The Corporation of the Town Of Latchford

By-law No. 2017/01

Being a by-law to authorize the adoption of a Council Code of Conduct

Whereas Section 8 of the *Municipal Act, S.O. 2001*, states that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* or any other Act;

And whereas Section 9 of the *Municipal Act, 2001*, states that Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

And whereas Section 10 (1) of the Municipal Act, 2001 states that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And Whereas Section 10 (2) (2) of the Municipal Act, 2001 states that a municipality may pass by-laws, respecting accountability and transparency of the municipality and its operations and of its local boards and their operations;

And whereas Section 223.2 (1) of the *Municipal Act, 2001*, authorizes the municipality to establish codes of conduct for Members of the Council of the municipality and of local boards of the municipality;

And whereas Council has determined that the establishment of a Council Code of Conduct will enhance the Municipality's ability to govern the affairs and practices of the Town Of Latchford.

Now therefore the Council of The Corporation of the Town of Latchford hereby enacts the following as a by-law:

1. That Council adopts a "Council Code of Conduct Policy", for the Town Of Latchford identified as Schedule "A" attached hereto and forming part of this by-law.

2. That this by-law may be referred to as the "Council Code of Conduct".

3. That the Council Code of Conduct shall apply to the Mayor, all Members of Council, and shall apply equally to all Committee Members of The Town Of Latchford.

4. That the Mayor, Members of Council, Committee Members, of the Town Of Latchford shall acknowledge their receipt and understanding of the Council Code of Conduct and all its contents, by signing and dating the Acknowledgement of Understanding and Compliance form.

5. That any amendments to the Council Code of Conduct shall be authorized by by-law and be acknowledged by Members of Council, Committee members of the Town Of Latchford, by re-signing and dating the Acknowledgement of Understanding and Compliance Form.

6. That this Council Code of Conduct shall apply to all future Mayors, Members of Council, Members of Committees, of the Town Of Latchford

7. That a vote of two-thirds of all Council Members be required to amend or repeal this by-law.

8. That this by-law shall come into full force and effect upon its passing.

Read a first, second and third time and finally passed on the 20th of January 2017.

Dated at Latchford 20th Day
Of January 2017.

Mayor, George Lefebvre

Clerk, Jaime Allen

Schedule A to

By-law DRAFT

Council Code of Conduct

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Acknowledgement of Understanding and Compliance

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Section 1 – Definitions

1.1 **Ad Hoc Committee** – means a special purpose committee of limited duration and scope, created by Council to inquire and report on a particular matter or concern, and which dissolves automatically upon submitting its final report unless otherwise directed by Council;

1.2 **Advisory Committee** – means a Committee of Council comprised of one or more Members of Council and/or members of the public appointed by Council for a specific purpose or mandate;

1.3 **Board** - means a local board as defined in the *Municipal Affairs Act, R.S.O. 1990*, Chap. 46, as amended.

1.4 **Chair** - the Member responsible for presiding at the meeting, and may also be referred to as the Presiding Officer;

1.5 **Clerk** - means the individual appointed as the Clerk pursuant to Section 228 of the *Municipal Act*; or in the absence of the Clerk, the CFO, of the Town Of Latchford pursuant to Section 228(2) of the *Municipal Act;*

1.6 **Closed Session Meeting** – means that part of a meeting that is closed to the public in accordance with Section 239 of the *Municipal Act*, other than those persons specifically invited to remain, and may also be referred to as "In Camera";

1.7 **Committee** - means an Advisory Committee or any other Committee of the Town Of Latchford

1.8 **Complaint** - means a purported contravention of the Town Of Latchford Council Code of Conduct and/or Policy;

1.9 **Conflict of Interest** – means a conflict of interest of a Member as set out in the *Municipal Conflict of Interest Act, R.S.O.*, c. M.50 and any other Applicable Law;

1.10 **Council** - means the Council of The Town of Latchford comprised of duly elected officials;

1.11 **Council Code of Conduct** – means the Town of Latchford Council Code of Conduct, which operates alongside other statutes governing the conduct of Members of Council, and Committees of the Town of Latchford may also be referred to as "Code of Conduct";

1.12 **Frivolous** - means of little or no weight, worth or importance; not worthy of serious notice;

1.13 **Good Faith** - means in accordance with standards of honesty, trust, sincerity;

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1.2 **Advisory Committee** – means a Committee of Council comprised of one or more Members of Council and/or members of the public appointed by Council for a specific purpose or mandate;

1.3 **Board** - means a local board as defined in the *Municipal Affairs Act, R.S.O. 1990*, Chap. 46, as amended. For the City of Temiskaming Shores this may include but is not limited to the Police Services Board and the Library Board;

1.4 **Chair** - the Member responsible for presiding at the meeting, and may also be referred to as the Presiding Officer;

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1.13 **Good Faith** - means in accordance with standards of honesty, trust, sincerity;

1.14 Harassment - as defined in the as in the *Ontario Human Rights Code;*

1.15 Mayor - means the head of Council as set out in the *Municipal Act, S.O. 2001;*

1.16 Meeting - means a regular, special, or other meeting convened of Council or Committee as permitted under this by-law;

1.17 Member - means a Member of Council; elected by general vote, in accordance with the *Municipal Act, 2001*, c. 25, as amended. In this by-law "Member" shall also mean a Member of a Committee;

1.18 Municipal Act - means the Ontario Municipal Act, S.O. 2001, c. 25, as amended;

1.19 Pecuniary Interest - means relating to or connected with money, pursuant to the relevant Conflict of Interest Legislation;

1.20 Policy - means any policy or by-law passed by the Town Of Latchford Council;

1.21 Presiding Officer - means the Mayor, or in the absence of the Mayor, the Deputy Mayor, at a regular or special meeting of Council, or the Member of Council appointed as the Chair of a Committee or Board, or in the absence of either, another Member of Council appointed in accordance with the Procedure By-law No. as amended. The Presiding officer may also be referred to as the Chair;

1.22 Rules of Order - means the rules to regulate debate and the conduct of Members of Council, Committee, staff and public during an actual meeting of the Council or Committee;

1.23 Town - means The Corporation of the Town of Latchford, which may also be referred to as municipality or the Town Of Latchford

1.24 Vexatious - means instituted without sufficient grounds and serving only to cause annoyance to the defendant;

Section 2 – Policy Statement

This Code of Conduct is a public declaration of the principles of good conduct and ethics that members of the Council of the Town of Latchford have decided its stakeholders could reasonably expect from the Members of Council to demonstrate in the performance and responsibilities as elected representatives.

Attaining an elected position within the community is a privilege which carries significant responsibilities and obligations. Members of Council are held to a high standard as leaders of the community and they are expected to become well informed on all aspects of municipal governance, administration, planning and operations.

Section 3 - Purpose

This Council Code of Conduct sets standards for the behaviour of Council Members, as well as other Members of the municipality, in carrying out their functions. It has been developed to assist Council and Members to:

a) Understand the standards of conduct that are expected of them and the law that applies in relation to these standards;

b) Fulfill their duty to act honestly and exercise reasonable care and diligence;

c) Act in a way that enhances public confidence in local government; and

d) Identify and resolve situations which might involve a conflict of interest or a potential misuse of position and authority.

The Council Code of Conduct also establishes guidelines for appropriate conduct to ensure that:

1) The decision making process of the Town of Latchford is transparent, accessible and equitable.

2) Decisions are made through appropriate channels of government structure.

3) Public office is not to be used for personal gain.

4) The conduct of Members of Council is of the highest standard.

5) There is fairness and respect for the differences and a duty to work together for goodwill and common good.

This Code of Conduct outlines each individual's responsibility, as a Member of the municipality, to uphold these principles and values, and act in the public interest.

Section 4 – Roles & Responsibilities

The role of Council and Staff is traditionally one of the first items to be clarified for a Council, in that Staff shall take direction from the Town Clerk. The Town Clerk shall take direction from and be responsible to Council, but shall not be instructed or directed by or be responsible to any individual member of the Council. The Town Clerk shall consult with Council with respect to any matter of concern to the municipality or to any of its local boards or committees. Clearly defined roles, distinguishing between the concepts of "governance" and "management", are critical to the success of a municipality. It will be reinforced at the outset that Council sets the policy for the community; it does not engage or participate in the daily operations of the municipality.

Council's mandate is to:

- Fairly represent the diversity of community views in developing an overall strategy for the future of the Town
- Set objectives and determine strategies to achieve the goals of the Town.
- Achieve sound financial management, planning and accountability.
- Be aware of and understand statutory obligations imposed on Council as a whole, as well as each individual Member of Council.

4.1 Legislated Responsibilities & Compliance

The legislated responsibilities, outlined in the Municipal Act, 2001, the laws of Canada and the Province of Ontario, the Town Procedure By-law and all policies and by-laws of the Town Of Latchford are to be adhered to and carried out by all Members. Failure to do so constitutes an offence under this policy.

4.2 Legislations

This Council Code of Conduct operates along with and as a supplement to the existing statutes governing the conduct of members. The following provincial legislation governs the conduct of members of Council:

- The Municipal Act
- The Municipal Conflict of Interest Act (MCIA)
- The Municipal Elections Act (MEA)
- The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- The Ontario Human Rights Code (OHRC)
- The Criminal Code of Canada (CCC)
- The Occupational Health and Safety Act (OHSA) – including Bill 168
- The Accessibility for Ontarians with Disabilities Act (AODA)

4.3 Relations with Staff

Members of Council shall acknowledge and respect the fact that staff work for the Town as a corporate body and are responsible for making recommendations that reflect their professional expertise and corporate objectives, without due influence from any individual members.

In addition, Members of Council shall acknowledge and respect the fact that staff carry out directions of Council as a whole and administer the policies of the Town. A Member of Council shall 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.

Members of Council shall refrain from publicly criticizing individual members of staff in a way that casts aspersions on their professional competence and credibility.

4.4 Interaction with Staff

The Town has worked diligently at creating a positive working relationship between Council and Staff. This has been successful, largely due to a mutual respect for each other's roles and responsibilities.

a. Only Council acting as a body, can dictate that staff perform such duties as are necessary to the efficient management of the affairs of the community as the Council deems necessary. Individual Council Members do not have authority to direct the Town Clerk, Dept Heads, or staff.

b. The Role of the Town Clerk, Chief Financial Officer and the Department heads is to direct the day to day management of the municipality, and assign duties to the staff placed under their supervision. To encourage the efficient management of the community, individual Council Members are requested to be mindful of that fact and are advised of the following:

    i. Council will respect and adhere to the Policies set by Council, and will under no circumstance take it upon themselves to circumvent or ask staff to circumvent established Policies. Only Council as a body, at a formal meeting, has the authority to amend policies.

    ii. Council as a body, and as individuals, will liaise primarily with the Town Clerk, Chief Financial Officer Department Heads or in the absence of the Town Clerk. This requirement is not designed to interfere with the normal flow of information with those staff members who have been assigned the responsibility of providing information to Council by the Department Heads or Town Clerk.

    iii. Questions or issues surrounding operational concerns or complaints, excluding the basic issues covered above, should be directed primarily to the Town Clerk or in the absence of the Clerk, to the Department Heads.

    iv. The municipality does not provide secretarial and/or research services for individual Councillors. Should information be required by individual Council members, a request should be made to the Clerk or who will then determine which staff member is best suited to obtain the data.

4.5 Media Communications

It is understood that the Mayor as Head of Council, as per section 226(1)(c) of the Municipal Act, is the primary spokesperson, which does not prohibit other Members of Council, therefore the following shall apply:

a. Members of Council will accurately communicate the decisions of the Town of Latchford Council, even if they disagree with the majority decision of Council, and by doing so affirm the respect for and integrity in the decision-making process of Council. A Member may state that he/she did not support the decision, or voted against the decision.

b. Members shall refrain from making judgemental or critical comments about other Members of Council or staff, or about the Town Council's processes and decisions.

c. Members at all times shall refrain from speculating or reflecting upon the motives of other Members of Council or staff, when communicating with the media.

d. Members of Council will keep all confidential information confidential, until such a time arises that the matter can properly be made public. A breach of confidentiality by Members diminishes public confidence.

Section 5 – Rule of Etiquette

5.1 Conduct at Meetings & Quorum

5.1.1 During Council, Committee or any other advisory committee meetings, or working group meetings, Members shall conduct themselves with decorum and in accordance with the Town Procedure By-Law number 1051/11. Respect for delegations and for fellow Council Members and staff requires that all Members show courtesy and not distract from the business of Council during presentations and when other members have the floor. The Presiding Officer should never allow Members or delegations at a Councillor Committee, meeting to publicly criticize identifiable employees or other individuals. It is the responsibility of the Presiding Officer to ensure that both parliamentary procedure and rules of etiquette are observed by those in attendance at all times.

5.1.2 Council will endeavour to conduct and convey Council's business in an open and public manner, so that stakeholders can understand the process, logic and rationale which was used to reach conclusions or decisions, other than for those matters that may be discussed in Closed Session in accordance to Section 239 of the Municipal Act.

5.1.3 Quorum is defined as the majority of the total number of the Voting Members of the Council or Committee, or as may be specifically set out in Council approved Terms of Reference for a Committee. Therefore, Council shall only conduct its business in a duly constituted meeting of Council. There shall be no "Off the Record" or Secret Meetings of Council.

5.2 Operational Inquiries/ Complaints

Members of Council and/or other Members who are approached by the public with inquiries/ complaints regarding operational matters should direct these to the Town Clerk.

Section 6 – Behaviour of Members

6.1 Interpersonal Behaviour

6.1.1 Treat Every Person with Dignity, Understanding and Respect:

Members shall refrain from abusive conduct, personal charges, verbal attacks, discrimination or gossip upon the character of motives of municipal employees, Councillors, Committee Members, Volunteers, or the public. Members shall abide by the Ontario Human Rights Code, and shall take these policies and legislation and their contents into account at all times when considering etiquette. All dealings with any person are to exhibit a high degree of professionalism and are to be based on honesty, dignity, understanding, respect, impartiality and fairness.

6.1.2 Do not Discriminate:

In accordance with the Ontario Human Rights Code, Members shall not discriminate against anyone on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, religious affiliation or faith, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability. These forms of discrimination listed, shall be as defined in the Ontario Human Rights Code.

6.1.3 Do not Engage in Violence or Harassment of any kind:

No Member shall engage in any form of Violence or Harassment as per Workplace Harassment Prevention Policies and the Ontario Human Rights Code, as amended.

Section 7 – Use of Municipal Property and Resources

Members may only use Town property or services for activities connected or associated with community activities having the sanction of Council or permitted by Town policies. Council, Committees, must not use the municipality's property, equipment, supplies or services, which are not available to the general public, for purposes other than those which are necessary for the discharge of their official duties.

Section 8 – Municipal Elections

8.1 During a Municipal election, Members of Council must conduct themselves in accordance with the provisions of the *Municipal Elections Act*, in addition to

legislation and policies in place during their term of office. Members are accountable under the provisions of these statutes.

8.2 Members of Council will expect the Town Clerk to manage the Municipal Election process and meet all statutory requirements in accordance with the *Municipal Elections Act.* Members of Council shall respect the role of the Municipal Clerk and municipal staff in the election process, shall not interfere with the Municipal Clerk or municipal staff's discharge of their duties during the election process, and understand that their role is to ensure that all candidates are treated equally.

8.3 No Member shall use the facilities, equipment, supplies, services, or other resources of theTown for any election campaign-related activities.

8.4 In a municipal election year, commencing on Nomination Day until the date of the election, no Member or other candidate for elected office, may book directly or indirectly, any facility for any purpose that might be perceived as an election campaign purpose if that facility is being used as a voting location.

8.5 No Members shall use the services of persons for campaign related activities during hours in which those persons receive any compensation from the Town.

Section 9 – Confidentiality

9.1 Members shall keep confidential any information:

9.1.1 Disclosed or discussed at a meeting or part of a meeting of Council, Committee, that was closed to the public.

9.1.2 That is circulated to members of Council, or other Members, that is marked confidential.

9.1.3 Return any documentation marked confidential to the Clerk's office for destruction.

9.1.4 That is received in confidence verbally.

9.2 The obligation to keep information confidential applies even if the Member ceases to be a Council, Committee Member.

9.3 Protection of Privacy:

9.3.1 Confidential information includes information in the possession of, or received in confidence by the City that the Municipality is either prohibited from disclosing, or is required to refuse to disclose under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) or other legislation.

9.3.2 No Member shall disclose or release by any means to anyone, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council to do so.

9.3.3 No Member shall use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

9.3.4 A matter that has been discussed at an in-camera (closed) meeting remains confidential. No Member shall disclose the content of any such matter, or the substance of deliberations, of the in-camera meeting unless the Council, Committee, discusses the information at a meeting that is open to the public or releases the information to the public in accordance with applicable law.

Section 10 – Gifts, Hospitality & Other Benefits

The objective of the contents presented in this section of the Council Code of Conduct is to ensure that Councillors make Council decisions based on impartial and objective assessment of each situation, free from influence of gifts, favours, hospitality or entertainment.

In this policy, gifts, commission, hospitality, reward, advantage or benefit of any kind, may be interchanged and shall be deemed to include all of the aforementioned:

10.1 The stipend paid to each Member of Council is intended to fully remunerate them for service to The Corporation of the Town Of Latchford.

10.2 Members of Council are prohibited from soliciting, accepting, offering or agreeing to accept any gifts, commission, hospitality, reward, advantage or benefit of any kind, personally or through a family member or business connection, that is connected directly or indirectly with the performance of duties of office or could reasonably be construed as being given in anticipation of future, or recognition of past, special consideration.

10.3 The above statements do not preclude Members of Council from accepting:

10.3.1 Token gifts, souvenirs, mementoes or hospitality received in recognition for service on a Committee, for speaking at an event or for representing The Corporation of the Town Of Latchford at an event.

10.3.2 Political contributions that are otherwise offered, accepted, and reported in accordance with applicable law.

10.3.3 Food and beverages at meetings, banquets, receptions, ceremonies, or similar events.

10.3.4 Food, lodging, transportation, entertainment provided by other levels of governments, by other local governments or be local government boards or commissions.

10.3.5 A stipend from a board or commission that the Councillor serves on as a result of an appointment by Council.

10.3.6 Reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations.

10.3.7 Gifts of a nominal value that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of the office.

10.3.8 Services provided without compensation by persons volunteering their time for election campaign.

Section 11 – Conflict of Interest – Pecuniary Interest

Members of Council will recognize their obligations to follow and respect the provisions of the *Municipal Conflict of Interest Act.*

Section 12 - Compliance with the Code of Conduct

The *Public Service of Ontario Act, 2006 (PSOA)* provides for the Conflict of Interest Commissioner to have a leadership role in contributing to public servants' understanding of the rules and how to apply them.

The commissioner also has certain responsibilities under the PSOA related to employees of ministries and employees and appointees of agencies, boards, and commissions that are defined as "public bodies" in the PSOA.

The commissioner's role encompasses three broad areas:

Offer advice and make determinations on specific matters involving Ontario public servants.

Provide advice and direction to public bodies.

Serve as a resource for developing and sharing information about dealing with conflict of interest and political activity matters.

The Office of the Integrity Commissioner is impartial, believing that good leadership fosters an ethical culture. It works to reconcile private interests and public duties, promoting confidence and respect for Ontario's Legislative Assembly and the Ontario Public Service.

Section 13 – Breach of Policy / Code of Conduct

13.1 Integrity Commissioner

In the event that a formal complaint is received in the form attached hereto as Appendix 1, and that there are reasonable grounds to believe that there has been a contravention to the Code of Conduct, an Integrity Commissioner will be appointed by Council or the Town will engage the services of an Integrity Commissioner from another local municipality.

The Municipal Act authorizes the municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to, the application of:

1. the Code of Conduct for Members of Council and Members of and Committees

2. any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of Members

3. Notwithstanding the foregoing, with respect to Ad-hoc, Advisory, and/or any other volunteer Committees, the Integrity Commissioner will have no jurisdiction over complaints concerning these volunteer Members. Investigations will be completed by the Clerk's office, and decided on by Council.

The Municipal Act also outlines that the Integrity Commissioner may also exercise such powers and shall perform such duties as may be assigned to him or her by the municipality.

The Integrity Commissioner serves the public interest and is granted authority under the Municipal Act to educate, advise, and investigate the conduct of Members of the municipality.

All complaints on breach of conduct, by Members of the Town Of Latchford will be reported to the Town Clerk and then, if necessary, to the Integrity Commissioner.

The Integrity Commissioner shall be independent from both Council and staff.

The Integrity Commissioner has the power to conduct an inquiry if requested by Council, any other Member, or a member of the public, about whether there has been a contravention of this Code of Conduct or any other Town policy.

The Integrity Commissioner is entitled to free access to all books, accounts, records, property, or any other necessary thing belonging to the municipality, as well as access to the personnel or to the Members which he/she feels is necessary to the investigation process.

The Integrity Commissioner will be reimbursed for reasonable expenses incurred in the performance of their investigation / duties.

Records of the Integrity Commissioner must be retained permanently.

13.2 Duty to Report Violation

13.2.1 No Member may directly or indirectly, induce, encourage, or aid a Member to violate any provision of this Code of Conduct.

13.2.2 All Members have the duty to report a violation of this Council Code of Conduct.

13.2.3 Neither the Town nor any other Member shall take or threaten to take, discharge, discipline, personally attack, harass, intimidate, etc. a person who has reported a violation of this Council Code of Conduct.

13.3 Breach of Policy / Code of Conduct

13.3.1 Should the Integrity Commissioner determine that a member has breached the Council Code of Conduct after completing a proper investigation; the Integrity Commissioner shall report that such a determination has been made at an open regular Council meeting. Council shall then determine an appropriate sanction which shall be delivered by way of a resolution in open Council.

13.3.2 Although the Integrity Commissioner's report must be made public, pursuant to the Municipal Act, some parts of the investigations may be confidential, and thus confidential information will not be made public.

13.3.3 Council may impose either of the following penalties on a Member if the Integrity Commissioner reports to the municipality that, in his or her opinion, the Member has contravened this Council Code of Conduct and/or a Town policy:

i. A reprimand

ii. Suspension of the remuneration paid to the Member in respect of his or her services as a Member of Council or local board, as the case may be for a period of up to 90 days.

13.3.4 Council may also take the following additional actions:

i. Remove the Member from an Advisory Committee.

ii. Remove a Chair of a Committee.

iii. Ask the Member to repay or reimburse the compensation received.

iv. Ask the Member to return property or reimburse for the value of it.

v. Request the Member for a public apology to Council, the complainant, or both.

vi. Any other fair and reasonable sanction given the circumstances.

13.3.5 All sanctions under this by-law will be fair and in keeping with the severity of the infraction, giving due regard to the Member's previous conduct.

13.4 Investigation / Complaint Procedure

13.4.1 A request for an investigation of a complaint that a member has contravened this Code of Conduct or policy shall be in writing.

13.4.2 All complaints must be signed by an identifiable individual.

13.4.3 A complaint shall set out reasonable and probable grounds for the allegation that the member has contravened this Code of Conduct and include a supporting affidavit that sets out the evidence in support of the complaint.

13.4.4 The request shall be filed with the Town Clerk who shall forward the matter to the Integrity Commissioner for initial classification. The Integrity Commissioner shall determine if the matter is, on its face, a complaint with respect to non-compliance with this Code of Conduct and/or not covered by other legislation or policy.

13.4.5 If the complaint is determined not to be a complaint with respect to non-compliance with this Code of Conduct or other policies, the complainant shall be advised that the matter is not within the jurisdiction of the Integrity Commissioner to process with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

13.4.6 If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or where that becomes apparent in the course of an investigation, terminate the investigation.

13.4.7 The Integrity Commissioner shall not issue a report finding a violation of this Code of Conduct on the part of any Member unless the Member has had reasonable notice of the basis for the proposed finding and any recommended sanction and an opportunity either in person or in writing to comment on the proposed finding and any recommended sanction, provided that the comment period after having been notified does not exceed 30 calendar days.

13.4.8 The Integrity Commissioner shall report to the complainant and the Member generally no later than 90 days after the making of the complaint.

13.4.9 Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Council outlining the findings, or recommended corrective action in open Council.

13.4.10 Where the complaint is dismissed, the Integrity Commissioner shall not report to Council, except as part of an annual or other periodic report.

13.4.11 A complaint will be processed in compliance with the confidentiality requirements of Section 223.5(1) of the *Municipal Act, 2001*, as amended.

13.4.12 If the Integrity Commissioner reports to Council his or her opinion about whether a Member has contravened this Code of Conduct, the Integrity Commissioner may disclose in the report such matters as, in the Integrity Commissioner's opinion, are necessary for the purposes of the report.

13.5 Integrity Commissioner Reporting to the Municipality

13.5.1 The Integrity Commissioner shall file a copy of the final report on an investigation with the Town Clerk, who will then provide a copy of the report to the complainant and the Member whose conduct it has addressed.

13.5.2 The Town Clerk shall submit the Integrity Commissioner's report to Council within the next two regular meetings and the Integrity Commissioner shall appear to present his or her report to Council.

13.5.3 The Integrity Commissioner shall report annually to Council on the number of complaints filed by way of a memo to Council, in November of each calendar year.

13.5.4 The Town Clerk shall ensure confidentiality is maintained during and after the Integrity Commissioner's investigation.

Acknowledgement of Understanding and Compliance

The undersigned Member of Council, ~~Committee~~, of the Town Of Latchford hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 1017/01 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Town Of Latchford, and a copy of this signed form was retained by the Member themselves.

Trudy Lepage
Printed Name of Member

Trudy Lepage
Signature of Member

January 19, 2016.
Date

Acknowledgement of Understanding and Compliance

The undersigned Member of Council, ~~Committee,~~ of the Town Of Latchford hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 1017/01 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Town Of Latchford, and a copy of this signed form was retained by the Member themselves.

Mike Brooks
Printed Name of Member

Mike Brooks
Signature of Member

JANUARY 19/2017
Date

Acknowledgement of Understanding and Compliance

The undersigned Member of Council, ~~Committee,~~ of the Town Of Latchford hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 1017/01 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Town Of Latchford, and a copy of this signed form was retained by the Member themselves.

Jo-Anne Cartner
Printed Name of Member

Jo-Anne Cartner
Signature of Member

January 19, 2017
Date

Acknowledgement of Understanding and Compliance

The undersigned Member of Council, ~~Committee~~, of the Town Of Latchford hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 1017/01 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Town Of Latchford, and a copy of this signed form was retained by the Member themselves.

Scott Green
Printed Name of Member
Scott Green

Signature of Member

01/19/17
Date

Acknowledgement of Understanding and Compliance

The undersigned Member of Council, ~~Committee,~~ of the Town Of Latchford hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 1017/01 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Town Of Latchford, and a copy of this signed form was retained by the Member themselves.

Perry Livingston
Printed Name of Member

Signature of Member

Jan 19/17
Date

Acknowledgement of Understanding and Compliance

The undersigned Member of Council, ~~Committee,~~ of the Town Of Latchford hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 1017/01 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Town Of Latchford, and a copy of this signed form was retained by the Member themselves.

George Lefebvre
Printed Name of Member

Signature of Member

Jan. 19, 2017
Date

Acknowledgement of Understanding and Compliance

The undersigned Member of Council, Committee, of the Town Of Latchford hereby acknowledges receipt of a copy of the Council Code of Conduct By-law No. 1017/01 and agrees to abide by its contents. The Member also acknowledges this form will be kept on file with the Town Of Latchford, and a copy of this signed form was retained by the Member themselves.

_____

Printed Name of Member

_____ _____

Signature of Member **Date**

Appendix 01 to Schedule A to By-law No. draft

Affidavit required under Section 13 - Breach of Policy /Code of Conduct

Formal Complaint Affidavit

Please note that signing a false affidavit may expose you to prosecution under the Criminal Code and also to civil liability for defamation.

Affidavit of: _____

I, _____(full name) of the _____(City/Town) of _____

in the Province of Ontario make oath and affirm:

1. I have personal knowledge of the facts as set out in this affidavit, because (insert reasons i.e. I work for... I attended the meeting at which.... etc.)

   _____

   _____

   _____

   _____

2. I have reasonable and probable grounds to believe that a member of the Town of Latchford Council or local commitee, _____(specify name) has contravened section(s) _____ of the Code of Conduct. The particulars of which are as follows: (set out the facts and if necessary use reverse side of this page)

   _____

   _____

   _____

   _____

   _____

   _____

   _____

   _____

   _____