

Schedule “A” to By-law 2026-08

Repeals and replaces by-law 2010-63

CODE OF CONDUCT FOR MEMBERS OF COUNCIL of the Township of Plummer Additional

STATEMENT OF PRINCIPLE

Section 223.2(1) of the *Municipal Act*, 2001, S.O. 2001, as amended, requires a municipality to establish a code of conduct for members of the Council and its of its local boards.

A written Code of Conduct helps to ensure that the members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that The Township of Plummer Additional’s elected representatives operate from a base of integrity, justice, and courtesy.

Members of Council are responsible for making honest statements. No member shall make a statement when they know that statement is false. No member shall make a statement with the intent to mislead Council members or the public. The Township’s Council Code of Conduct is a general standard that augments the provincial laws, municipal policies and by-laws that govern their conduct. It is not intended to replace personal ethics. This Code of Conduct is consistent with the existing statutes governing the conduct of members. Four pieces of provincial legislation govern the conduct of members of Council, those being:

- the *Municipal Act*, 2001, as amended, and the Council Procedural By-law 2025-12
- the *Municipal Conflict of Interest Act*, 1990, as amended;
- the *Municipal Elections Act*, 1996, as amended; and
- the *Municipal Freedom of Information and Protection of Privacy Act*, 1990, as amended.

The Criminal Code of Canada also governs the conduct of members of Council. All members to whom this Code of Conduct applies shall serve their constituents in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of his or her official duties.

ADMINISTRATION

The Code of Conduct shall apply to all members of Council of The Corporation of The Township of Plummer Additional, will be in effect each term and will be included for their review as part of the orientation session. Members of Council will be expected to sign two copies of the Code of Conduct (one for themselves and one for the Clerk’s Office) to convey to each other and all stakeholders that they have read, understand and accept it.

PRESCRIBED SUBJECT MATTERS

Ontario Regulation 55/18 defines the prescribed subject matters that must be included in a municipal Code of Conduct for members of Council. These include:

1. Gifts, benefits, and hospitality.
2. Respectful conduct, including conduct toward officers and employees of the municipality.
3. Confidential information.
4. Use of property of the municipality.

GIFTS, BENEFITS AND HOSPITALITY

The stipend paid to each member of Council is intended to fully remunerate members of Council for service to the Corporation. Members of Council shall not solicit, accept, offer or agree to accept, a commission, reward, gift, advantage or benefit of any kind, personally or through a family member friend, which is connected directly or indirectly with the performance of his or her duties of Office, unless permitted by the exceptions listed below.

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

Members of Council are not precluded from accepting:

- Personal gifts, benefits, rewards, commissions or advantages from any person or organization not connected directly or indirectly with the performance or duties of office;
- Political contributions that are otherwise offered, accepted, and reported in accordance with applicable laws;
- Services provided without compensation by persons volunteering their time;
- Token gifts such as souvenirs, mementoes and commemorative gifts that are given in recognition of services on a committee, for speaking at an event or representing the Township at an event;
- Food, lodging transportation and entertainment provided by other levels of governments or by other local governments, boards, or commissions;
- Communication to the offices of a member, including subscriptions to newspapers and periodicals;
- A reimbursement of reasonable expenses incurred in the performance of duties of office; and
- Gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

Members of Council shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of public duties in the public interest.

RESPECTFUL CONDUCT

Each member has the duty and responsibility to treat members of the public, each other member and staff appropriately and without abuse, bullying or intimidation, and to ensure that the Township's work environment is free from discrimination and harassment. Without limitation, a member must not:

- Use indecent, abusive, or insulting words or expressions toward any other member of Council, any member of staff, or any member of the public;
- Speak in a manner that is discriminatory to any individual based on that person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, age, marital status, family status, or disability;
- Engage in any harassment of any other member of Council, any member of staff or any member of the public;

All members shall comply with the Township's Workplace Violence and Harassment Policy, By-law 2025-30.

CONDUCT RESPECTING STAFF

An individual member neither directs nor oversees the functions of the staff of the Township. Council as a whole approves the budget, policies, and governance of the Township through its by-laws and resolutions.

Staff serve Council and work for the Township as a body corporate under the direction of the CAO. Members shall acknowledge, respect, and have regard for the administration, managerial and organisational structure of the Township when requesting information, advice, or services from staff.

All members shall comply with the Township's Council-Staff Relations Policy, By-law 2019-10.

A member shall not publicly criticize staff. Any issue with respect to a staff member shall be referred to the CAO.

All members shall respect the role of staff in administration of the business and governmental affairs of the Township, and acknowledge and appreciate that staff:

- Provide advice and make policy recommendations in accordance with their professional ethics, expertise, and obligations, and that a member must not falsely or maliciously injure the reputation of staff members whether professional, ethical, or otherwise;

- Work within the administration of justice and that a member must not make requests, statements or take actions which may be construed as an attempt to influence the independent administration of justice and; therefore, a member shall not attempt to intimidate, threaten or influence any staff member from carrying out that person's duties, including any duty to disclose improper activity; and
- Carry out their municipal duties based on political neutrality and without undue influence from any individual member and; therefore, a member must not invite or pressure any member of staff to engage in partisan political activities or be subjected to discrimination or reprisal for refusing to engage in such activities.

HARASSMENT AND BULLYING

Harassment is defined as engaging in a course of vexatious comment or conduct that is known, or ought to be known, to be unwelcome.

Harassment of another member of Council, staff or any member of the public is misconduct. It is the policy of the Township that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

Bullying (ongoing health or career-endangering mistreatment) of another member of Council, staff or any member of the public is misconduct. Unlikely to involve physical violence, it usually takes the form of psychological abuse. Often, verbal and strategic insults are intended to prevent targets from being successful in their job/position.

CONFIDENTIAL INFORMATION

Members of Council have a duty to hold in strict confidence, all information concerning matters dealt with at closed meetings or portions thereof that are determined to be confidential by the CAO, Clerk or as specifically declared by Council.

A member shall not disclose the content of any confidential information, or the substance of deliberations, from a closed meeting. A member has a duty to hold any information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. A member shall not, either directly or indirectly, release, make public or in any way divulge any such information or any confidential aspect of the closed deliberations to anyone, unless authorized by Council or as required by law.

A member shall not disclose, use or release confidential information in contravention of applicable privacy laws. Members are only entitled to information in the possession of the Township that is relevant to matters before the Council, or a committee. Otherwise, members enjoy the same access rights to information as any other member of the community or resident of the Township and must follow the same processes as any private person to obtain such information.

A member shall not misuse confidential information in any way or manner such that it may cause detriment to the Township, Council, or any other person, or for financial or other gain for themselves or others.

A member shall respect the right to confidentiality and privacy of all clients, volunteers, and staff, and should be aware of their responsibilities under applicable legislation, municipal policies, procedures and rules, ethical standards and, where appropriate, professional standards.

A member shall not disclose any confidential information received by virtue of his or her office, even if the member ceases to be a member.

USE OF MUNICIPAL PROPERTY

No member shall use for personal purposes any municipal property, equipment, services, supplies or services of consequence other than for purposes connected with the discharge of municipal duties or associated community activities of which Council has been advised.

No member shall obtain financial gain from the use of municipally developed intellectual property, computer programs, technological innovations, or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Township of Plummer Additional.

No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

Members of Council shall avoid waste, abuse and extravagance in the provision or use of public resources and shall expose fraud and corruption of which the member of Council is aware.

COMPLIANCE WITH DECLARATION OF OFFICE

Each Member must act in accordance with his or her declaration of office or terms of appointment, as applicable.

CONFLICTS OF INTEREST

It is the responsibility of individual members of Council to ensure that they are aware and trained in the application of the *Municipal Conflict of Interest Act*. The onus is on the member to identify a conflict of interest, and he/she shall take the appropriate action to disclose/identify the existence of a conflict in favour of his/her public duty.

A contravention of the *Municipal Conflict of Interest Act* by a Member shall not constitute a breach of the Code of Conduct but may be enforced in accordance with the provisions of the statute and section 223.4.1 of the *Municipal Act*, 2001.

A member shall also avoid any conflict of interest that is a non-pecuniary interest in order to maintain public confidence in the Township. If a member has a non-pecuniary interest, the member should declare the non-pecuniary interest and then leave the meeting at which the matter is being considered. Under no circumstance shall the member participate in any discussion or vote on the matter or attempt to influence the voting on the matter in any way, before during or after the meeting.

It is the responsibility of individual members of Council to obtain independent legal advice with respect to any situation that might arise whereby there is a potential for a conflict of interest. Staff members are not permitted to provide advice regarding the determination of a conflict of interest for individual members of Council.

INTEGRITY COMMISSIONER

An Integrity Commissioner shall be appointed by by-law and will act in an independent manner. The Commissioner and every person acting under the instructions of the Commissioner shall preserve confidentiality with respect to all matters that come to his or her knowledge in the course of his/her duties, in accordance with the *Municipal Act*, as amended. The Integrity Commissioner will investigate formal written complaints and may, at his/her discretion, conduct investigations in accordance with the *Public Inquiries Act*. The Integrity Commissioner may refuse to investigate allegations that are deemed to be frivolous or vexatious or beyond his jurisdiction.

The Integrity Commissioner shall:

- Investigate within 30 days of receipt of a formal written request and prepare a written report and recommendation for Council. Additional time, if justifiable, may be authorized by a resolution of Council;
- Determine if a member or members have committed a breach of the code;
- Recommend disciplinary action as set out in the Municipal Act;
- Provide an annual report to Council for review. This report shall provide a list of investigations completed and underway.

The Integrity Commissioner may consult with legal counsel as may be required in determining points of law.

RESPECT FOR THE CODE OF CONDUCT

Members acknowledge and recognize the value of the Code of Conduct and shall respect the process for complaints made under the Code. A member shall not act in reprisal or threaten reprisal against any person, including another member of Council, who makes a complaint or provides information to the Integrity Commissioner during an investigation.

A Member shall interact courteously and respectfully with the Integrity Commissioner and with any person acting under the direction of the Integrity Commissioner. A member shall

cooperate with requests for information during any investigation or inquiry under the Code of Conduct and shall not:

- Interfere with or obstruct an investigation by the Integrity Commissioner;
- Destroy or damage documents or erase any digital or electronic communications or records;
- Refuse to respond to the Integrity Commissioner where a complaint has been filed under the Code of Conduct or any process for complaint adopted by the Township;
- Attempt to influence any other member of Council or staff with respect to the subject matter of the investigation or inquiry except as may be permitted pursuant to sections 5 (2.1) and 5.2 (2) of the *Municipal Conflict of Interest Act*.

IMPROPER USE OF INFLUENCE

No member shall use the influence of his or her office for any purpose other than for the lawful exercise of his or her official duties and for Township purposes. Without limitation, no member may:

- Use his or her office or position of influence or attempt to influence the decision of any other person, for the member's private advantage or that of the member's parent, child, spouse, staff, friend or associate, business or otherwise;
- Attempt to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties; or
- Hold out the prospect or promise of future advantage through the member's supposed influence within Council, in return for any action or inaction.

Members shall be respectful of the fact that staff work for the municipality as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group or members of Council.

In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the municipality and are required to do so without any undue influence from any individual member or group of members of Council.

COMMUNICATIONS AND MEDIA RELATIONS

Members of Council will accurately and adequately communicate the attitudes and decisions of Township Council, even if they disagree with a majority decision of Council so that:

- There is respect for the decision-making process of Council;
- Official information related to decisions and resolutions made by Council will normally be communicated in the first instance to the community and the media in an official capacity by the Mayor or his/her designate;

- Information concerning adopted policies, procedures and decisions of the Council is conveyed openly and accurately;
- Confidential information will be communicated only when and after determined by Council.

SOCIAL MEDIA

Members using social media shall:

- Ensure that all posts are accurate before uploading content to the internet;
- Obtain permission before posting any third-party content;
- Follow the same principles and guidelines as for other forms of communication by employing sound judgment and common sense; by acting with respect, dignity, courtesy, and empathy; and
- Ensure that it is noted that communications that are member and constituent related do not necessarily reflect the existing or future opinions, views, or decisions of the Council.

LEGAL FEES

A Member of Council is entitled to seek the advice of the Integrity Commissioner with respect to their own obligations under the Code of Conduct, any ethical procedure, and sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act*.

As such, a Member is solely responsible for their own legal costs if they retain a lawyer or paralegal to provide legal counsel, advice or representation on any matter related to the Code of Conduct, any ethical procedure, policy or rule, and sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act*, including, but not limited to, an investigation and the imposition of penalties or remedial or corrective actions recommended by the Integrity Commissioner or as imposed by Council, a complaint to the Ontario Ombudsman or a judicial review application to the courts from a decision of Council based on a report and recommendations from the Integrity Commissioner, or any other related proceeding.

Appendix “1” to Schedule “A” to By-law 2026-08

CODE OF CONDUCT FOR MEMBERS OF COUNCIL
of the Township of Plummer Additional

COMMITTMENT OF THE COUNCIL MEMBERS

We, the Members of Council of the Corporation of the Township of Plummer Additional are committed to observing this Code of Conduct.

The Code of Conduct will be reviewed by the municipal Council each term following a regular municipal election or by-election.

Mayor

Councillor

Councillor

Councillor

Councillor