



POLICY

Code of Conduct for Elected Municipal Officials Policy	
Policy Number: 110-011	Supersedes Policy Number: Not Applicable
Effective Date: March 3, 2020 Amended Date: July 19, 2022 November 21, 2023 June 25, 2024 December 17, 2024	Approval By Council (Motion Number): 17-07-22 26-11-23 20-06-24 25-12-24

1.0 Purpose

To ensure that all elected Town of Wolfville municipal officials adhere to the Prescribed Code of Conduct as per legislative and Town requirements.

2.0 Scope & Responsibility

This Policy is applicable to all elected municipal officials and shall apply from the time that they are declared elected until:

- i. their resignation;
- ii. their disqualification while in office; or
- iii. their successor is sworn into office, or, if there is no successor, until the meeting at which the successor would have been sworn into office if there was a successor.

The Council Policy Review Task Force is the Administrator of this policy.

3.0 References

- 3.1 Municipal Elections Act 1989
- 3.2 Municipal Government Act 1998
- 3.3 The Code of Conduct for Municipal Elected Officials Regulations N.S. 219/2024
- 3.4 Policy 130-818 Respectful Workplace Policy



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4.0 Definitions

- 4.1 **Administrator** is defined as the staff position delegated by the CAO, responsible for the implementation and co-ordination of review of a specific Policy. For legislative policies, Council, or a delegated Council Policy Committee, is considered the **Administrator**.
- 4.2 **Council** means the Council of the Town of Wolfville
- 4.3 **Members of Council** include(s) the Mayor
- 4.4 **Mayor** is the Mayor of the Town of Wolfville
- 4.5 **Policy** is defined as a generalized statement of interest based upon a body of principles, which describes what is to be done now and in the future.
- 4.6 **Procedure** is defined as a statement(s) arising from policy which sets out who does what, how, and in what sequence, the method of carrying out the policy.
- 4.7 **Town** means the Town of Wolfville

5.0 Policy

5.1 Guiding Principles

The below guiding principles are:

- 5.1.1 **Collegiality:** members of council will work together to further the best interests of the Town in an honest and honourable way.
- 5.1.2 **Respect:** members of council will demonstrate respect towards one another, the democratic decision-making process, and the role of staff.
- 5.1.3 **Integrity:** members of council are expected to be lawful and adhere to strong ethical principles by giving the Town interests priority over private individual interests.
- 5.1.4 **Professionalism:** members of council will create and maintain an environment that is respectful and free from all forms of harassment, including sexual harassment and discrimination. They must show consideration for every person's values, beliefs and contributions, while supporting and encouraging others to participate in council activities.
- 5.1.5 **Transparency:** members of council will be truthful and open



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regarding their decisions and actions and make every effort to accurately communicate information openly to the public.

- 5.1.6 Responsibility: members of council are responsible for the decisions that they make and must be held accountable for their outcomes. They must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

5.2 General Conduct

- 5.2.1 Members of council must be truthful and forthright, and not deceive or knowingly mislead Council, the CAO, or the public.
- 5.2.2 Members of council will respect the presiding officers, colleagues, staff and members of the public that present during the council meeting or other proceedings/meetings of the Town.
- 5.2.3 Members of council will adhere to procedure and direction of presiding officers in respect to rules of procedure.
- 5.2.4 Members of council must conduct council business and all of the member's duties in an open and transparent manner, other than for those matters which Council is authorized by law to deal with in private.
- 5.2.5 Members of council must ensure that they are not impaired by alcohol or drugs while attending any meeting of the Town.
- 5.2.6 Members of council must come to each meeting fully prepared to participate, having read the pre-circulated reports and information contained in the agenda packages.
- 5.2.7 Members of council have a duty to inspire public confidence by being present and engaged in and with the members of this Town to effectively carry out the role of being their representative.



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5.3 Confidential Information

- 5.3.1 No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.
- 5.3.2 No Member of Council will use confidential information for personal or private gain or for the gain of any other person or entity.
- 5.3.3 Members of Council should not access or attempt to access confidential information in the custody of the Town unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the by-laws or policies of the Town.
- 5.3.4 Members of council must not discuss any matters relating to an active investigation under this Code of Conduct with anyone other than the investigator or their own legal representative, unless required by law.

5.4 Gifts and Benefits

- 5.4.1 No member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
 - i. gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation.
 - ii. a suitable memento of a function honouring the member of Council.
 - iii. sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a member of Council.
 - iv. compensation authorized by the Town.



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- 5.4.2 A fee or advance paid, or a gift or benefit provided, with the Member's knowledge, to a person closely connected to a member is deemed to be a gift to the Member of Council.

5.5 Use of Municipal Property, Equipment and Services

- 5.5.1 No member of Council shall use, or request the use of, any Town property, including surplus material or equipment for personal convenience or profit, unless the property is:
- i. available for such use by the public generally and the member of Council is receiving no special preference in its use; or,
 - ii. made available to the member of Council in the course of carrying out council activities and duties.
- 5.5.2 No Member of Council shall use, or request the use of, for personal purpose any Town property, equipment, services, supplies or other Town-owned materials, other than for purposes connected with the discharge of Town duties.
- 5.5.3 No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of Town-developed intellectual property.
- 5.5.4 No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the public for any purposes other than carrying out their official duties.
- 5.5.5 No Member of Council, or person closely connected to a member, shall tender on such items such as the sale of older and extra equipment.

5.6 Building, Development, Planning or Procurement Proposals before Council

- 5.6.1 No Members of Council shall solicit or accept support in any form from an individual, group or corporation with any planning or procurement proposal before Council.



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5.7 Improper Use of Influence

5.7.1 No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.

5.8 Business Relations

5.8.1 No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the Town.

5.8.2 No Member of Council shall borrow money from any person who regularly does business with the Town unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

5.8.3 No Member of Council shall act as an agent of a person or entity before Council or a committee of Council or any agency, board or committee of the Town.

5.9 Employment of Persons Closely Connected to Members of Council

5.9.1 No member of Council shall attempt to influence any Town employee to hire or promote a person closely connected to the member.

5.9.2 No member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline, or terminate any person closely connected to the member.

5.10 Fairness

5.10.1 No member of Council shall give special consideration, treatment, or advantage to any individual or entity beyond that which is accorded to all.

5.10.2 No member of Council shall give special consideration, treatment or advantage to an organization or group due to the member or person closely connected to the member being involved with or a member of the organization or group.



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5.11 Adherence to Policies, Procedures, Bylaws and Other Laws

- 5.11.1 Members of Council will adhere to the Code of Conduct.
- 5.11.2 Members of Council will adhere to applicable national and provincial legislation.
- 5.11.3 Members of Council will adhere to procedures, policies and bylaws of the Town.
- 5.11.4 Members of Council will adhere to the expense and hospitality policies of the Town.

5.12 Respect for Council as a decision-making body

- 5.12.1 A member of council must abide by and act in accordance with any decision made by council, whether or not the member voted in favour of the decision.
- 5.12.2 Members of Council must not encourage non-compliance with a statute, regulation, bylaw, policy or procedure.

5.13 Communicating on behalf of Council

- 5.13.1 A member, other than the Mayor, must not claim to speak on behalf of Council unless the member has been authorized to do so.
- 5.13.2 The Mayor may speak on behalf of Council and must make every effort to convey the intent of councils' decision accurately.

5.14 Interactions of Council with Staff and Service Providers

- 5.14.1 Members of Council must respect the role of the CAO as head of the administrative branch of government of the Town and must not involve themselves directly in the administration of the affairs of the Town, including, without limitation, the administration of contracts.
- 5.14.2 No member of Council shall direct, or attempt to direct, the CAO,



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other than through a direction provided by the Council as a whole.

- 5.14.3 Members of Council shall be respectful of the role of CAO and Town employees to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
- 5.14.4 Members of Council must not direct or influence or attempt to direct or influence any Town employees in the exercise of their duties or functions.
- 5.14.5 Council cannot direct Town employees except through the CAO.
- 5.14.6 Members of Council are not to issue instructions to any of the contractors, tenderers, consultants, or other service providers to the Town.
- 5.14.7 No member of Council shall require or request that a Town employee undertake personal chores or tasks for the member unrelated to Town business.
- 5.14.8 Members of Council shall refrain from making public statements that are critical of specific and/or identifiable Town employees and/or service providers.

5.15 Respectful Interactions

- 5.15.1 A member of Council must not engage in discrimination or harassment on the grounds articulated in the Human Rights Act of Nova Scotia.
- 5.15.2 A member of Council must not sexually harass any person.
- 5.15.3 A member of Council must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at one or more individuals or groups that creates a poisoned environment.

5.16 Reprisal

- 5.16.1 A member of Council must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this



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Code of Conduct, or any person providing relevant information in relation to a matter under this Code of Conduct.

5.17 Sanctions Framework

Council shall consider all of the following criteria prior to imposing a sanction or sanctions.

- 5.17.1 The nature of the code contravention.
- 5.17.2 The length or persistence of the code contravention.
- 5.17.3 If the member knowingly contravened the code of conduct.
- 5.17.4 If the member has taken any steps to remedy the contravention.
- 5.17.5 If the member previously contravened the code of conduct.
- 5.17.6 Any external factors that exist to the member's contravention (e.g. family situation, mental health).
- 5.17.7 The resources the member will need to complete their job.

5.18 Sanctions

- 5.18.1 Member will receive a letter of formal reprimand or warning, as directed by council.
- 5.18.2 Member will issue a letter to include acknowledgement of breach of code and an apology within 15 days.
- 5.18.3 Require the member to attend training, appropriate to the incident, as directed by council.
- 5.18.4 Censure the member publicly.
- 5.18.5 Limit the member's access to certain local government facilities, equipment and/or property.
- 5.18.6 Suspending or removing the member as deputy head of council and/or the chair of a committee, if applicable.
- 5.18.7 Suspending or removing the member for no longer than 6 months from some or all committees and/or boards.



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- 5.18.8 Impose a limit on the member's participation on behalf of the municipality.
- 5.18.9 Impose a limit on the member's travel and/or expense reimbursement on behalf of the municipality.
- 5.18.10 Impose a fine on the member for up to \$1,000 per occurrence, which is to be paid no later than 6 months from the decision of council and to be collected in the same manner as other taxes.
- 5.18.11 Impose an appropriate reduction in remuneration to the member for no longer than 6 months.
- 5.18.12 Make member repay any direct monetary loss realized by the municipality as a result of the member's action in any amounts determined by the investigator.
- 5.18.13 Make member repay any direct monetary gain they obtained from their actions in any amounts determined by the investigator.

5.19 Complaint and Investigator Process

- 5.19.1 The Town will appoint a person or entity other than a Council member or an employee of the Town to receive and investigate complaints.
- 5.19.2 The person or entity appointed must have experience in conducting investigations and in applying the principles of natural justice. No conflict of interest can exist between the investigator and the parties involved.
- 5.19.3 The Town must include the investigator's contact information on their publicly accessible website.
- 5.19.4 A complaint will be submitted to the investigator no later than 6 months from discoverability.
- 5.19.5 Any complaints brought forward during the municipal election period of nomination day until ordinary polling day will not be investigated until the election has concluded.



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- 5.19.6 When a complaint is received by the investigator, the investigator shall notify the CAO/Clerk of the fact that a complaint has been received.
- 5.19.7 The investigator will determine if there is validity to the complaint. If there is no validity, then the complaint can be dismissed.
- 5.19.8 If the investigator finds that the complaint is valid, the investigator shall notify the member who is the subject of the complaint that a complaint has been made about them, and it is proceeding to an investigation.
- 5.19.9 The investigator will begin their investigation and notify Council through confidential email or in camera of the fact that a complaint is proceeding to the investigation phase.
- 5.19.10 The investigator shall protect the confidentiality of the complainant, the subject(s) of the complaint, and all persons involved in the investigation, to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness.
- 5.19.11 The investigator shall present a report to council, no later than 6 months from the time the complaint is brought forward, on the investigation and include a recommendation regarding the validity of the complaint and, if applicable, a recommendation regarding an appropriate sanction:
- i. If complaint is brought forward during the municipal election period of nomination day until ordinary polling day it will not be investigated until the election has concluded. Investigations already in progress at the time of nomination day will continue.
 - ii. Council may grant the investigator an extension on when the report can be brought to Council for extenuating circumstances, including a delay during a municipal election period.
 - iii. Council can discuss the investigators report in-camera.
 - iv. The member who had the complaint lodged against them will have the opportunity to review and respond to the



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information in the investigator's report, and make submissions to Council, prior to the Council's vote.

- 5.19.12 Council determines if a breach occurred and determines the sanction(s) to impose. If a councillor is the subject of the complaint or has made the complaint under the Code the councillor shall:
- i. In the case of a closed meeting, leave the room in which the meeting is held.
 - ii. In the case of a public meeting, either leave the room or remain in the room in the part of the room for general public; and
 - iii. Refrain from voting on any question relating to the matter
- 5.19.13 Any breach of the code determined by councils shall automatically retrigger the required Code of Conduct training.
- 5.19.14 The section under the code of conduct the complaint was lodged and the investigators recommendations are made public.
- 5.19.15 The decision or penalty of Council on a code of conduct matter is final and binding on all parties.

6.0 Policy Review

This policy will be reviewed every four years from effective/amended date.

Appendices:

- [Appendix A](#) – Statement of Commitment to Councillors Code of Conduct

CAO or Town Clerk

2024-12-17

Date



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APPENDIX A

STATEMENT OF COMMITMENT TO COUNCILLORS' CODE OF CONDUCT

I, (Full Name) _____ declare that as a Councillor of the
Town of Wolfville I acknowledge and support the Councillors' Code of Conduct.

Signed:

Declared this _____ day of _____, 20__.

Before me:

Chief Administrative Officer/Town Clerk