and Obligations**

**Council Members recognize their mandate incorporates tasks to include;**

Fairly representing the diversity of community views in developing an overall strategy for the future of our Township

Setting objectives and determining strategies to achieve Council's corporate objectives

Achieving sound financial management, planning and accountability

Being aware of and conversant with the statutory obligations imposed on Council as a whole, as well as each individual Member of Council

**It is expected that Council will:**

Use confidential information appropriately, so as not to cause detriment or benefit to others

Respect the status of **confidential** (personnel, legal property acquisition) information until the matter ceases to be so defined by Council

Understand that they enjoy the same access rights to municipal information as any other member of the community, unless it is specifically relevant to a matter before the Council

Only release information according to the provisions of the *Municipal Freedom of Information and Protection of Individual Privacy Act*.

**2. Communications and Media Relations**

**Members of Council will:**

Accurately and adequately communicate the attitudes and decisions of Council even if they disagree with a majority decision of Council. This will ensure;

There is respect for the decision making process of Council

Official information related to decisions and resolutions made by Council will normally be communicated in the first instance to the Community and the media in an official capacity by the Mayor or designate

Information concerning adopted policies, procedures and decisions of the Council is conveyed openly and accurately

Confidential information will be communicated only when and after determined by Council

**3. Encouragement of respect for the Township and its By-Laws**

Council shall encourage public respect for The Township and its By-Laws

**4. Gifts and Benefits**

**Members of Council will only;**

- a. Accept gifts, hospitality or entertainment of a nominal value that could not be reasonably construed as being given in anticipation or recognition of special consideration by the Corporation.
- b. Accept hospitality or entertainment if the offer is infrequent (less than 2 or 3 times a year) and appropriate to the occasion. In these circumstances it is assumed that the nature of the business discussed is important enough to the Township that reciprocal arrangement should openly be made and charged to the Township.
- c. Members of Council will acknowledge that the Mayor will in his/her role, periodically receive and distribute ceremonial or other similar items.

**5. Relationships with Staff and Other Members of Council**

**Members of Council will;**

Acknowledge that only Council as a whole has the capacity to direct staff members to carry out specific tasks and functions

Refrain from using their position to improperly influence members of staff in their duties or functions or to gain an advantage for themselves or others

Refrain from publicly criticizing individual members of staff in a way that casts aspersions on their professional competence and credibility

**6. Conflicts of Interest**

Members of Council will recognize their obligations to;  
follow and respect both the letter and spirit of the provisions of the *Municipal Act* and *Municipal Conflict of Interest Act 1994* (as amended from time to time)

**7. Transparency & Openness of Decision Making**

Members of Council will endeavour to;  
Conduct and convey Council business in an open and public manner (other than those decisions of a personnel, legal or property acquisition matter) so that stakeholders can obtain the process, logic and rationale which was used to reach conclusions or decisions

**8. Public Input**

Council will periodically use formal and informal opportunities to seek public input as a component of the decision making process which have broad impacts on the community.

**9. Professional Development**

Members of Council have an obligation to promote, support, pursue and partake in opportunities for professional development.

**10. Harassment**

Harassment of another member, staff or any member of the public is misconduct. It is the policy of the Township of Whitewater Region that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

Harassment may be defined as any behaviour by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status and any other grounds under the provisions of the *Ontario Human Rights Code*.

**11. Interpretation**

Members of Council seeking clarification of any part of this "Code of Conduct" should consult with the Township CAO or Township Solicitor.

Signed at Cobden, Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Signature  
(Print Name underneath)

\_\_\_\_\_  
Witness  
(Print Name underneath)

**Implementation**

**At the beginning of each term, Members of Council will be expected to sign:**

- a. The Code of Conduct Document
- b. Affirmation of Confidentiality
- c. Confidentiality Agreement

**Affirmation of Confidentiality**

I, \_\_\_\_\_, member of the Council of  
Township of Whitewater Region, do hereby affirm that I **will not** disclose to  
any person any information or document arising from **confidential** Council  
meetings of The Township of Whitewater Region that come to my knowledge  
or possession by reason of those meetings, except as I may be legally required  
or expressly authorized to do so or except as that information or document has  
otherwise already been properly made public.

Signature \_\_\_\_\_

Affirmed before me  
At The Township of Whitewater Region  
In the County of Renfrew  
This    day of

\_\_\_\_\_

A Commissioner of Oath

Confidentiality Agreement

By signing this document, I agree that:

I **will not** disclose to any person any information or document communicated to me in a **confidential meeting** held by the Council of Whitewater Region in connection with any matter designated confidential except as I may be legally required or expressly authorized to do so or except as that information or document has otherwise already been properly made public.

Signed at Township of Whiteawater Region, Ontario this \_\_\_\_ day of  
200\_

\_\_\_\_\_  
Signature  
(Print Name underneath)

\_\_\_\_\_  
Witness  
(Print Name underneath)