



By-Law No. 16-2019 (Amendments)

A By-Law Establishing the Code of Conduct for Council

Pursuant to subsection 10(2)(a) of the Local Governance Act, S.N.B., 2017 c.18, amendments thereto and regulations adopted thereunder, the Council of the Rural Community of Hanwell hereby enacts as follows:

1. DEFINITIONS

In this by-law:

“Act” means the *Local Governance Act* (SNB 2017, c.18) and amendments.

“Complainant” means the party who makes the complaint.

“Respondent” means the person who has had a complaint made against them.

8. CONDUCT AT COUNCIL/COMMITTEE MEETINGS

Any member of Council found to be out of order may be asked to leave the meeting and further suspensions may occur.

12. CONDUCT RESPECTING STAFF/COUNCIL

16. USE OF SOCIAL MEDIA

- (a) Once posted on social media, any material or comment is accessible to anyone with an internet connection. Furthermore, the content can never be effectively removed. As public figures and representatives of the Rural Community of Hanwell, members should act with discretion and be judicious in what material they post on social media. As with any other communication, members are accountable for content and confidentiality. Care should be exercised in debates or comments on contentious matters, as feelings and emotions can become inflamed very quickly.
- (b) No member shall attempt to disguise or mislead as to their identity or status as an elected representative of the Rural Community of Hanwell when using social media, or otherwise.

- (c) No member shall use social media to publish anything that is dishonest, untrue, unsubstantiated, offensive, disrespectful, constitutes harassment, is defamatory or misleading in any way.
- (d) Where members provide a personal view or opinion on social media, members should take steps to ensure that such personal views or opinions are not construed to be those of the Rural Community as a whole and/or that such personal view or opinion does not accurately reflect the decisions of Council or bring the decision-making process of Council into dispute.

17. COMPLIANCE WITH THE CODE OF CONDUCT

- (a) This By-law is intended to be self-enforcing. It establishes standards of conduct for Members. Members shall be thoroughly familiar with and adhere to the By-law thereby enhancing public confidence in the local government by acting with integrity, respect, accountability, leadership, collaboration, public interest, and transparency.
- (b) Council does not have the authority to disqualify or remove a member from office; only a court of competent jurisdiction or the Minister of Environment and Local Government can do so. Council does, however, have the right to sanction a member, provided that the Member continues to have sufficient access to information and services so as to be able to carry out their duties as a member. Council has the authority to disqualify or remove a member from office. Council also has the right to sanction a member, provided that the Member continues to have sufficient access to information and services so as to be able to carry out their duties as a member.
- (c) Persons who have reason to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No Member shall undertake any act of reprisal or threaten reprisal against a complainant or any other person who, in good faith, provides relevant information in relation to a possible violation of this Code.
- (d) Any reported violations of this Code will be subject to an investigation by Council.
- (e) Complaints shall be dealt with by Council in accordance with the process set out in Conflict and Complaint Resolution Procedure Policy,

18. STATEMENT OF COMMITMENT

Members acknowledge the importance of the principles contained in this Code which will be self-regulated by Council. Members are required to sign a “Statement of Commitment to the Code of Conduct” (Schedule “A”) within seven (7) calendar days of this By-Law coming into force, and then within seven (7) calendar days of taking the oath of office pursuant to Section 58 of the *Local Governance Act*.

19. SEVERABILITY

If a court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed, and the remainder of the bylaw is deemed valid.

This By-Law shall come into effect on the date of enactment there from:

FIRST READING: (By title)	March 1, 2022
SECOND READING: (In its entirety)	March 16, 2022
THIRD READING AND ENACTMENT: (By title)	_____

Dave Morrison
Mayor

Terri L. Parker
Clerk/Treasurer