



LEGISLATIVE SERVICES

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MEMORANDUM

TO: Mayor Van Bynen & Members of Council
FROM: Lisa Lyons, Deputy Town Clerk, Legislative Services
DATE: February 25, 2015
RE: **Code of Conduct for Members of Council**

This memo provides further information regarding the proposed By-law to establish a Code of Conduct for Members of Council. During the Committee of the Whole meeting held on February 22, 2016, Council provided feedback on the draft Code as presented. A deputation from a member of the public was also received providing feedback related to a Lobbyist Registrar and Social Media provisions.

The following amendments as requested by Council have been made to the Code and are also highlighted in the attached By-law:

Amended Section	Comments
Section 2.1 (i)	Further clarification that the definition of gifts pertains to those received and retained by Members.
Section 12.1 (c) and 12.2 (c)	Further clarity around receiving funds for charitable organizations and how resources can be used. Clarify the concept of Members being able to solicit donations for external community groups and organizations (including use of resources to do so) from the restriction that requires that the money/funds not be received or processed using Town resources.
Section 17.1	Further clarification of who can file a complaint, specifically naming Members of Council.
Section 17.1 (c)	Amend six months to 60 days
Section 17.3	Separation of requirement for Integrity Commissioner to advise complainant from the specific jurisdictional references.

Consideration and discussion was also provided concerning the following items:



Gifts

Council adopted staff's recommendation of no gifts as this was a recommended best practice noted by the Town's consultant and public feedback supported the view that gifts should not be permitted. There are exceptions which permit Members to accept token items in connection to their official duties that accompany the responsibilities of elected office.

Lobbyist Registrar

Further public feedback was provided regarding the implementation of a Lobbyist Registrar. As recommended in Corporate Service Report – Legislative Services – 2016-05, there is no jurisdiction to mandate lobbyists with the Code.

The *Municipal Act, 2001* allows municipalities to pass a lobbying by-law setting out definitions of lobbying and lobbyists and to provide for a lobbyist registry framework and appointment of a lobbyist registrar responsible for registration functions, education and enforcement. Many public institutions have adopted related policies or practices which support similar lobbying rules or guidelines envisioned in the lobbying legislation. Currently, Council has put in place measures which respond to lobbying large dollar value procurement of goods and services. This was recently implemented for the Northern Six Waste Collection Contract RFP and these measures will continue to be considered as required.

Social Media

As noted by the Town's consultant, there is no accepted best practice about social media rules specifically for Members of Council. Council requested that Social Media provisions be included in the Code to provide immediate guidance for Member's behavior. Other guidelines or policies can be considered and brought forward in the future.

For further information, please contact me at 905-953-5300, ext. 2203 or llyons@newmarket.ca.



Lisa Lyons, Deputy Town Clerk