

CITY OF TERRACE POLICY NO. 63



TITLE: COUNCIL CODE OF ETHICS

APPROVED: March 12, 1990

RESOLUTION NO.: 178-1990

REVISED: February 12, 2007

RESOLUTION NO.: 067-2007

PREAMBLE:

The residents and businesses of the City of Terrace are entitled to have fair, honest and open Local Government that has earned the public's full confidence for integrity. As such, the City seeks to maintain and enhance the quality of life for all residents through effective, responsible, ethical and responsive government.

To help achieve this goal, the City of Terrace Council members have each committed to strive to ensure that:

- Public business is conducted with the highest standard of integrity, in a fair, honest and open manner;
- Members respect one another, the public and staff, and recognize the unique role and contribution each person has in making the City a better place to work and live;
- Their conduct in the performance of their duties and responsibilities with the City be above reproach; and
- The decision-making processes are accessible, participatory, understandable, timely and just, in addition to the requirements of the *Community Charter, Local Government Act*, or any other applicable enactment.

GENERAL PRINCIPLES:

The City of Terrace has adopted this Council Code of Ethics Policy as a declaration of the obligation of all members of City Council to act in good faith and conscientiously perform their duties as an elected official of our community in a professional manner with honesty and integrity as well as with reasonable care and diligence.

1. **Act in the Public Interest**

Recognizing that the City of Terrace seeks to maintain and enhance the quality of life for all City residents through effective, responsive and responsible government, Council members will conduct their business with the highest standard of integrity, in a fair, honest and open manner.

2. **Comply with the Law**

Council members shall comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to: the *Constitution Act*, the *Provincial Human Rights Code*, the *Criminal Code*, the *Community Charter* and the *Local Government Act*; laws pertaining to financial disclosures and employer responsibilities; and relevant City of Terrace bylaws and policies.

3. **Conduct of Members**

The conduct of Council members in the performance of their duties and responsibilities for the City of Terrace must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other Council members, City of Terrace staff or the public. Members are expected to maintain and contribute to the positive image and credibility of the offices of Mayor and Council.

4. **Respect for Process**

Council members shall perform their duties and responsibilities in accordance with the policies and procedures and rules of order established by the City of Terrace governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City of Terrace by its staff. When acting as a committee member, members of Council shall be aware of the mandate of their respective committee and act in accordance with it.

5. **Attendance at Council & Committee Meetings**

Council members shall provide good representation to their electors by regularly attending Council meetings and Committee meetings. Extended absences from Council and Committee meetings, unless due to illness or injury or with the leave of the Council, could result in disqualification from Council as per Section 110 of the *Community Charter*.

6. **Conduct of Public Meetings**

Council members shall prepare themselves for public meetings, listen courteously and attentively to all public discussions before the body and focus on the business at hand. They shall not interrupt other speakers, make personal comments not relevant to the business of the body, or otherwise disturb a meeting.

7. **Decisions Based on Merit**

Council members shall base their decisions only on the merits and substance of the matter at hand in respect to the community's greater good, rather than on unrelated circumstances.

8. **Communication**

Subject to section 11 of this Policy, Council members shall share with the body of which they are a member all substantive information that is relevant to a matter under consideration by them which they may have received from sources outside the public decision-making process.

9. **Conflict of Interest**

All City of Terrace Council members shall be aware of, and act in accordance with, Division 6 – Conflict of Interest of the *Community Charter*.

10. **Gifts and Favours**

Council members shall not accept any money, property, position or favour of any kind whether to be received at the present or in the future, from a person or business having, or seeking to have dealings with the City of Terrace, save for appropriate refreshments or meals, except where such a gift or favour is authorized by law, or where such gifts are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the Council member. Gifts or personal benefits are to be disclosed in accordance with Section 106 of the *Community Charter*.

11. **Confidential Information**

Council members shall respect the confidentiality of information concerning the property, personnel, legal or other affairs of the City of Terrace. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests. Council members need to familiarize themselves with Section 117 (Duty to Respect Confidentiality) of the *Community Charter* and the penalty provisions under that Section.

12. **Use of Public Resources**

Council members shall not use public resources not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

13. **Advocacy**

Council members shall represent the official policies or positions of the City of Terrace Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, they shall explicitly state they do not represent Council or the City of Terrace, nor will they allow the inference that they do.

14. **Policy Role of Members**

Council members shall respect and adhere to the Council/Chief Administrative Officer structure of government as practised in the City of Terrace. In this structure, the Council determines the policies of the City with the advice, information and analyses provided by the public, committees and City of Terrace staff.

Council members, therefore, shall not interfere with the administrative functions of the City or with the professional duties of City of Terrace staff; nor shall they impair the ability of staff to implement Council policy decisions.

15. **Positive Work Place Environment**

Council members shall treat other members, the public, and City of Terrace staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come into contact with during the course of their professional duties. Council members shall be aware of and act in accordance with City of Terrace Workplace Harassment Policy No. 74.

16. **Implementation**

The City of Terrace Council Code of Ethics Policy is intended to be self-enforcing. Council members should view the Code as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when members are thoroughly familiar with the Code and embrace its provisions.

Council members shall not assume that any unethical activities or behaviour not covered by or specifically prohibited by this Code are therefore condoned.

Council members will receive a copy of this Code upon being elected to City of Terrace Council and will be requested to sign a statement affirming they have read and understood the City of Terrace Council Code of Ethics Policy.

17. **Compliance and Enforcement**

Any complaint claiming a breach of this Code must be presented in a written report to the Mayor, providing details including the nature, timing and evidence of the alleged infraction. The Mayor shall then either investigate the complaint or establish an investigating committee of three Councillors to investigate and report back on the alleged breach.

The principles of Natural Justice must be observed during the investigation of an alleged breach and the Council member who is the subject of an investigation must be given all information in regard to the allegations and be provided with an opportunity to be heard on the matter if they desire.

In the event that the subject of the complaint is the Mayor, the written report shall be referred to the Chief Administrative Officer for referral to the remaining Council members for the appointment of a three member investigative committee.

Behaviour which, after investigation, is deemed to be a breach of any of the General Principles as specified in this Code, will be subject to appropriate sanctions that reflect the nature, magnitude and seriousness of the breach.

These sanctions include (but are not limited to):

- a) removal of "Deputy Mayor" designation and responsibilities;
- b) removal of one or more portfolios;
- c) removal from appointment to committees;
- d) removal from speaking on behalf of the City of Terrace to any Regional, Provincial, or Federal government;
- e) restriction or removal of travel entitlement on City of Terrace business;
- f) reduction in remuneration; or
- g) disqualification under Section 110 of the *Community Charter*.

The Council member who is being investigated will be advised in writing of the outcome of the investigation of the alleged breach.

DATE: Feb. 12/07

CLERK: A. Fisher

AFFIRMATION STATEMENT

As a member of the Council of the City of Terrace, I agree to uphold the Council Code of Ethics adopted by the City of Terrace and conduct myself accordingly.

I affirm that I have read and understand the City of Terrace Council Code of Ethics Policy No. 63.

Signature

Date

Name (Please Print)

Position held with the City of Terrace