



**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BYLAW 879**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH, IN THE NORTHWEST TERRITORIES, TO ESTABLISH A CODE OF CONDUCT FOR COUNCIL MEMBERS, PASSED PURSUANT TO SECTION OF THE CITIES, TOWNS AND VILLAGE ACT S.N.W.T, 2003, c.22.

WHEREAS, the Council of the Municipal Corporation of the Town of Fort Smith, in the Northwest Territories, deems it to be in the public interest to establish a Code of Conduct for Council members;

NOW THEREFORE, the Council of the Corporation of the Town of Fort Smith in the Northwest Territories, in a duly assembled meeting enacts as follows:

THAT this bylaw be cited as the “Code of Conduct for Council Members.”

CONTEXT

Council members are the democratically elected representatives of the Town of Fort Smith who form the Council. The duties of a Councillor are described in Section 34 of the *Cities, Towns and Villages Act of Northwest Territories* and the role of Council is legislated under Section 12 of the *Act*.

Council is answerable to the overall community through democratic processes and this Code will assist Council in providing for the good government of the Town of Fort Smith.

The community is entitled to expect that:

- (1) Council members represent the entire community and contribute to Council’s decisions and policy making;
- (2) The business of Council is conducted with efficiency, impartiality and integrity;
- (3) Council members obey the spirit and letter of the law and, in particular, the provisions of all relevant statutes, regulations, local laws and instruments; and
- (4) The community’s interests will always be given absolute priority over the private interests of Council members.

A CODE OF CONDUCT

Good governance and leadership of a Council requires many efficient processes and tools to assist the roles of representation, advocacy, decision-making, performance monitoring and teamwork. A Code of Conduct is a means of promoting a common understanding amongst Council members regarding the expectations of conduct when representing Council and in their dealings with the community, municipal staff, and one another.

Some of the other processes that complement the Code of Conduct include:

- (1) Strategic Planning
- (2) Financial Management and Budgeting
- (3) Service Planning
- (4) Communication and Public Relations Strategy
- (5) Meeting and Decision Making Framework

ROLE OF COUNCIL MEMBERS

1. A Council member’s primary role is to represent the community as a whole through the effective translation of the community’s needs and aspirations into a future direction for the municipality. This is the focus of the Council member’s public life.



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2. A Council is a body corporate and is the custodian of the assets of the municipality. A Council member is part of the leadership team in which the community has placed its trust to make decisions on its behalf. The community is therefore entitled to expect high standards of conduct from its elected representatives.
3. In fulfilling the various roles, Council members' activities ought to be focused on:
 - (1) Achieving a balance in the diversity of community views to develop an overall strategy for the future of the municipality;
 - (2) Setting the objectives and determining strategies to achieve the Council's corporate objectives identified in the Council strategic plan;
 - (3) Making decisions that are in accordance with the strategic plan and in the best interest of the community as a whole;
 - (4) Providing clear direction to the Town's Senior Management team on the nature and intent of Council decisions;
 - (5) Achieving sound financial management and accountability in relation to the municipality's finances;
 - (6) Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
 - (7) Promoting economic and social development in the best interests of the municipality;
 - (8) Working with other governments and organizations to achieve benefits for the Town of Fort Smith at a local, Territorial and National level;
 - (9) Monitoring performance against the Council strategic plan, including service outcomes and the performance of the Town Senior Administrative Officer; and
 - (10) Having an awareness of the statutory obligations imposed on Council members and on Council.
4. These roles and activities are supported by the following principles of Council members working collaboratively together by:
 - (1) Respecting each other's right to hold different views and debate strongly on matters of difference while being united in representing Council decisions;
 - (2) Respecting the right of each Councillor to speak and represent their views on the needs of citizens;
 - (3) Always speaking well of each other and Council in public;
 - (4) Demonstrating total commitment to consult with other Council members, within the decision making framework and with no surprises;
 - (5) Respecting the diverse nature of Council and its citizens;
 - (6) Supporting and having regard for the role of local government as an important sphere of government within Canada;
 - (7) Always being punctual to Council meetings and civic events;
 - (8) Always behaving with the appropriate level of decorum at Council meetings and in public;
 - (9) Committing to a consultative approach to solving problems, developing effective decisions, and communicating outcomes that build teamwork and cooperation; and
 - (10) Demonstrating leadership by focusing on issues and refraining from personalizing matters particularly in relation to making personal remarks regarding other Council members, citizens or Town staff.



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COMMUNITY REPRESENTATION AND EXPECTATION

Councillor Behaviour

5. Local government prides itself on being 'the level of government closest to the people'. Accessibility of Council members at the community level means that their actions and behaviour are more closely monitored than that of their parliamentary counterparts. In performing their role as Council members, the community expects that Council members will comply with any laws and will be aware of their responsibility to comply with these agreed upon rules of conduct.
6. In performing the role of a Councillor, a person:
 - (1) Must act honestly;
 - (2) Must exercise reasonable care and diligence.
7. A person who is, or has been, a Councillor:
 - (1) Must not make improper use of their position or, of information acquired because of their position:
 - (a) To gain, or attempt to gain, directly or indirectly, an advantage for themselves or for any other person;
 - (b) To cause, or attempt to cause, detriment to the Council;
 - (2) Additionally, Council members will:
 - (a) Always be mindful of their responsibility to serve the best interests of the entire municipality;
 - (b) Be consistent in their decision making but treating all matters on individual merits;
 - (c) Review all materials and research provided by Town staff prior to a meeting of the Council;
 - (d) Attend all meetings of the Council and participate in the decision making process;
 - (e) Focus on making informed and reasonable decisions in an open and transparent way and in the best interests of the community;
 - (f) Be as informed as possible about the processes and strategic functions of the Council;
 - (g) Avoid situations that might create a conflict between their public and private roles.
 - (h) Keep the community informed about the activities and plans of the Council and report on a regular basis;
 - (i) Act in a reasonable and fair way, and in a manner which is not discriminatory; and
 - (j) Treat all members of the community honestly and fairly and in a way that does not cause offence or embarrassment to individuals or groups.

Communications

8. As a representative of the community, Council members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. There may be times when a Councillor, as an individual, disagrees with a final decision of the Council and wants the community to know that. Obviously Council members are entitled to present their own views, but in doing so, Council members should acknowledge that:
 - (1) As a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;



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- (2) An overriding concern ought to be in achieving a balance in the matters that are communicated and strive to achieve an outcome that presents the Council as effective and cohesive;
- (3) The Mayor, together with the Town Senior Administrative Officer, are the designated persons authorized to speak to the media and others on behalf of the Council after a decision has been made on a Council matter;
- (4) Information of a confidential nature must not be communicated;
- (5) Information relating to decisions of the Council on approvals, permits and so on should only be communicated in an official capacity by a designated officer of the Council; and
- (6) Information concerning adopted policies, procedures and decisions of the Council must be conveyed accurately.

Benefits and Gifts

9. The role of a Councillor at the Town of Fort Smith is a part-time one. Council members incur expenses in performing their duties and the *Cities, Towns and Villages Act Section 34* and Town Bylaws recognize this by providing for allowances and for out-of-pocket expenses incurred while acting on behalf of the Council to be reimbursed.
10. Councillors should:
 - (1) Only claim for expenses incurred while acting as a Councillor on behalf of the Council in the manner prescribed by the Council Expense Policy;
 - (2) Use Council facilities and equipment economically and efficiently;
 - (3) Except in accordance with any policy of the Council, not use Council facilities, equipment and resources for personal benefit or for the benefit of any other person or organization;
 - (4) Ensure that Council facilities and equipment are kept separate from similar resources that may be used in a Councillor's private business activities;
 - (5) Not seek or accept, directly or indirectly, from any person or body, any immediate or future gift, reward or benefit, other than of a token kind, or moderate acts of hospitality, for themselves or for any other person or body, relating to their status with the Council, or their performance of any duty or work which affects or concerns the Council; and
 - (6) Hand over to the Town Senior Administrative Officer for the benefit of the Town of Fort Smith any gifts that are accepted as a matter of courtesy on behalf of the Council.

Use of Information

11. There is an expectation that Council members will make reasonable and informed decisions on matters before the Council. In their decision making process, Council members are also privy to information that may at times be confidential or controversial. Council members need to be:
 - (1) Aware of and observe the provisions *Section 34* of the *Cities, Towns and Villages Act* relating to the treatment of confidential information.
 - (2) Aware that they are only entitled to access information which is relevant to a matter before the Council;
 - (3) Mindful that except on matters before the Council, they enjoy the same access rights to information as any other member of the community;
 - (4) Prudent in the use of information that they acquire as Council members particularly in accordance with *Section 34* of the *Cities, Towns and Villages Act*;
 - (5) Observing of any specific policies that the Council has on the use of Council information;



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- (6) Careful not to use information in a way which can cause detriment to others;
- (7) Careful not to use confidential Council information to gain advantage for themselves or for any other person or body in ways which are inconsistent with their obligation to act impartially nor shall they use such information improperly to cause harm or detriment to any person, body, or the Council.

LEADERSHIP AND MEETINGS

Role of the Mayor

12. The role, responsibilities and performance of the Mayor has a critical bearing on the image of Council, good functioning of the Council Chamber, and the cooperative relationships between Council members and others. It is necessary that:
 - (1) The Mayor is seen as the first citizen of the Town and takes precedence at all local civic functions;
 - (2) The Mayor must, together with the Town Senior Administrative Officer, be the official spokesperson for the Council and each person must respect each other's role in dealing with the media and other external bodies; and
 - (3) The Mayor acts with consistency and impartiality in the Chamber during Council proceedings.

Council Meetings

13. Meetings are the principal means by which Council members represent the citizens of the whole municipality. In accordance with the Council Procedures Bylaw, meetings must focus on the business of Council and provide an environment for transparent and healthy debate on matters requiring decision-making. Key elements are as follows:
 - (1) The Mayor must chair meetings of the Council at which he or she is present and in doing so will:
 - (a) maintain control by holding or passing the chair as outlined in the Council Procedures Bylaw;
 - (b) be impartial;
 - (c) preserve order and encourage Council members who stray from the topic to stay focused on the issue being debated; and
 - (d) ensure that the business is conducted in a proper manner.
 - (2) Council members should be committed to paying respect to the Chair at meetings.
 - (3) The Chair should be conscious of the needs of each Councillor and will facilitate their entry into discussions and allow fair debate and participation among Council members.
 - (4) Each Councillor and delegate speaker should be respected for his or her views on issues, and such views should be considered on merit.
 - (5) Neither Council members nor the Mayor should engage in debate with delegate speakers but rather, seek clarification of the delegate's position on an issue.
 - (6) Council members and delegate speakers should not be criticized for their association with any particular community group, political party, or community contacts.
 - (7) Council members should respect the right of other Council members, Town staff and the public to have a fair opportunity to speak when holding the floor.

Meetings and Appointments to Other Bodies

14. As part of their representative role, Council members are often appointed by Council Resolution to represent the Council on external organizations. Some appointments may be to other government committees or they may simply be as a community representative on a particular group. It is important that Council members:



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- (1) Clearly understand the basis of their appointment;
- (2) Maintain a positive image of the Council;
- (3) Represent the Council policy position, unless required to do otherwise by virtue of their terms of appointment; and
- (4) Provide regular reports to the Council through the Committee process on the activities of the organization, unless required to do otherwise by virtue of their terms of appointment.

ORGANIZATIONAL RELATIONSHIPS

Relationships with Staff

15. An effective Councillor will work as part of the Council team, with the Town Senior Administrative Officer, Directors and other members of staff. This teamwork will only occur if Council members and staff have a mutual respect and cooperate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve this, Council members need to:
- (1) Accept that their role is one of leadership, not a management or administrative role;
 - (2) Acknowledge that the Town Senior Administrative Officer is primarily responsible and accountable for municipal staff;
 - (3) Acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
 - (4) 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; and
 - (5) Refrain from publicly criticizing staff in a way that casts aspersions on their professional competence and credibility.

Council members and Senior Management (Town Senior Administrative Officer and Directors)

16. Council recognizes that the core role of Council members is focused on policy decision making in the interests of the overall community and ensuring that policies are implemented. The Town Senior Administrative Officer and Directors focus on implementing policy and providing professional advice to guide Council in its decision-making.

It should be expected that:

- (1) The Town Senior Administrative Officer and Directors take the initiative and responsibility for developing issues to a stage where comprehensive information can be placed before the Council for decision;
- (2) Council recognizes the importance of the complementary roles of Council members and Staff and recognizes that Staff can only effectively implement policy if an effective system of delegation is in operation;
- (3) Council members respect the cost of Council's human resources and not use those resources for unnecessary, improper or inefficient purposes;
- (4) In the interests of maintaining a high level of teamwork and encouraging good morale, there will be no personal criticism of staff in public by Council members. If Council members or staff wish to express any such criticism then the matter should be raised in a non-public forum; and
- (5) Council members are provided with information concerning matters under consideration by Council and deemed necessary for them to properly perform their duties and meet their responsibilities as Council members.



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CONFLICT OF INTEREST PROCEDURES

17. Council is committed to making all decisions impartially and in the best interest of the whole community. It therefore recognizes the importance of fully observing the requirements of the *Cities, Towns and Villages Act* in regard to the disclosure of interests and conflicts of interest.
18. In general, the *Cities, Towns and Villages Act*, Conflict of Interest, Vacancies, and Disqualification of Municipal Council Members, describes conflict of interest for Council members.
19. Council members will comply with all the provisions of the *Act* with respect to interests and conflict of interests. In complying with the provisions of the *Act*, Council members will adhere to the following requirements:
 - (1) All declarations and notifications of interest or conflict of interest will be made by Council members in writing by using the Town of Fort Smith "Statement of Disclosure of Interest Form" (Attachment A). These forms will be provided to Council members and made available at every meeting of Council. Completed forms are to be handed to the Town Senior Administrative Officer or other nominated officer for recording.
 - (2) If Council members consider that they have, or might reasonably be perceived to have, an interest in a matter before Council or a Committee of Council, they will submit a Statement of Disclosure of Interest Form prior to the start of the meeting. The Mayor or Chairperson will read out the Statements of Interest at the start of the meeting. The Mayor or Chairperson will note the Interest again immediately before the matter is considered. The interest must be declared by the relevant Councillor on every occasion that the matter is considered by Council or Committee.
 - (3) Council members will give early consideration to each matter to be considered by Council, or Committee of which the Councillor is a member, to ascertain if he or she has an Interest or Conflict of Interest.
 - (4) If a Councillor does not intend to be present at a Council or Committee meeting in which he or she considers that they have any interest or conflict of interest, he or she will disclose the nature of the interest by submitting a completed Statement of Disclosure of Interest Form to the Town Senior Administrative Officer at any time before the meeting is held.
 - (a) Where the interest is non-pecuniary and not a conflict of interest the Councillor may vote on the matter.
 - (b) If a Councillor has an Interest in a matter to be considered by Council or Committee that is a pecuniary interest, they will also declare that they have a conflict of interest.
 - (c) If a Councillor has an interest in a matter to be considered by Council or a Committee that is non-pecuniary, and the Councillor considers that their personal interest may be in conflict with their public duty to act impartially and in the interest of the whole community, the Councillor will declare a conflict of interest.
 - (d) If a Councillor has a conflict of interest in a matter they will comply with the requirements of the *Cities, Towns and Villages Act* and ensure they do not move or second the motion and that they leave the room in which the meeting is being held during any vote on the matter and not vote on the matter.
 - (e) If a Councillor has declared a conflict of interest on a matter, the Councillor will restrict his or her comments to responses to questions in a factual manner that may assist the decision making process.



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- (f) Council members recognize that while they may seek advice about a possible conflict of interest, the legal onus rests entirely with each Councillor. If a Councillor cannot confidently say that he or she does not have a conflict of interest, the Councillor should err on the side of caution and declare a conflict of interest and comply with the relevant requirements.

RESOLVING DISPUTES

Respecting differences

20. Council is comprised of a group of individuals who bring to Council their own unique skills, talents, personalities, backgrounds and divergent views. All Council members need to be understanding and accepting of the differences between Council members and recognize that this diversity enriches Council and is reflected in the policies, strategies and decisions that are made in the best interests of the entire municipality.
21. Council members need to be mindful that having and expressing differing and sometimes opposing viewpoints is a normal function of the process of democratic government and is just as much a part of local government as it is of the other levels of Canadian government. Sharing and expressing these different views leads to informed and well-considered debate. All Council members have the right to influence, through this debate, the decisions made by Council.
22. Therefore, having differing views, politics or attitudes from other Council members is not considered a conflict or a dispute and does not require resolution. Where conflict does emerge is when the differences become personal or the behaviour of Council members towards each other is of a nature that threatens the effective operation of Council's decision making processes.

Initial Process for Resolving Disputes

23. A dispute may arise between two individual Council members, between one Councillor and a group of Council members or between two or more different groups of Council members. The following Council members dispute resolution procedure will apply regardless of the dynamics and numbers involved.
24. Before commencing any formal dispute resolution process, the Council members who are party to any disagreement will endeavour to resolve their differences in a courteous and respectful manner, recognizing that they have been elected to represent the best interests of the community as a whole.
25. If, however, there is a dispute resulting from an interpersonal conflict between Council members that cannot be resolved and it is unduly affecting the operation of Council, the Mayor will attempt to facilitate a resolution. The Mayor may call upon the Town Senior Administrative Officer for advice and guidance at this point in the process.
26. Either party involved in the dispute or some other Councillor may refer the dispute to the Mayor by filling out and submitting a "Notice of Complaint" form (Attachment B), in confidence, to the Mayor. The Mayor will investigate whether a dispute exists and requires resolution. The Mayor may call the parties involved to meet to resolve the dispute. These initial meetings may include the participation of another mutually agreed person(s).
27. If one party to the dispute does not acknowledge there is a dispute and is not willing to cooperate in discussions to resolve the dispute, the dispute resolution process is suspended at this point. Council however, may though, in accordance with Section 23.3 of the *Cities, Towns and Villages Act*, at an in-camera Council meeting, discuss that a dispute does exist between the parties and may request of the Town Senior Administrative Officer that mediation/conciliation be commenced.



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28. If both or one of the parties to the dispute believes that the dispute has not been resolved following initial discussions to attempt to resolve the dispute, the parties may jointly ask the Mayor to request the Town Senior Administrative Officer to prepare a confidential Council report to arrange a professional mediator or conciliator to be engaged. The request for mediation/conciliation is to be made to the Town Senior Administrative Officer during the closed section of a Council meeting and only after the initial dispute resolution process has been attempted. An estimate of the full cost to Council of conducting the mediation process is to be provided at this meeting.
29. Council members agree through the ratification of this Code that it is compulsory for all parties to the dispute to attend mediation/conciliation where this has been requested.

Mediation/Conciliation

30. If a mediator/conciliator is appointed, all Council members will cooperate with the dispute resolution process and provide reasonable assistance to the mediator/conciliator when requested.
31. Following mediation, a report is to be prepared for the Town Senior Administrative Officer by the mediator/conciliator which is to include the recommendations and actions to be taken as a consequence of the mediation. This report is to be presented during an in-camera Council meeting.
32. If following mediation/conciliation, all parties agree that the dispute has been resolved and agreement is reached on adherence to the recommended actions, the matter is closed. If, however, it has not been resolved to the satisfaction of all parties, the parties involved will be required, as a minimum, to adhere to the Council members' Code of Conduct and the Council Procedures Bylaw. Council may resolve requesting that the Mayor strictly adhere to the Code of Meeting Procedures to maintain civility at Council meetings to ensure that Council members are able to carry out their role in the best interests of the municipality.
33. The dispute resolution process between the same Council members/parties can only be re-commenced through a decision of Council.
34. Notwithstanding the above, Council will not undertake a dispute resolution procedure if it is to occur during the caretaker period prior to a Council election.

Dispute between Mayor and other Council Members

35. If the un-resolvable dispute described in the "Notice of Complaint" is between the Mayor and another member of Council, two other Council members may, after consultation with the Town Senior Administrative Officer, recommend to Council that the dispute be referred to the Town Senior Administrative Officer to obtain an external mediator or conciliator. Such discussion will need to be considered during a closed section of a Council meeting. All other aspects of the dispute resolution procedure apply.

STATEMENT OF CARETAKER PROCEDURES

37. Prior to an election period, the Town Senior Administrative Officer will ensure that all Council members and all members of Council staff are advised in regard to the application of the caretaker procedures as follows:

Council Decision-Making

38. During the election period, which is from the end of nomination day until 8:00 p.m. on Polling Day, Council will operate under a "business as usual" approach except for the restrictions imposed by the Statement of Caretaker Procedures. Essentially, Council will not make any decisions during the election period that will be binding on an incoming Council save for decisions which are part of the normal operating function of Council which includes most municipal planning matters.
39. Council will not make any "Major Policy Decisions" during the Election period.
40. Major Policy Decisions are decisions:



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- (1) relating to the employment of the Town Senior Administrative Officer under sections 41 of the *Cities, Towns and Villages Act*, other than a decision to appoint an acting Town Senior Administrative Officer;
 - (2) to terminate the appointment of the Town Senior Administrative Officer under the Senior Administrative Officer Employment Bylaw.
41. If Council considers that there are extraordinary circumstances where the municipality or the local community would be significantly disadvantaged by Council not making a particular Major Policy Decision, Council will, by resolution, make a decision. Such resolutions will be noted as extraordinary.
42. During the election period, further to any Major Policy Decisions, there is to be no Council policy formation or adoption, no censure of government departments or Ministers, and Notices of Motions and General Business are not to be of a political nature.

Use of Council Resources

43. Council members will ensure that Council resources are not used inappropriately during an election period in ways that may influence voting in an election or provide undue advantage for a candidate. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the Town Senior Administrative Officer.
44. Municipal Staff will not authorize, use or allocate a Council resource for any purpose that may influence voting in the election, except where it only relates to the election process and is authorized by the Town Senior Administrative Officer.
45. Council resources, including offices, support staff, hospitality services, equipment, stationery and printing will be used exclusively for normal Council business during the Election period and will not be used in connection with any election campaign or in a manner that may be construed as supporting an election campaign.
46. No Council logos, letterheads or other Town of Fort Smith branding will be used for, or be linked in any way to, a candidate's election campaign.
47. Public events and functions during the Election period will only be organized and run by Council's administration if they are part of Council's normal business activities. Officers will plan to avoid staging any functions, public events or the launch of publications during the election period. No election material or active campaigning, including within the context of speeches by Council members, is to be conducted at Council sponsored events.
48. Reimbursements of Council members' out-of-pocket expenses during the Election period will only apply to costs that have been incurred in performance of normal Council duties and not for expenses that could be perceived as supporting or being connected with the election.
49. Equipment and facilities such as phones, laptops, facsimile machines, etc, provided to Council members for the purpose of conducting normal Council business will not be used for campaigning purposes. Where it is impractical for Council members to discontinue their use of these facilities during the Election period, Council members will reimburse Council for the usage of those services in accordance with the Town of Fort Smith Council members Expense Policy.
50. Council Town e-mail addresses will not be included on campaign material.



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Information

51. Information and briefing material prepared by Council staff for Council members during the election period will relate only to factual matters, existing Council services, or information that would normally be available to the public. All such requests for information or action are to be issued through the offices of the Town Senior Administration Officer who will keep a record of requests made and advice provided. The information provided will be collated by the Town Senior Administration Officer's Office in an Information Request Register.
52. No information will be provided which relates to new policy development, new projects or matters that are the subject of public or election debate or might be perceived to be connected with a candidate's election campaign.

Publicity

53. Council will not print, publish or distribute or cause, permit or authorize to be printed published or distributed, electoral advertisements, handbills, pamphlets or notices during the Election period unless it only contains information about the electoral process.
54. Council further commits to the following standards during the Election period:
 - (1) No Councillor will influence a municipal staff member to make any public statement that could be construed as influencing the election. This does not include statements of clarification that are approved by the Town Senior Administrative Officer.
 - (2) Where a public Town campaign is deemed necessary for a Council service or function, the Town Senior Administrative Officer must approve it. Council publicity during the Election period will be restricted to promoting normal Council activities.
 - (3) Any requests for media advice or assistance from Council members during the Election period will be channelled through the Town Senior Administrative Officer. No media advice or assistance will be provided in regard to publicity that involves individual Council members where that advice would relate to their election campaign.
 - (4) Council members will not use their position as an elected representative, as it relates to access to municipal staff, and other Council resources to gain media attention in support of an election campaign.

Assistance to Candidates

55. Council affirms that all candidates for the Council election will be treated equally in terms of assistance and advice relating to the conduct of the Council Election. All election related enquiries will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Town Senior Administrative Officer.

ENFORCEMENT OF CODE OF CONDUCT

56. This Code of Conduct for Council Members will be self-regulated by Council.
57. Council members are required to sign a "Statement of Commitment to the Council Code of Conduct" (Attachment C) at the Legislative Workshop Meeting of Council following the Council Election, or in the case of an extraordinary election, within nine (9) days of being elected.
58. Council members shall be cognizant of their responsibilities under the Code.
59. This Code will be reviewed within 12 months after a general election.

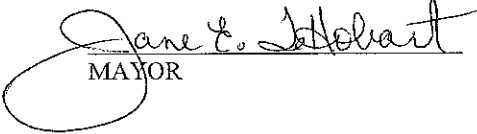


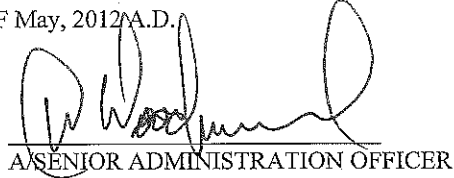
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READ A FIRST TIME THIS 20th DAY OF MARCH, 2012 A.D.

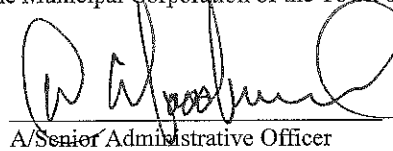
READ A SECOND TIME THIS 24th DAY OF APRIL, 2012 A.D.

READ A THIRD TIME THIS 22nd DAY OF May, 2012 A.D.


MAYOR


A/SENIOR ADMINISTRATION OFFICER

I hereby certify that this bylaw has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the bylaws of the Municipal Corporation of the Town of Fort Smith.


A/Senior Administrative Officer



Town of Fort Smith
Code of Conduct for Council Members

ATTACHMENT A

STATEMENT OF DISCLOSURE OF INTEREST

Name of Council Member: _____

Date of Disclosure: _____

Council Meeting or _____

Committee Name: _____

Meeting Date: _____

Agenda Item: _____

Agenda Item Description: _____

Description of type and nature of Interest (i.e., Interest or Conflict of Interest)

Interest: Personal

 Pecuniary

Conflict of Interest:

Signature: _____ Date: _____

Councillor: _____

Office Use Only:

Recorded by _____ at: _____

Initials: _____

Date: _____



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ATTACHMENT B

CONFIDENTIAL

**COUNCIL CODE OF CONDUCT
NOTICE OF COMPLAINT**

Date: _____

This Complaint is made against: (Councillor or Mayor) _____

This Complaint is made by: (Councillor or Mayor) _____

This Complaint is made to: (Mayor or Town Senior Administrative Officer)

The nature of the Complaint is:

The preferred resolution to the Complaint is:

Signed: _____
(Mayor or Councillor)

Date: _____



Town of Fort Smith
Code of Conduct for Council Members

ATTACHMENT C

STATEMENT OF COMMITMENT TO COUNCIL'S CODE OF CONDUCT

I, (Full Name) _____, declare that as a member of the Council of the Town of Fort Smith I acknowledge and support the Town of Fort Smith Council Code of Conduct.

I hereby commit to undertaking my duties as a Council member in a manner consistent with the principles of the Council Code of Conduct at all times and in the best interests of the municipality and its constituents.

Signed: _____

Declared this _____ day of _____ 20____

Before me:

Senior Administrative Officer