



# THE CORPORATION OF THE MUNICIPALITY OF CALVIN

## NOTICE

Code of Conduct Ad Hoc Committee Meeting  
Open to the Public

Please be advised the Code of Conduct Ad Hoc Committee will be meeting on Friday January 12 2024 @ 2:00 P.M this meeting is Open to the Public and will be held at the Municipality Hall.

Thank you



# Corporation of the Municipality of Calvin Council Resolution

**Date:** January 12, 2024

**Resolution Number:** Ad Hoc 2024- 01

Ad Hoc Committee Meeting -Code of Conduct

Draft By-Law Review 2023-009 Council Code of Conduct

**NOW THEREFORE BE IT RESOLVED THAT:**

The Code of Conduct Ad Hoc Committee consisting of Councillor Grant, Councillor Latimer and Councillor Manson for the Corporation of the Municipality of Calvin hereby meet in public @ \_\_\_\_P.M on this 12<sup>th</sup> day of January 2024.

As Committees must follow the open meeting rules including providing public notice, attendance of Staff, recording of minutes and passing a resolution before closing a meeting. In attendance to assist the Ad Hoc Committee to meet and action compliance of these rules will be the Deputy Clerk/Records Management Coordinator Teresa Scroope.

The purpose requested by Council members at the Nov 14 2023 Regular Council Meeting deferred by Resolution 2023-300 to review Draft By-Law 2023-009 being a By-Law to establish Council Code of Conduct and recent amendments/recommendations from the Municipality Integrity Commissioner established in accordance with Part V.1-Accountability and Transparency of the Municipal Act, 2001, c.25.

**Recorded Vote:**

<u>Member of Council</u>	<u>In Favour</u>	<u>Opposed</u>
Councillor Latimer	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Manson	<input type="checkbox"/>	<input type="checkbox"/>



# Corporation of the Municipality of Calvin

## Council Resolution

**Date:** January 12, 2024

**Resolution Number:** Ad Hoc 2024- 02

Ad Hoc Committee Meeting -Code of Conduct

Draft By-Law Review 2023-009 Council Code of Conduct

**NOW THEREFORE BE IT RESOLVED THAT:**

The Code of Conduct Ad Hoc Committee consisting of Councillor Grant, Councillor Latimer and Councillor Manson for the Corporation of the Municipality of Calvin hereby adjourn this public @ \_\_\_\_ P.M on this 12<sup>th</sup> day of January 2024.

Results of this review of this By-Law will be forwarded to the Integrity Commissioner for feedback prior to being presented to Council.

<u>Member of Council</u>	<u>In Favour</u>	<u>Opposed</u>
Councillor Latimer	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Manson	<input type="checkbox"/>	<input type="checkbox"/>

FRIDAY January 12/24 2:00 - 3:30

Deputy Clerk C. Grant, Latimer, Manson.

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**From:** CAO  
**Sent:** Sunday, November 12, 2023 4:16 AM  
**To:** Councillor Bill Moreton  
**Cc:** Councillor Robert Latimer; Councillor John Manson; Deputy Clerk  
**Subject:** Re: For information purposes: Fw: Code of Conduct ad hoc Committee dates

Hello,  
Correct re committee composition. Just copying you as fyi to close out Friday's correspondence thread on this matter. Teresa will be the staff liaison on this committee.  
Donna

---

**From:** Councillor Bill Moreton <Councillor.Moreton@calvintownship.ca>  
**Sent:** November 11, 2023 1:50 PM  
**To:** CAO <CAO@calvintownship.ca>  
**Cc:** Councillor Robert Latimer <Councillor.Latimer@calvintownship.ca>; Councillor John Manson <Councillor.Manson@calvintownship.ca>; Deputy Clerk <DeputyClerk@calvintownship.ca>  
**Subject:** Re: For information purposes: Fw: Code of Conduct ad hoc Committee dates

Hi  
Thanks for letting me know, but I believe that I was not on this committee. It had been Robert, John, Dean and Rheal (but I guess now Donna)  
Bill

Sent from my iPhone

On Nov 11, 2023, at 12:27 PM, CAO <CAO@calvintownship.ca> wrote:

Hi Teresa  
Please coordinate a meeting of the C of C committee and please attend as the staff person. Thx

---

**From:** Councillor Robert Latimer <Councillor.Latimer@calvintownship.ca>  
**Sent:** November 10, 2023 2:58 PM  
**To:** Councillor John Manson <Councillor.Manson@calvintownship.ca>; CAO <CAO@calvintownship.ca>; Councillor Bill Moreton <Councillor.Moreton@calvintownship.ca>  
**Subject:** Re: For information purposes: Fw: Code of Conduct ad hoc Committee dates

I agree.

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**From:** Councillor John Manson <Councillor.Manson@calvintownship.ca>  
**Sent:** November 10, 2023 12:01 PM  
**To:** CAO <CAO@calvintownship.ca>; Councillor Bill Moreton <Councillor.Moreton@calvintownship.ca>  
**Subject:** For information purposes: Fw: Code of Conduct ad hoc Committee dates

Good morning,



# Corporation of the Municipality of Calvin Council Resolution

Date: Nov 14, 2023

Resolution Number: 2023-300

Moved By: Councillor Manson

Seconded By: Councillor Grant

## NOW THEREFORE BE IT RESOLVED THAT:

Council for the Corporation of the Municipality of Calvin has received the Integrity Commissioners recommended changes to By-Law 2023-009 Code of Conduct and defers them to the Code of Conduct Committee to complete their review of the By-Law for Councils Consideration.

*\* Deferred to January*



*C. Latimer  
C. Grant  
C. Manson*

<u>Member of Council</u>	<u>In Favour</u>	<u>Opposed</u>
Deputy Mayor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Manson	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Res. 2023-300

Amendments.

NOV. 14 2023 Reg.  
Council meeting

The Corporation of the Municipality of Calvin Township

Schedule "A" to BYLAW 2023-009

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Council Code of Conduct

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Established in accordance with Part V.1 – Accountability and Transparency of the  
Municipal Act, 2001, S.O. 2001, c.25.

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1. AUTHORITY

The Corporation of the Municipality of Calvin Township has established this Council Code of Conduct in accordance with Part V.1 – Accountability and Transparency of the *Municipal Act, 2001*, S.O. 2001, c.25.

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2. PREAMBLE

It is the goal of the Corporation of the Municipality of Calvin Township to improve the quality of public administration and governance by encouraging high standards of conduct on the part of all government or municipal officials. In particular, the public is entitled to expect the highest of standards of conduct from the members that it elects to local government. In turn, adherence to these standards will protect and maintain the reputation and integrity of the Corporation of the Municipality of Calvin Township.

The following principles that underline this shall inform the interpretation of the rules in this Code of Conduct are as follows:

- Members of Council shall serve, and be seen to serve, their constituents in a conscientious and diligent manner.
- Members of Council shall be committed to performing their function with integrity and to avoiding the improper use of their office, and conflicts of interest, both apparent and real.
- Members of Council are expected to perform their duties in office and arrange their private affairs in as manner that promotes public confidence and will bear close public scrutiny;
- Members shall recognize and act upon the principle that democracy is best achieved when the operation of government is made as transparent and accountable to the public as possible; and
- Members of Council shall seek to serve the public interest by upholding both the letter, and the spirit, of the laws of the Federal and Ontario Legislature, and the laws and policies adopted by Council.

These interpretive principles are not rules that can be the subject of a complaint or of an Integrity Commissioner inquiry.

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3. DEFINITIONS

In this Code of Conduct:

The terms "child", "parent" and "spouse" have the same meanings as in the *Municipal Conflict of Interest Act*.

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"Family member" includes a parent, child, spouse. It also includes any individual connected to a Member by blood, kinship, marriage, or relationship, if a reasonable person might perceive that the connection has the potential to influence the Member's conduct or decision-making on a matter affecting the individual, whether or not the conduct or decision-making is actually affected.

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"Friend" is any individual who shares with a Member a close bond of friendship, a feeling of affection, or a special kinship sufficient that a reasonable person would perceive that the relationship has the potential to affect the



Member's conduct on a matter affecting the individual, whether or not the conduct or decision-making is actually affected.

"Inquiry" means an investigation in respect of whether a Member has contravened the Code, and "investigation" and "inquiry" may be used interchangeably; "investigate" and "inquire" have corresponding meanings.

"Local board" means a local board of the Municipality other than a local board excluded by section 223.1 of the *Municipal Act*.<sup>1</sup>

"Member" means a member of Council, including the Mayor, or of a Local Board.

"child" means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family.

"parent" means a person who has demonstrated a settled intention to treat a child as a member of his or her family, whether or not that person is the natural parent of the child; and

"spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage.

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<sup>1</sup> Section 223.1 of the *Municipal Act* excludes the following local boards from the accountability provisions in Part V.1 of that Act: (a) a children's aid society, (b) a board of health, (c) a long-term care home committee of management, (d) a police services board, (e) a public library board, (f) a corporation established by a municipality under section 203 of the Act, and (g) any other local board as prescribed by regulation under the Act.

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#### 4. STATUTORY PROVISIONS

This 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, 2001~~
- ~~The Municipal Conflict of Interest Act~~
- ~~The Municipal Elections Act, 1996, and~~
- ~~The Municipal Freedom of Information and Protection of Privacy Act.~~
- ~~The Ontario Human Rights Code~~
- ~~The Occupational Health and Safety Act.~~

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The ~~Criminal Code of Canada~~ also governs the conduct of ~~M~~members of Council.

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~~Each of these statutes is subject to its own enforcement regime unconnected to this Code of Conduct. A violation of provincial or federal legislation is not a violation of this Code, and the Integrity Commissioner does not have jurisdiction to consider whether a Member has contravened provincial or federal legislation.~~

#### 5. REGULATING CONDUCT APPLICATION

This Code of Conduct applies to the Mayor and all members of Council.

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#### 6.5. GIFTS AND BENEFITS

No ~~M~~member shall accept a fee, advance, gift, or personal benefit that is connected directly or indirectly with the performance of his or her the duties of office, unless permitted by ~~an~~ the exceptions listed below.

For these purposes, a fee or advance paid to, or a gift or benefit provided, with the ~~M~~member's knowledge, to ~~a~~ the ~~M~~member's spouse, child, or parent, or to ~~a~~ member's staff, that is connected directly or indirectly to the performance of the ~~M~~member's duties, is deemed to be a gift to ~~that~~ ~~M~~member.

The following are recognized as exceptions:

- (a) Compensation authorized by law;
- (b) Gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- (c) ~~PA~~ political contributions otherwise reported by law within lawful limits and duly reported, in the case of ~~M~~members running for office;
- (d) Services provided without compensation by persons volunteering their time;
- (e) A ~~S~~suitable memento of a function honouring ~~the~~ a ~~M~~member;
- (f) Food, lodging, transportation and entertainment provided by provincial, and local governments or political subdivisions of them, by the Federal Government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity;
- (g) Food and beverages consumed at banquets, receptions or similar events, if:
  - Attendance serves a legitimate business purpose;
  - The person extending the invitation, or a ~~representative~~ of the organization is in attendance;
  - And the value is reasonable and the invitation is infrequent.

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In the case of categories ~~exemptions~~ (b), (e), (f) and (g), if the value of the gift or benefit exceeds \$100.00, or the total value received from any one source during the calendar year exceeds \$100.00, the member shall, within 30 days of receipt of the gift, or reaching the annual limit, file a disclosure statement with the Integrity Commissioner.

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The disclosure statement must indicate:

1. The nature of the gift or benefit;
  2. The source and date of receipt;
  3. The circumstances under which it was given or received;
  4. Its estimated value;
  5. What the recipient intends to do with any gift; and
  6. Whether any gift will at any point be left with the municipality
6. Any disclosure statement will be a matter of public record.

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On receiving a disclosure statement, the Integrity Commissioner shall examine it to ascertain whether the gift or benefit might, in his or her the Commissioner's opinion, create a conflict between a private interest and the public duty of the member. If the Integrity Commissioner makes that preliminary determination, he or she the Commissioner shall call upon the Member to justify receipt of the gift or benefit.

Should the Integrity Commissioner determine that the receipt was inappropriate creates such a conflict, he or she the Commissioner may direct the Member to return the gift, turn it over to the Municipality, or reimburse the donor for the value of any gift or benefit already consumed to the township.

Except in the case of categories exceptions (a), (c) and (f), a Member may not accept a gift or benefit worth in excess of \$300.00 or gifts and benefits from one source during the calendar year worth in excess of \$300.00.

## 7. CONFIDENTIAL INFORMATION

By virtue of office, Members acquire confidential information, including confidential personal information, from a variety of sources.

Confidential information includes information in the possession of, or received in confidence by the Municipality, that under the *Municipal Freedom of Information and Protection of Privacy Act* the Municipality is prohibited from disclosing or releasing.

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A Member shall not use information obtained in the capacity of a Member and that is not available to the general public to further or seek to further a private interest of the Member, a family member of the Member, or a friend of the Member, or improperly to advance private interest or another individual or entity.

A Member shall not disclose by any means to anyone, except to a Member or to an employee of the Municipality or Local Board who requires the information in the course of duties, any confidential information acquired by virtue of office, in either oral or written form, except as required by law or authorized by Council or the Local Board to do so.

Members of Council should not access or attempt gain access to confidential information in the custody of the Municipality unless it is necessary for the performance of their duties and not prohibited by Council Policy.

If a matter has been discussed in a meeting or part of a meeting closed to the public in accordance with the *Municipal Act*, and the matter remains confidential, then a Member shall not disclose the content of the matter or the substance of the deliberations of the closed meeting or part. The restriction on disclosure applies until Council or committee discusses the information in meeting that is open to the public or releases the information to the public, or unless Council has authorized the Member to disclose.

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Confidential information includes information in the possession of or received in confidence by the Municipality of Calvin Township that the Municipality is either prohibited from disclosing, or is required to refuse to disclose, under the *Municipal Freedom And Protection of Privacy Act* (MFPPA) or other legislation.

Generally, MFPPA

The *Municipal Freedom of Information and Protection of Privacy Act* gives the Municipality the discretion to refuse to disclose a record that is subject to solicitor-client privilege. Privilege belongs to the Municipality and only Council, by resolution, may waive privilege. Privileged information and privileged communications are, unless Council has waived the privilege, "confidential information" under this section.

restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.

The *Municipal Act, 2001* allows information that is personal, labour relations, litigation, property acquisitions, the security of the property of the municipality or a local board and matters authorized in other legislation, to remain confidential. For the purposes of the Code of Conduct, "confidential information" also includes this type of information. The following are examples of information that a member of Council must keep confidential:

Items under litigation, negotiation, or personnel matters;

Information that infringes on the rights of others (e.g., sources of complaints where the identity of the complainant is given in confidence);

Price schedules in contract tender or Request for Proposal submissions if so specified;

Information deemed to be personal information under MFPPA; and

Statistical data required by law, not to be released (e.g. certain census or assessment data).

For greater certainty, under this section, in no case is information that has previously been released to the public or is otherwise in the public domain considered "confidential information."

No member shall disclose or release by any means to a member of the public, any confidential acquired by virtue of their office, in either oral or written form, except when required by law or authorized by council to do so.

Nor shall members use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

In accordance with Procedural Bylaw 2022-062, a matter that has been discussed in an in-camera (closed) meeting remains confidential. No member of Council shall disclose the content of such matter, or the subject of deliberations, of the in-camera meeting until the Council or committee discusses the information that is open to the public or releases the information to the public.

The following are examples of information that a member of Council must keep confidential:

- Items under litigation, negotiation, or personnel matters;
- Information that infringes on the rights of others (e.g., sources of complaints where the identity of the complainant is given in confidence);
- Price schedules in contract tender or Request for Proposal submissions if so specified;
- Information deemed to be personal information under MFPPA; and
- Statistical data required by law, not to be released (e.g. certain census or assessment data);

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Members of Council should not access or attempt gain access to confidential information in the custody of the Municipality unless it is necessary for the performance of their duties and not prohibited by Council Policy.

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The following are examples of information that a member of Council must keep confidential:

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- Items under litigation, negotiation, or personnel matters;
- Information that infringes on the rights of others (e.g., sources of complaints where the identity of the complainant is given in confidence);
- Price schedules in contract tender or Request for Proposal submissions if so specified;
- Information deemed to be personal information under MFPPA; and
- Statistical data required by law, not to be released (e.g., certain census or assessment data).

Members of Council should not access or attempt gain access to confidential information in the custody of the Municipality unless it is necessary for the performance of their duties and not prohibited by Council Policy.

#### 17.8. USE OF MUNICIPAL PROPERTY, SERVICES, OR OTHER RESOURCES

No Member of Council shall use, or permit the use of, land, facilities, equipment, supplies, services, staff or other resources (for example, municipal owned materials, websites) of the Municipality for activities other than the business of the Corporation Municipality. No Member shall obtain personal financial gain from the use or sale of municipal-developed intellectual property (for example inventions, creative writings and drawings) computer programs, technical innovations, or other items capable of being patented, since all such property remains exclusively that of the Municipality of Calvin Township.

#### 9 ELECTION CAMPAIGN WORK

Members are required to follow the provisions of the *Municipal Act, 2001*. No Member shall use the facilities, equipment, supplies, or other services of the Municipality of Calvin Township (including newspapers and websites linked through the municipal website) for any election campaign or campaign-related activities. No Member shall undertake campaign-related activities on municipal property during normal working hours unless permitted by policy (e.g., all candidates meetings). No Member shall use the services of persons for election-related purposes during hours in which those persons receive any compensation from the Municipality.

#### 10 IMPROPER USE OF INFLUENCE

In this section, "private interest" includes both a pecuniary (financial) and a non-pecuniary (non-financial) interest. It does not, however, include an interest in a decision or matter (a) that is of general application, (b) that affects a Member, family member or friend as one of a broad class of persons, (c) that concerns the compensation of a Member, or (d) that relates to a Code of Conduct proceeding involving the member.

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Quite apart from the *Municipal Conflict of Interest Act* (which deals with pecuniary interests in particular situations), a Member must not use the office of Member, or use the influence of office, to advance a private interest of the Member, a family member of the Member or a friend of the Member, or to advance improperly a private interest of any other individual or entity.

A Member must not attempt to influence the decision of another individual or entity (whether that individual or entity is part of the Municipality or is a third party) to advance a private interest of the Member, a family member of the Member or a friend of the Member, or to advance improperly a private



interest of any other individual or entity.

No Member shall make a decision or exercise an official power, duty or function if the Member knows or reasonably should know that, the making of the decision or the exercise of the power, duty or function would create an opportunity to advance a private interest of the Member, a family member of the Member or a friend of the Member, or to advance improperly a private interest of any other individual or entity, whether or not the private interest is actually advanced.

No Member shall solicit or accept the prospect or promise of future advancement of a private interest in exchange for the exercise of the Member's supposed influence or in return for action or inaction in the exercise of an official function or duty.

A Member shall not give preferential treatment to any individual or entity if a reasonable person would perceive (a) that the preferential treatment was for the purpose of advancing a private interest or (b) that the preferential treatment was based on the identity of the individual or entity or the identity of a representative of the individual or entity.

This section does not prohibit a Member from properly using influence on behalf of a constituent. No member of Council shall use the influence of his or her office for any purpose other than for the exercise of his or her duties. To improperly influence

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Examples of prohibited conduct are the use of one's status to influence the decision of another person to the private advantage of oneself, one's parents, children or spouse, or staff members, friends, or associates, business or otherwise. Also prohibited is the prospect or promise of future advantage through the member's supposed influence within council in return for action or inaction.

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For the purposes of this provision "private advantage" does not include a matter:

- (-) that is of general application
- (-) that affects a member of council, his or her parents, children, or spouse, staff members, friends, or associates, business or otherwise as one of a broad class of persons; or
- (-) That concerns the remuneration or benefits of a member of Council.

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**18-11- BUSINESS RELATIONS**

No Member shall act as a paid agent before Council, its committees, or an agency, board or commission of the Municipality except in compliance with the terms of the Municipal Conflict of Interest Act.

A Member shall not refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.

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**19-12- CONDUCT REGARDING CURRENT & PROSPECTIVE EMPLOYMENT**

No Member shall allow the prospect of his or her future employment by a person or entity to detrimentally affect the performance of his or her the Member's duties to the Municipality of Calvin Township.

**20-13- CONDUCT AT COUNCIL AND COMMITTEE MEETINGS**

Members shall conduct themselves with decorum at Council and committee meetings in accordance with the provisions of Pprocedural Bbylaw 2022-062.

Breaches of decorum, disrespect, and disorderly conduct should be dealt with by the presiding officer of a meeting, and shall not be the subject of a Code of Conduct complaint or an Integrity Commissioner inquiry.

The following are the only circumstances in which the Integrity Commissioner may entertain a complaint arising from conduct at a meeting:

- (a) The complaint is made by the Council or by a Local Board in relation to conduct that allegedly occurred at a meeting of Council or the Local Board.
- (b) The complaint is made by the Council in relation to conduct that allegedly occurred at a Committee meeting, if the complaint is based on a report to the Council by the Committee or its presiding officer.
- The complaint is made by an individual who (i) is not a Member, (ii) was present at the meeting where the conduct allegedly occurred and (iii) following the meeting formally communicated the concern to the Council, the Committee or the Local Board, as the case may be, or satisfies the Integrity Commissioner that there was good reason not to raise the concern first with the Council, the Committee or the Local Board.
- (c)

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**21-14- CONDUCT RESPECTING THE STAFF**

Under the direction of the (CLERK OR C.A.O.), staff serve the Council as a whole, and the combined interests of all members as evidenced through the decisions of council. Council members shall be respectful of the role of the staff to provide advice based on political neutrality and objectivity and without undue influence from any individual member or a faction of council.

Accordingly, no Council member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of staff.

No Council member shall compel staff to engage in political activities or be subject to threats or discrimination for refusing to engage in such activities. ~~Neither shall any Council member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intention of interfering with that person's duties.~~

A Member shall not attempt to influence or to interfere, either directly or indirectly, with an employee, officer or other individual exercising functions under the *Provincial Offences Act*.

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A Member shall not use or attempt to use office or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in the staff member's duties.

#### **22-15- DISCREDITABLE CONDUCT HARASSMENT AND DISCRIMINATION**

~~All members of Council have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment. No Member shall engage in discrimination against or harassment of a member of the public, an employee of the Municipality or a local board, or another Member.~~

No Member shall abuse, bully or intimidate another individual.

In a investigating a complaint under this section, the Integrity Commissioner shall have the authority to recommend to Council such interim measures as are necessary to protect the Complainant, to respect the rights of both Complainant and Respondent, and to ensure that integrity of the investigation.

~~The *Human Rights Code* applies as well as the *Occupational Health and Safety Act*.~~

#### **23-16- FAILURE TO ADHERE TO COUNCIL POLICIES AND PROCEDURES**

Several of the provisions of this Council Code of Conduct incorporate policies and procedures adopted by Council. As a result, ~~M~~members of the Council are required to observe the terms of all policies and procedures established by the Municipality of Calvin Township. Such policies and procedures are to be administered and enforced according to their terms. Enforcement of a policy or procedure of the Municipality does not involve this Code of Conduct or the Integrity Commissioner.

**24-17- REPRISALS AND OBSTRUCTION**

Each Member shall respect the integrity of the Code of Conduct and investigations conducted under it.

No Member shall engage in any reprisal or make a threat of reprisal against a Complainant or anyone for providing relevant information to the Integrity Commissioner.

No Member shall obstruct the Integrity Commissioner in the carrying out of the Integrity Commissioner's responsibilities. Obstruction includes but is not limited to the following: dMembers of Council should respect the integrity of the Council Code of Conduct and investigations conducted under it. Any reprisal or threat of reprisal a complainant or anyone for providing relevant information to the Integrity Commissioner is prohibited. It is also a violation of the Council Code of Conduct to obstruct the Integrity Commissioner in the carrying out of his or her responsibilities, as for example by the destroying ution of documents or the erasing ef-electronic communications, intimidating or taking a reprisal against a witness or complainant, and violating the confidentiality of the inquiry process.

The Integrity Commissioner may report reprisals and obstruction to Council and recommend penalties and remedial measures, even in the absence of a complaint.

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**25-18- ACTING ON ADVICE OF INTEGRITY COMMISSIONER**

Any written advice given by the Integrity Commissioner to a Mmember binds the Integrity Commissioner in any subsequent consideration of the conduct of the Mmember in the same matter if all the relevant facts known to the Mmember were disclosed to the Integrity Commissioner.

**26-19- COMPLIANCE WITH THE COUNCIL CODE OF CONDUCT**

Members of Council are accountable to the public through the four-year election process. Between elections a Member's they may, for example, become disqualified and lose the Member's if seat if convicted of an offence under the Criminal Code of Canada or for failing to declare disclose a conflict of personal pecuniary interest under the Municipal Conflict of Interest Act.

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A complaint alleging that a Member has contravened a specific rule in this Code of Conduct may be submitted to the Integrity Commissioner, who will determine whether to conduct an inquiry under section 223.4 of the Municipal Act. The Commissioner shall not conduct an inquiry into a complaint, or an allegation in a complaint, made more than three months after the date of the act or omission alleged to contravene the Code.

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In addition, subsection 223.4(5) of the Municipal Act, 20016 authorizes council to impose either of two penalties on a member of Council following a report from the Integrity Commissioner that, in his or her the Commissioner's opinion, there has been a violation of the Council Code of Conduct.

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1. A reprimand; or
2. Suspension of remuneration paid to the member in respect to his or her services as a member of Council or a Local Board for a period of up to 90 days.

**Other Remedial actions**

The Integrity Commissioner may also recommend that Council or a Local Board (restricted definition) take the following remedial actions:



1. Removal from membership on of a committee or Local Board.
2. Removal as Chair of a Committee or a Local Board.
3. Repayment or Reimbursement of moneys received.
4. Return or property or reimbursement of its value.
5. A request for apology to the Council, the complainant, or both.
- 5.6. Any other action to remedy the effect of the contravention.

20. POLICY REVIEW

A review of this Code of Conduct shall be performed in the year of a municipal election in order to maintain its accuracy and application. Should the legislation that governs this Code of Conduct change or a recommendation is received from the Municipality's Integrity commissioner prior to the year of a municipal election, the Code of Conduct shall be reviewed and revised accordingly.

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**Municipality of Calvin Township**

**Formal complaint form – Council Code of Conduct**

This form will be used to request an Integrity Commissioner to ~~review a~~ conduct an inquiry into the complaint of an alleged contravention of the Code of Conduct.

Submit completed request to:

CLERK Integrity Commissioner:

IntegrityCommissioner@fasken.com

OR

Integrity Commissioner, c/o Municipality of Calvin Township, 1355 Peddlers-Dr.,

RR#2, Matawa, ON, POH-1VO

**Applicant/Complainant Information**

Name \_\_\_\_\_

Address \_\_\_\_\_

Town/City \_\_\_\_\_ Postal Code \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Alleged Violator \_\_\_\_\_

**Details of alleged violation**

Date of alleged violation \_\_\_\_\_

Provision of the Section(s) of the Code of Conduct Violation Violated \_\_\_\_\_

**Facts constituting the alleged violation**

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Names and contact information of witnesses

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SIGNED \_\_\_\_\_

Date submitted \_\_\_\_\_

**For office Integrity Commissioner's use only**

Date received (year/month/day) \_\_\_\_\_

Request File number \_\_\_\_\_

Comments \_\_\_\_\_

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Personal information contained on this form is collected under the authority of Part V.1 of the *Municipal Freedom of Information and Protection of Privacy Act* and will be used for the purpose of responding to a complaint review request, processing the complaint and conducting any inquiry.

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**From:** Integrity Commissioner <IntegrityCommissioner@fasken.com>  
**Sent:** Tuesday, September 26, 2023 11:24 AM  
**To:** CAO <CAO@calvintownship.ca>  
**Subject:** Proposed edits - 2023-009 Code of Conduct Mar 2, 2023.docx

Dear Donna:

As we discussed, the attached shows proposed changes to the Code of Conduct.

Guy

**Guy W. Giorno**  
**Integrity Commissioner**

613 696 6871

416 865 5164

[integritycommissioner@fasken.com](mailto:integritycommissioner@fasken.com)

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## Deputy Clerk

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**From:** CAO  
**Sent:** Monday, November 6, 2023 2:30 PM  
**To:** Deputy Clerk  
**Subject:** FW: Proposed edits - 2023-009 Code of Conduct Mar 2, 2023.docx  
**Attachments:** Proposed edits - 2023-009 Code of Conduct Mar 2, 2023.docx

**Donna Maitland**  
**CAO/Clerk**

Municipality of Calvin  
1355 Peddlers Dr., R.R.#2, Mattawa, ON. P0H 1V0  
Ph: 705-744-2700 | Fax: 705-744-0309

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**From:** CAO  
**Sent:** Tuesday, September 26, 2023 11:37 AM  
**To:** Councillor Dean Grant <Councillor.Grant@calvintownship.ca>; Councillor John Manson <Councillor.Manson@calvintownship.ca>; Councillor Bill Moreton <Councillor.Moreton@calvintownship.ca>; Councillor Robert Latimer <Councillor.Latimer@calvintownship.ca>; Mayor Richard Gould <mayor.gould@calvintownship.ca>  
**Cc:** Administration (administration@calvintownship.ca) <administration@calvintownship.ca>  
**Subject:** FW: Proposed edits - 2023-009 Code of Conduct Mar 2, 2023.docx

Hello  
This will be received tonight, however not actioned tonight. It goes to the next council meeting for action/no action.  
Donna

**Donna Maitland**  
**CAO/Clerk Treasurer**

Municipality of Calvin  
1355 Peddlers Dr., R.R.#2, Mattawa, ON. P0H 1V0  
Ph: 705-744-2700 | Fax: 705-744-0309

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