

## The Code of Ethical Conduct for Members of City Council Amendment Bylaw, 2022

### ISSUE

This report submits Bylaw No. 9861, *The Code of Ethical Conduct for Members of City Council Amendment Bylaw, 2022* (“Bylaw”) for City Council’s consideration. The Bylaw implements City Council’s decision to implement various recommendations made by the Saskatoon Municipal Review Commission (“SMRC”) to clarify various sections of the Bylaw as outlined in this report.

### RECOMMENDATION

That City Council consider Bylaw No. 9861, *The Code of Ethical Conduct for Members of City Council Amendment Bylaw, 2022*.

### BACKGROUND

At its meeting on [August 22, 2022](#), the Governance and Priorities Committee (“GPC”) considered a report from the City Solicitor entitled “Saskatoon Municipal Review Commission – 2022 Municipal Code of Conduct Committee Report” along with the SMRC Code of Conduct Committee’s report dated June 1, 2022, and resolved in part:

That the Administration report back on the consideration of including the language from the Winnipeg code of conduct bylaw with regards to determining what is considered a legitimate basis for Council members to receive tickets to attend events. In preparing this report would the Administration consult with both the Integrity Commissioner and the Saskatoon Municipal Review Commission for their comments on the merits of the Winnipeg language in helping provide further definition to what is acceptable and not acceptable as a legitimate purpose to receive such tickets.

At its [August 29, 2022 Regular Business Meeting](#), City Council considered the same reports as noted above and resolved, in part:

1. That Bylaw No. 9537, *The Code of Ethical Conduct for Members of City Council Bylaw, 2019* be amended as follows:
  - a. That Section 16 be amended to include language that a member of Council must attend conflict of interest training, code of ethical conduct training and respectful workplace and anti-harassment training within 60 days following a general election;

- b. That Section 38(h) be amended in part by changing “tickets to meals, banquets, receptions, sporting events, or other similar activities” to “admission or tickets to meals, banquets, receptions, community events, business events, sporting events, charitable or fund-raising events, professional theatre events, concerts or other similar events (Option 2 – Amend the Code in Part as Per the SMRC Recommendation);
  - c. That a conflict of interest section be added to refer to the provisions of *The Cities Act* in the Code as the rules to avoid creating situations where the Code is in conflict with *The Cities Act* and that the ability of members of Council to obtain external legal advice with respect to a possible conflict of interest be included;
  - d. That the Support for Charities Section be moved to the new conflict of interest section;
  - e. That Section 70 be amended to make it clear that existing Councillor websites, social media, email and phone numbers do not need to be deleted during an election period;
  - f. That Section 64 be amended to remove reference to October 31<sup>st</sup> and instead reference “until after election day in a general election year”;
  - g. That Clause 84(k) be amended to provide a more fulsome description of what may be contained within the Integrity Commissioner’s annual report;
  - h. That Section 84 be amended to suggest procedures for addressing complaints and seeking resolution informally, including the addition of language allowing the Integrity Commissioner to refer a complaint to mediation or a third party upon consent of both parties;
  - i. That Schedule “A” Complaint Form be amended so that it includes a notice of privacy rights;
  - j. That Subsection 91 be amended to include language clarifying that the Integrity Commissioner has the ability, in their sole discretion, to amend the report after consideration of the matter at the Governance and Priorities Committee and before it is presented to City Council
  - k. *Removed*
  - l. That “supplies and resources to perform a Councillors’ duties” be added to Section 38(a) to clarify whether office equipment, transit passes, and parking passes are considered gifts, or things necessary to perform the duties of a Councillor; and
2. That the City Solicitor be instructed to bring forward the updated version of Bylaw No. 9537, *The Code of Ethical Conduct for Members of City Council Bylaw, 2019* to City Council for its consideration;

City Council further resolved:

1. That Bylaw No. 9537, *The Code of Ethical Conduct for Members of City Council Bylaw, 2019* be amended as follows:
  - k. That Sections 86 - 94 be amended to grant the Integrity Commissioner up to an additional 30 days (120 days) regarding communication and reporting time requirements;

City Council, at its [October 31, 2022 Regular Business Meeting](#) considered a further report from the City Solicitor and resolved:

That no further amendments be made to Clause 38(h) of Bylaw No. 9537, *The Code of Ethical Conduct for Members of City Council Bylaw, 2019* other than what was already directed by City Council at its Regular Business Meeting of August 29, 2022 (Option 1: Status Quo).

#### **DISCUSSION/ANALYSIS**

The amendments reflect the direction of City Council based on the recommendations of the SMRC and City Administration.

In accordance with City Council's instruction, we are pleased to submit Bylaw No. 9861, *The Code of Ethical Conduct for Members of City Council Amendment Bylaw, 2022* for City Council's consideration.

#### **APPENDIX**

1. Proposed Bylaw No. 9861, *The Code of Ethical Conduct for Members of City Council Amendment Bylaw, 2022*

#### Report Approval

Written by: Christine G. Bogad, Director of Legal Services  
Approved by: Cindy Yelland, City Solicitor