

**TOWN OF MILK RIVER
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1004**

BEING A BY-LAW OF THE TOWN OF MILK RIVER. IN THE PROVINCE OF ALBERTA, TO PROVIDE THE CODE OF CONDUCT FOR THE COUNCIL OF THE TOWN OF MILK RIVER.

WHEREAS The citizens and the taxpayers of the Town of Milk River have the right to be served by a Council committed to conducting its service in an ethical and professional manner. It is important that there not be, nor appear to be, any conflict between the private interests of each Councillor. The purpose of the Code of Conduct shall be to uphold these principles governing the conduct of Councillors so Councillors maintain the highest standards while faithfully discharging their duties.

NOW THEREFORE, the Municipal Council of the TOWN OF MILK RIVER, in the Province of Alberta, duly assembled, hereby enacts as follows:

That this by-law may be cited as the Councillor Code of Conduct

ARTICLE 1 REPRESENTING THE MUNICIPALITY

1. Govern individual conduct in accordance with the requirements set out in The Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, or any other Act of the Government of Canada or the Province of Alberta, and the bylaws and policies approved by the Councillors of the Municipality;
2. The primary obligation of Council members is to represent the best interests of the Town of Milk River. This accountability supersedes all other interests;

ARTICLE 2 COMMUNICATION ON BEHALF OF THE MUNICIPALITY

1. Where Council members are appointed as members of committees or boards, they serve in a liaison role, but not necessarily as an advocate for the committee or board;
2. Council members' interaction with the public, media, or other entities must recognize the inability of any Council member to speak for the Council except to repeat explicitly stated Council decisions, unless expressing personal opinion(s);

ARTICLE 3 RESPECTING THE DECISION MAKING PROCESS

1. All Councillors should be given a full opportunity to address issues in Council in a full, open, and professional manner to encourage and promote healthy debate of issues;
2. Council decisions are made by majority vote by the Councillors. The decision of Council must be accepted and respected by all Councillors even if some individual Councillors do not agree with the majority decision;

3. While an individual Councillor may publically state that he/she did not vote with the majority of Council on an issue, this type of statement must be made in a manner that respects Council, Council's decision and other members of Council;

ARTICLE 4 ADHERENCE TO POLICIES, PROCEDURES AND BYLAWS

1. Council members will uphold and model the letter and intent of the Code of Conduct;
2. Councillors shall adhere to all laws, legislation, regulations, bylaws and policies of the Town of Milk River;

ARTICLE 5 RESPECTFUL INTERACTIONS WITH COUNCILLORS, STAFF, THE PUBLIC AND OTHERS

1. Councillors shall show respect and accountability to each other and understand the benefit of healthy debate and discussion;
2. Councillors shall show respect to all staff and the public;
3. The only employee of Council is the Chief Administrative Officer (CAO). Councillors shall respect the CAO's authority to direct staff;
4. Council's point of communication access with the employees is the CAO. Councillors shall direct their questions and concerns regarding administrative matters to the CAO. Requests for information from Public Works Foreman shall be permitted;
5. Councillors shall refrain from making negative comments about staff to the public or media;
6. Council shall not advocate for the promotion, sanction or termination of any municipal employee other than the CAO;

ARTICLE 6 CONFIDENTIAL INFORMATION

1. Councillors shall protect confidential information in accordance with Alberta's FOIP Act. Any matters discussed during an in-camera portion of a council meeting shall be considered confidential;
2. No resolutions shall be made during the in-camera portion of a meeting, except for a resolution to leave the in-camera portion and resume the regular meeting;
3. Only information protected by FOIP or allowed by the MGA shall be discussed during the in-camera portion of a meeting;
4. Councillors are required to continue to keep confidential information confidential even after leaving office at risk of fines or prosecution as per FOIP;

ARTICLE 7 CONFLICT OF INTEREST

1. Councillors shall remove themselves from Council proceedings where they or an immediate family member would have a pecuniary interest concerning an outside business interest;
2. If a Councillor has a pecuniary interest they will disclose the pecuniary interest to Council. The disclosure will be described and recorded in the Council minutes. The Councillor will then abstain from the discussion and voting on the matter and leave the room, until the discussion and voting on the matter has concluded;

3. In the case that a Councillor may have a perceived pecuniary interest, they may indicate their desire to remove themselves from discussion and voting on that particular matter. The Councillor will disclose and describe the perceived pecuniary interest to council and Council will, by resolution, decide if that Councillor will or will not vote on the matter under discussion;
4. Discussions or motions regarding a non-profit organization that a Councillor is affiliated to shall not be deemed a pecuniary interest;

ARTICLE 8 IMPROPER USE OF INFLUENCE

1. Councillors shall not use any influence of office for any purpose other than official duties;

ARTICLE 9 USE OF MUNICIPAL ASSETS AND SERVICES

1. Councillors shall not make unreasonable or unintended use of municipal materials, equipment, facilities or employees for personal gain or any private purpose;

ARTICLE 10 ORIENTATION AND OTHER TRAINING ATTENDANCE

1. Councillors have the responsibility to come prepared to Council meetings;
2. Councillors will strive to educate themselves and take mandatory and offered training in order to continuously improve their ability to carry out their Council duties;

ARTICLE 11 COMPLAINT SYSTEM

1. If a Councillor suspects a breach of this bylaw by a fellow Councillor, that Councillor shall bring it to the attention of the Mayor;
2. If a Councillor suspects a breach of this bylaw involves the Mayor, it shall be taken up with the Deputy Mayor. If that Councillor is not satisfied with the outcome of that discussion the Councillor can table the matter in Council which may be discussed during an in-camera portion of the meeting;

ARTICLE 12 SANCTIONS FOR BREACHING CODE OF CONDUCT

1. A letter of reprimand addressed to the Councillor;
2. Requesting the Councillor to issue a letter of apology;
3. Publication of a letter of reprimand or request for apology and the Councillor's response;
4. A requirement to attend training;
5. Suspension or removal of the appointment of a councillor as the chief elected official under section 150(2) of the Act;
6. Suspension or removal of the appointment of a councillor as the deputy chief elected official or acting chief elected official under section 152 of the Act;

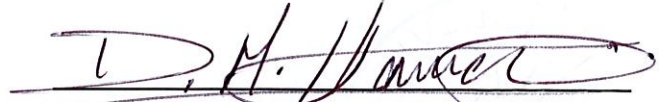
ARTICLE 13 REVIEW OF CODE OF CONDUCT

1. The Councillor Code of Conduct will be reviewed at the organizational meeting preceding the election every 4 years.

Read a first time in Council this 14 day of Aug., 2017

Read a second time in Council this 14 day of Aug., 2017

Read a third and final time, with unanimous consent, in Council this 14 day of Aug., 2017



Mayor



CAO

Schedule "A"

I recognize that I have a responsibility to assure that ethical standards are understood and met so that the public will have confidence in the integrity of the Council. In recognition of my commitment as a Councillor of the Town of Milk River, I promise that I will uphold the standards of the Councillor Code of Conduct and the MGA, while performing my duty to the public.

Dated at the Town of Milk River, in the province of Alberta, this ____ day of _____. 2017.

Witness to the Signature of Councillor

Councillor

