

The Corporation of The Township of Amaranth

By-law Number 29 - 2020

A By-Law to Amend By-law 21-2016 Being a by-law to adopt a Code of Conduct for Members of Council of the Corporation of the Township of Amaranth

WHEREAS the Council of the Corporation of the Township of Amaranth Passed By-Law 21-2016 for the purpose of adopting a Code of Conduct for Member of Council of the Corporation of the Township of Amaranth; and

Whereas the Council of the Corporation of the Township of Amaranth deems it expedient to amend By-Law 21-2016;

Now Therefore the Corporation of The Township of Amaranth by the Municipal Council thereof enacts as follows:

1. THAT Section 9 "Influence on Staff" be amended by changing the section heading to "Council/Staff Relations".
2. THAT Section 9 "Influence on Staff" be amended by changing the section heading to "Council/Staff Relations" by adding the following:

9. Council/Staff Relations

- 9.1 The role of Council is to govern. The role of Staff is to advise, implement and manage public service delivery. Council and Staff work in partnership with one another, while performing their respective roles. Although the roles of Council and Staff are distinct, they are interdependent, each one requiring the other to fulfill the Township's mandate and purpose.
- 9.2 Joint role of Council and Staff; Both Council and Staff are expected to do the following:
 1. Demonstrate commitment to accountability and transparency among Council and Staff and with the general public;
 2. Demonstrate leadership by making sound decisions based on knowledge, expert advice and sound judgment;
 3. Maintain confidentiality in all matters where information is protected under law and/or during the course of business, as prescribed in the Municipal Act; and the Municipal Freedom of Information and Protection of Privacy Act.
 4. Truly, faithfully and impartially exercise their role to the best of their knowledge and ability;
 5. Enhance public understanding of the political process by providing information about decision making processes;
 6. Uphold decisions of Council as a whole, regardless of personal opinion or belief, and commit to the implementation of those decisions;
 7. Refrain from disparaging criticism of Council Members or Staff; and
 8. Seek to achieve and maintain an environment of mutual respect and trust, with respect and acknowledgement of the different roles in achieving Council's objectives.
- 9.3 Role of Council Section 224 of the Municipal Act, 2001 defines the role of Council as:
 1. To represent the public and to consider the well-being and interests of the municipality;
 2. To develop and evaluate the policies and programs of the municipality;
 3. To determine which services the municipality provides;
 4. To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
 5. To ensure the accountability and transparency of the operations of the

municipality, including the activities of the senior management of the municipality; and

6. To maintain the financial integrity of the municipality. In carrying out these defined roles, Members shall adhere to the following, in addition to the relevant sections of the Council Code of Conduct: 1. Information or services that are readily available to the public shall be provided to Members in the same manner as they are provided to the public. 2. Member requests for new information or service, requiring a commitment of resources (e.g., investigation, analysis, expenditures) beyond the normal course of public service delivery levels shall only be provided after being authorized by the whole of Council through a resolution. 3. When addressing issues of service levels or complaints from residents/ratepayers, Members shall communicate with the appropriate Department Head and/or CAO. 4. Member requests for Staff participation and attendance at Member-organized community events or meetings shall be in keeping with existing procedures and service levels and Members shall ensure that the CAO is aware of and in agreement with the community meeting logistics, purpose and outcomes. 5. Member direction or requests to Staff to undertake an action, expend funds, commit resources beyond the normal course of public service delivery levels, or prepare a Staff report to Council or a committee, shall only be acted upon by Staff when authorized by the whole of Council through a resolution. 6. The Mayor, an individual Member or informal groups of Members cannot make a decision on behalf of Council unless authorized by Council or statute. 7. Members should, to the extent possible: a. discuss issues with Staff and advise Staff of questions prior to public meetings where the issue will be heard; b. request advice from the Clerk about the appropriate wording of motions, amendments and formal staff directions in accordance with the Procedure By-law;

9.4 Role of Staff

It is the role of Staff to provide advice, support and recommendations to Council collectively and to Members individually, and to implement Council decisions in keeping with legislation, municipal policy and procedures.

In carrying-out their stated role, Staff shall adhere to the following:

1. To the greatest extent possible, Staff shall respond to Members' requests for information in writing (email or hard-copy).
2. Unless the issues involve matters of personal privacy, Staff responses to a Member on specific issues (e.g., complaints, questions, requests) will be provided to all Members for consistency.
3. Staff responses to a Member on municipal or corporate issues will be provided to all Members for consistency.
4. Staff responses to requests from Council Members for readily-available public information shall be provided within 1 business days whenever possible.
5. Staff will:
 - a. recognize that Council is the elected voice of the citizens of the Municipality and respect the decisions of Council; and
 - b. carry out, to the best of their ability, implementation of Council approved policies, programs and directions.
6. Staff will not: a. make comments that disparage or harm the professional or ethical reputation of Members; b. engage in partisan political activities when acting in their capacity as Staff; c. use, or attempt to use, their influence for the purpose of intimidating, threatening, coercing, commanding or influencing any Members with the intent of interfering in Member roles; or d. claim to speak on behalf of the Municipality unless authorized to do so.

9.5 Reporting Relationship The formal relationship between Members and Staff must be respected to ensure equal treatment. For significant or sensitive issues, Members and Staff are encouraged to primarily direct questions and concerns to the Mayor and/or CAO and/or Department Head for their consideration.

By-Law Read A First and Second Time this 20th Day of May, 2020.

By-Law Read A Third Time and Passed this 20th Day of May, 2020.

Head of Council

Clerk