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- 13.3 For the purposes of this provision "private advantage" does not include a matter:
- a) That is an interest in common with electors generally as defined in the *Municipal Conflict of Interest Act*;
  - b) that affects a Member, his or her parents/children or spouse, staff, friends or associates, business or otherwise, as one of a broad class of persons; or
  - c) that concerns the remuneration or benefits of a Member.
- 13.4 This provision does not prevent a Member from requesting that Council grant a lawful exemption from a policy.

## 14. Non-Compliance with this Code of Conduct – Sanctions

- 14.1 A Member found by the Integrity Commissioner to have contravened any provision of this Code, may be subject to one or more of the following consequences imposed by Council as referred to in the following:
- a) a reprimand;
  - b) suspension of the remuneration paid to the Member in respect of his or her services as a Member of the Council or Local Board, for a period of up to 90 days;
  - c) Other penalties, including, but not necessarily limited to:
    - i. Removal from membership of a Committee or Local Board;
    - ii. Removal as Chair of a Committee or Local Board;
    - iii. Require repayment or reimbursement of moneys received;
    - iv. Return of property or reimbursement of its value;
    - v. A request for an apology;
    - vi. Revocation of travel or another budget;
    - vii. Request for resignation; and

- viii. Trespass order restricting access except for Council Meetings.

## 15. No Reprisal or Obstruction in the Application or Enforcement of this Code

- 15.1 Every Member must respect the integrity of the Code of Conduct and inquiries and investigations conducted under it and shall co-operate in every way possible in securing compliance with its application and endorsement. Any reprisal or threat of reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner or any other person is prohibited. It is also a violation of the Code of Conduct to obstruct the Integrity Commissioner or any other municipal official involved in applying or furthering the objectives or requirements of this Code, in the carrying out of such responsibilities or pursuing any such objective.
- 15.2 Every Member shall cooperate with the Integrity Commissioner if the Integrity Commissioner conducts an inquiry concerning an alleged contravention of this Code.

## 16. Statutes and Policies Regulating the Conduct of Members

- 16.1 In addition to this Code of Conduct, the following Ontario legislation also governs the conduct of Members:
- a) the *Municipal Act, 2001* as amended;
  - b) the *Municipal Conflict of Interest Act*;
  - c) the *Municipal Elections Act, 1996*;
  - d) the *Municipal Freedom of Information and Protection of Privacy Act*;
  - e) the *Ontario Human Rights Code*; and,
  - f) the *Occupational Health and Safety Act*.
- 16.2 The following policies govern the conduct of Members:  
Procedural By-Law No. 2015-05
- 16.3 The *Criminal Code* also governs the conduct of Members.



- 16.4 A Member may become disqualified and lose his or her seat by operation of law, including being convicted of an offence under the *Criminal Code* or being found to have failed to comply with the *Municipal Conflict of Interest Act*, whether or not the conduct in question involves contravention of this Code of Conduct. In the case of any inconsistency between this Code and a Federal or Provincial statute or regulation the statute or regulation shall prevail. Should any provision of the Code become or be determined to be invalid, illegal or unenforceable, it shall be considered separate and several from the agreement and the remaining provisions shall remain in force.

## 17. Complaints Alleging Violation of This Code

- 17.1 Where a Member, a municipal employee, Officer, or a member of the public has reasonable grounds to believe that a Member(s) has contravened this Code, a complaint may be submitted to the Clerk's Department in the prescribed form which will be forwarded to the Municipality's Integrity Commissioner who will process it in accordance with the Integrity Commissioner Inquiry Protocol attached hereto as Schedule "B". The Complaint may also be submitted directly to the Integrity Commissioner in the event that such office is readily accessible.
- 17.3 Where a Member is found not to have contravened this Code, the Municipality is authorized to protect that Member against costs or expenses incurred by the Member as a result of the complaint proceedings.