

## COMMITTEE OF THE WHOLE AGENDA

**Monday, May 8, 2023**  
**to follow the Regular Council Meeting**  
**Council Chambers**  
**325 Wallace Street, Hope, British Columbia**

**IMPORTANT: FOR ATTENDEES – MASKS ARE OPTIONAL**

For those in attendance at District of Hope Open Council Meetings, please be advised that the Hope Ratepayers Association is recording these meetings. The District, in no way, has custody or control of the recordings.

Therefore, all persons who do not want their presentation or themselves recorded, please approach the Clerk to declare same and the District will relay this to the Association so that you can freely speak.

### 1. CALL TO ORDER

### 2. APPROVAL OF AGENDA

Recommended Resolution:

THAT the May 8, 2023, Committee of the Whole Meeting Agenda be adopted as presented.

### 3. ADOPTION OF MINUTES

#### (a) Committee of the Whole Meeting (1)

Recommended Resolution:

THAT the Minutes of the Committee of the Whole Meeting held April 24, 2023, be adopted as presented.

### 4. OTHER PERTINENT BUSINESS

#### (a) Memorandum dated May 3, 2023 from the Chief Administrative Officer Re: Council Code of Conduct Draft (3)

Council direction is required.

### 5. QUESTION PERIOD

Call for questions from the public for items relevant to the agenda.

### 6. CLOSE COMMITTEE OF THE WHOLE AND RETURN TO OPEN MEETING

# MINUTES OF A COMMITTEE OF THE WHOLE MEETING

Monday, April 24, 2023  
Council Chambers, District of Hope Municipal Office  
325 Wallace Street, Hope, British Columbia

**Council Members Present:** Mayor Victor Smith  
Councillor Heather Stewin  
Councillor Scott Medlock  
Councillor Angela Skoglund  
Councillor Pauline Newbigging  
Councillor Zachary Wells  
Councillor Crystal Sedore

**Staff Present:** John Fortoloczky, Chief Administrative Officer (CAO)  
Donna Bellingham, Director of Corporate Services  
Thomas Cameron, Fire Chief  
Branden Morgan, Deputy Corporate Officer/EA

**Others in attendance:** 4 member of the public and 1 media

**1. CALL TO ORDER**

Mayor Smith called the meeting to order at 6:30 p.m.

**2. APPROVAL OF AGENDA**

**Moved / Seconded**

THAT the April 24, 2023 Committee of the Whole Meeting Agenda be adopted as presented. **CARRIED.**

**3. ADOPTION OF MINUTES**

**(a) Moved / Seconded**

THAT the Minutes of the Committee of the Whole Meeting held February 13, 2023, be adopted as presented. **CARRIED.**

**4. OTHER PERTINENT BUSINESS**

**(a) Code of Conduct – Drafting**

The CAO advised Council that he provided reference material and examples from other municipalities for their review. He added that Staff is prepared to assist in the drafting of the Code of Conduct and would like Council to provide direction.

Council inquired as to whether a policy would be reviewed every year, the CAO advised that is a strategy that the District has implemented in other policies, and that it can be written into this one. Council noted that the City of Mission's Code of Responsible Conduct policy had a good layout that was easy to read and understand. As well, Council would like to see additional items such as a consequence tier list, values, leading practice tips, and an aid sheet included. The

CAO noted that this policy will be for Council, and that existing policies are already in place to cover Staff.

The CAO advised Council that Staff will take Council's direction and suggestions to create a draft based on the City of Mission policy format and bring it back at a future Committee of the Whole meeting.

**5. QUESTION PERIOD**

There were no questions.

**6. CLOSE**

**Moved / Seconded**

THAT the April 24, 2023 Committee of the Whole Meeting adjourn at 6:39 p.m.  
**CARRIED.**

*Certified a true and correct copy of the Minutes of the Committee of the Whole meeting held on April 24, 2023 in Council Chambers of the District of Hope, British Columbia.*

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Mayor

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Director of Corporate Services

# MEMORANDUM

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**DATE:** 3 May 2023

**FILE NO:** 0340-03

**TO:** Council

**FROM:** Chief Administrative Officer

**MEETING DATE:** 8 May 2023

**SUBJECT:** Council Code of Conduct Draft

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As per Council's direction during the last Committee of the Whole, 24 April 2023; staff have created a draft based largely on the City of Mission's policy. This work was then formatted according to our template with the following highlighted recommendations within the draft. These are summarized below so you can best consider them prior to further consideration at the next Committee of the Whole meeting. These recommendations are:

1. Review date be shortly after the installation of the next Council (2026);
2. Statement that the Code will be made public;
3. Mention of the District Respectful Workplace and Whistle Blower Policies of which you are also expected and acknowledge abiding;
4. Annual review and acknowledgement of the Code;
5. Retaliation also mentions the District Respectful Workplace and Whistle Blower Policies within the Irresponsible Conduct Table;
6. As part of the Complaint Process, recommendation that the Third-Party Investigator shall NOT be a member of staff; and
7. Schedule 4 comprises the Annual Acknowledgement.

Council could direct staff on further draft refinements and bring this matter to a Regular Council Meeting for formal consideration and ultimately adoption.

*Original Signed by John Fortoloczky*

<b>DEPARTMENT:</b> Corporate Services	
<b>POLICY TITLE:</b> CODE OF RESPONSIBLE CONDUCT	
<b>Authority:</b> Legislative: <input checked="" type="checkbox"/> (Council)  Administrative: <input type="checkbox"/>	<b>Effective Date:</b> June XX, 2023  <b>Date for Review:</b> June XX, 2026
<b>Revision Date:</b>	

**BACKGROUND:**

A Code of Responsible Conduct is a written document developed for the purpose of promoting responsible and ethical conduct of local government officials and their representatives. It establishes shared standards and expectations with respect to the conduct, comportment, decorum and behaviour of individual elected officials, the collective governing body and its representatives.

As local elected representatives (“Members”), we recognize that responsible conduct is essential to providing good governance for the District of Hope (“District”).

In order to fulfil our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that foundational principles and standards of conduct are followed in all our dealings with every person including those with other Members, staff and the public.

**PURPOSE:**

The purpose of this policy is to set shared expectations for conduct or behaviour for how members of Council should conduct themselves while carrying out their responsibilities and in their work as a collective decision-making body for the community. This Code of Responsible Conduct will be published and available for members of the public.

**POLICY:**

**1. Definitions**

“**Administration**” means the Corporate Services Department, which is responsible for ensuring that the policies, programs and other directions of Council are implemented.

“**Council**” means the duly elected officials of the District, those being the Mayor and Councillors.

“**Council Policy**” means Policy Statements that provide strategic direction on programs and services delivered by the District which impact or affect citizens or customers, and/or Policy Statements that require Council’s approval because of legislative or regulatory requirements.

“**District**” means the District of Hope.

“**Members**” means local elected representatives.

“**Policy**” means general statements or guidelines that are high-level in nature, as opposed to being operationally oriented, which direct a plan, course of action or decision, according to a standard or performance outcome.

## 2. Framework

- a) Local governments are recognized under the Local Government Act of British Columbia as an independent, responsible and accountable order of government within their jurisdiction for the purpose of:
  - providing good government for its community;
  - providing the services and other things that the Council considers are necessary or desirable for all or part of its community;
  - providing for stewardship of the public assets of its community, and
  - fostering the current and future economic, social and environmental well-being of its community.
- b) Members have the legislated authority to make decisions that affect the daily lives of citizens, families, businesses and other community stakeholders.
- c) Members also have the authority to establish, or help establish, the long-term vision for the communities they serve based upon community and citizen engagement, collaboration and informed decision making.
- d) Responsible conduct refers to how Members conduct themselves, individually and collectively, through their interactions with other Members, staff, citizens, other local government stakeholders, the media, and through social media in the exercise of their authority.
- e) Responsible conduct is founded on 4 key foundational principles described below to provide Members with a shared understanding of what responsible conduct is.
  - i) **Integrity** – means being honest and demonstrating strong ethical principles. Conduct under this principle upholds the public interest, is truthful and honourable and is demonstrated by the following conduct:
    - be truthful, honest, and open in all matters and in all dealings with their elected colleagues, staff, citizens, other local government stakeholders, the media, and through social media in their role as a representative of the District;
    - ensure that their actions are consistent with the shared principles and values collectively agreed to by the District;
    - follow through on their commitments in a timely manner;
    - correct errors in a timely, transparent and reasonable manner;
    - engage in respectful communication, dialogue and debate in all matters and in all dealings at all times;

- make informed and well-reasoned decisions by directing their minds to the merits of the matter before them for consideration, ensuring that they act on the basis of relevant information, legal implications, and in consideration of the consequences of their decisions;
  - conduct and comport themselves in a manner that promotes and inspires public confidence and trust in local government and in all of their dealings as a local government official or representative;
  - conduct and comport themselves in a manner which avoids any perception of conflict of interest, improper use of office, or other unethical or illegal conduct;
  - conduct and comport themselves in a manner which upholds the public interest by diligently serving citizens and communities within their sphere of influence in a manner which best serves the communities' interest and not their own, or the interests of a select few; and
  - conduct and comport themselves in a manner that is consistent, fair, non-prejudicial, non-discriminatory and unbiased in all their dealings as a local government official or representative.
- ii) **Respect** – means having due regard for others' perspectives, wishes and rights; it also means displaying deference to the offices of local government, and the role of local government in community decision making. Respect is demonstrated through the following conduct:
- treat every person with dignity, understanding, courtesy, politeness, civility and respect irrespective of differences of opinion, perspectives, beliefs, traditions or values;
  - respect the role of the Chair and will conduct and comport themselves accordingly during meetings, and will furthermore abide by the rules of procedure adopted by the District;
  - respect the distinct roles and responsibilities of local government staff and are committed to fostering a positive working relationship between the Council, staff, citizens, and other local government stakeholders;
  - call for, and expect that respect be shown to elected officials, staff, and members of the public by other citizens, community members and other local government stakeholders;
  - value the role of diverse perspectives and will show due consideration for every person's contributions by listening actively and respectfully to another person's perspective or point of view during discussion, debate, collaboration and decision making;
  - will demonstrate awareness of their own conduct and behaviour, and manage and adjust their conduct and behaviour accordingly and as circumstances warrant;
  - create an environment of trust and will consider and be sensitive to how their words, language, conduct and behaviour can be perceived by others as offensive, rude, derogatory, disrespectful, discriminatory, aggressive, combative, insulting, inflammatory or otherwise hurtful or inappropriate; and
  - not engage in conduct or behaviours that are deemed to be indecent, obscene, insulting, abusive or otherwise unbecoming to a local government elected official

or representative. This conduct or behaviour includes, but is not limited to, unwanted physical or sexual contact or comments, and/or any form of aggressive or threatening conduct or behaviour that may cause harm to any person, or which makes a person feel threatened or intimidated.

iii) **Accountability** – means an obligation and willingness to accept responsibility or to account for one's actions. Conduct under this principle is demonstrated when Members:

- are responsible for, and will accept responsibility for decisions they make as an elected official for the District;
- are accountable for their individual actions, and for the actions of the collective governing body;
- actively listen to and consider the opinions, viewpoints and needs of the community in all decision-making, and will allow for meaningful and appropriate opportunities for citizen and community input, engagement, discourse and feedback;
- carry out their business, duties and responsibilities in an open and transparent manner ensuring that the public understands the process and rationale used to reach informed decisions and the reasons and justifications for taking certain actions; and
- ensure that information is accessible to the extent possible under law, while also protecting privacy and confidentiality where appropriate, necessary or in accordance with the Freedom of Information and Protection of Privacy Act of British Columbia, and the confidentiality provisions of the Local Government Act and Community Charter of British Columbia.

iv) **Leadership and Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts. Conduct under this principle is demonstrated when Members:

- proactively and routinely monitor and measure their performance in order to ensure that the foundational principles with respect to responsible conduct are being followed by all Members and the collective governing body;
- behave in a manner that instills and builds public trust and confidence in local government;
- recognize that vigorous discourse and debate on a matter is integral to the democratic process and will encourage healthy, respectful and constructive debate prior to taking a decision with respect to a matter;
- consider the issues before them and will make decisions as a collective governing body;
- actively participate in debate about the merits of the matter before them, and will accept, respect and uphold the decision of the majority as part of the democratic process;
- as leaders of their communities, face challenges, obstacles, controversy and adversity calmly, respectfully, diplomatically, and with due consideration while endeavoring to find effective and appropriate solutions and provide direction to



staff, and will furthermore empower each other, and staff to face challenges, obstacles, controversy and adversity in the same manner;

- recognize and value the distinct roles and responsibilities that others play in providing good governance and will commit to fostering a positive working relationship between other Members, citizens, the media and other local *government* stakeholders;
  - refrain from publicly criticizing a member of staff; and
  - recognize and respect the importance of the role of the chair at a meeting, and will treat that person with respect and deference at all times.
- f) Members have a duty to act in accordance with the law, including but not limited to the common law, the Local Government Act, Community Charter, Workers' Compensation Act, Freedom of Information and Protection of Privacy Act, and Human Rights Code of British Columbia, and applicable federal legislation.
- g) Members also have a duty to act in accordance with the District Respectful Workplace and Whistleblower Protection Policies.

### 3. Commitment to Responsible Conduct:

- a) Members recognize that responsible conduct is essential to providing good governance.
- b) Members acknowledge that responsible conduct is based upon the four foundational principles outlined in section 1: **Integrity, Respect, Accountability, Leadership and Collaboration** to which the Council individually and collectively subscribe. Furthermore, it is expressly acknowledged that these foundational principles will set out expectations as to how Members both individually and collectively, will conduct themselves as representatives of the District of Hope.
- c) Members expressly acknowledge that they are individually and collectively committed to conducting themselves in a responsible and ethical manner and are furthermore committed to upholding the law.
- d) As set out in this Code of Responsible Conduct, Members expressly commit to holding themselves up to the highest ethical standards, individually and as a collective governing body, as they exercise their authority, fulfill their obligations, discharge their duties, and in all of their dealings, with every person, including their elected colleagues, staff, citizens, the media and other local government stakeholders.

### 4. Application and Interpretation:

- a) This Code of Responsible Conduct applies to every Member.
- b) It is the express responsibility and obligation of each Member to uphold both the letter and spirit of this Code of Responsible Conduct in their dealings with each other, staff, citizens, the media and other local government stakeholders.
- c) This Code of Responsible Conduct is intended to be interpreted and applied in a manner that is consistent with the common law, all applicable Federal and Provincial Laws, as well as the bylaws and policies of the District of Hope, along with any other legal obligations which apply to Members individually and as a collective governing body.
- d) Members expressly acknowledge that they will not engage in conduct set out in Schedule 1 hereto.

- e) If Council determines a Member has contravened this Policy, it may choose to impose any of the sanctions listed in Schedule 2 or any other sanction, providing they do not prevent the Member from fulfilling the Member's legislated duties of elected office.
- f) Should a Member, staff person or member of the public wish to lodge a complaint under this Code, they shall use the processes set out in Schedule 3. Any complainant is encouraged to use the Informal Process as a first step in resolving a complaint.

**5. Acknowledgement and Sign Off:**

Members will be required to demonstrate their commitment to responsible and ethical conduct by:

- a) reviewing this Code of Responsible Conduct annually and signing the Annual Code of Responsible Conduct Acknowledgement form, as set out in Schedule 4.

*Schedules 1 – 4 on pages following*

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**Schedule 1 IRRESPONSIBLE CONDUCT**

<b>TIER 1 CONDUCT</b>	<b>TIER 2 CONDUCT</b>	<b>TIER 3 CONDUCT</b>
<p><b>Meeting Conduct, Rules of Order and Procedural Matters</b></p> <ul style="list-style-type: none"> <li>• Failing to abide by the <i>District's Council Procedures Bylaw</i></li> <li>• Failing to respect the role of the Chair at meetings</li> <li>• Failing to respect due process and procedural fairness</li> <li>• Unfair or disrespectful treatment of persons or delegations appearing before the Council</li> <li>• Disrespectful or disruptive behaviour during a meeting which results in being called out of order by the Chair</li> <li>• Expulsion from a meeting</li> <li>• Behaviour which undermines the free exchange of ideas and which stifles or</li> </ul>	<p><b>Integrity</b></p> <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> occurrence – Tier 1 Conduct</li> <li>• Abuse of authority or trust</li> <li>• Failing to act in the public interest</li> <li>• Showing favoritism, bias or nepotism towards any person, vendor, contractor, business, family member or to others doing business with the District</li> <li>• Dishonesty</li> <li>• Lying</li> <li>• Obstructing an investigation into a matter</li> <li>• Obstructing staff from undertaking their duties</li> </ul>	<p><b>Integrity</b></p> <ul style="list-style-type: none"> <li>• 3<sup>rd</sup> occurrence – Tier 1 Conduct</li> <li>• 2<sup>nd</sup> occurrence – Tier 2 Conduct</li> </ul> <p><b>Serious Allegations of Misconduct</b></p> <ul style="list-style-type: none"> <li>• Harassment</li> <li>• Sexual Harassment</li> <li>• Discrimination</li> <li>• Bullying</li> <li>• Intimidation</li> <li>• Coercion</li> <li>• Extortion</li> <li>• Uttering Threats</li> <li>• Assault</li> </ul>

<p>inhibits healthy debate</p> <ul style="list-style-type: none"> <li>Disrespecting the viewpoints of others during discussion on a matter</li> <li>Failing to keep an open mind during debate on a matter</li> </ul> <p><b>Communication, Interpersonal Relations, Council and Staff Relations</b></p> <ul style="list-style-type: none"> <li>Use of disrespectful, derogatory, demeaning, defamatory, discriminatory, intolerant or offensive language or body language at any time, and on any communication platform, including social media, as a representative of the District</li> <li>Failing to treat any person with respect, courtesy, tolerance, acceptance, and/or dignity</li> <li>Disrespecting the role of the Chief Administrative Officer, Staff, and/or District Consultants</li> <li>Failing to respect the various roles that others play which are inherent to informed local government decision making</li> </ul>	<p><b>Damaging the District's Reputation</b></p> <ul style="list-style-type: none"> <li>Damaging the reputation and/or credibility of the District by words, actions and/or irresponsible conduct</li> <li>Acting in an official capacity while intoxicated resulting in irresponsible conduct</li> </ul> <p><b>Confidentiality and Data Security</b></p> <ul style="list-style-type: none"> <li>Intentionally accessing unauthorized information, records or data on District devices</li> <li>Unauthorized disclosure of confidential or personal information to a third party</li> <li>Intentionally breaching the District's network and data security systems</li> <li>Intentionally leaking confidential information to the media or other local government stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Accepting a bribe</li> <li>Fraud</li> <li>Theft of District resources and/or assets</li> <li><i>Criminal Code</i> of Canada conviction while in office</li> </ul> <p><b>Retaliation</b></p> <ul style="list-style-type: none"> <li>Retaliation or retribution towards any person who in good faith has reported a suspected contravention of the <i>District's Code of Responsible Conduct for Elected Officials</i></li> <li>Retaliation or retribution towards any person who in good faith has reported a suspected contravention of the <i>District's Respectful Workplace and/or Whistleblower Protection Policies</i>.</li> <li>Retaliation or retribution towards any person who in good faith has reported a suspected contravention of the <i>Criminal Code</i> of Canada or other federal, provincial or local government statute, regulation, or enactment.</li> </ul>
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<ul style="list-style-type: none"><li>• Publicly criticizing or chastising a fellow Member, District staff member, and/or District Consultant</li><li>• Interfering with the administrative, corporate or operational functions of the District</li><li>• Failing to observe established protocols with respect to tasking or otherwise directing staff</li><li>• Failure to acknowledge the source of information provided to the public</li></ul> <p><b>Interference with Designated Decision Makers and/or Processes</b></p> <ul style="list-style-type: none"><li>• Interfering with, and/or failing to respect the role and authority of statutory and/or other designated decision makers:<ul style="list-style-type: none"><li>○ Officer Responsible for Corporate Administration</li><li>○ Officer responsible for Financial Administration</li><li>○ Head, Freedom of Information and Protection of Privacy</li><li>○ Chief Election Officer</li><li>○ Building Officials</li></ul></li></ul>		<p><b>Conflict of Interest</b></p> <ul style="list-style-type: none"><li>• Failure to abide by Conflict of Interest Rules in the <i>Community Charter and Local Government Act</i>:<ul style="list-style-type: none"><li>○ failure to disclose conflict of interest</li><li>○ participation in meetings where in conflict of interest</li><li>○ use of office to influence a decision, recommendation or other action where an elected official has a direct or indirect pecuniary interest</li><li>○ accepting unauthorized gifts</li><li>○ failure to disclose authorized gifts</li><li>○ failure to disclose and report contracts entered into by the elected official or former elected official with the District where the elected official or former elected official has a direct or indirect pecuniary interest</li></ul></li></ul>
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- Bylaw Enforcement Officers
- Provincial Approving Officer
- Others in statutory and/or designated decision making roles

- Failing to abide by the *District Purchasing and Procurement Policy*

**Partisan Politics and Campaigning**

- Engaging in partisan politics while undertaking District business
- Use of District resources for campaign purposes
- Campaigning outside of the official Campaign Period defined under the Local Government Act

**Unauthorized Conduct – General Prohibitions**

- Providing instruction to District contractors, consultants or other service providers
- Speaking on behalf of the Council when not authorized to do so
- Failing to uphold a decision, bylaw or policy of the Council

<ul style="list-style-type: none"><li>• Unauthorized use of District staff and/or other District resources and assets</li><li>• Unauthorized expenditure of District funds</li></ul>		
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**Code of Responsible Conduct Policy**

**Schedule 2  
Possible Sanctions**

1. Formal warning letter;
2. Pledge to immediate and ongoing compliance with Code of Responsible Conduct;
3. Letter of reprimand;
4. A request that the Member issue a letter of apology;
5. Requirement to attend training;
6. Suspension or removal of the appointment of the Member as Acting Mayor;
7. Suspension or removal from some or all internal and external committees and bodies to which Council or the Mayor has the right to appoint Members;
8. Imposing limits of travel and expenses;
9. Requiring the return of municipal property provided for convenience;
10. Limiting access to certain municipal facilities or portions thereof;
11. Restricting how and when documents are provided to the Member; and
12. Any other sanctions Council deems reasonable and appropriate.

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**Schedule 3  
Complaint Process**

**1. Informal Complaint Process**

- a. Any complainant who has identified or witnessed conduct by another Member that they believe to be noncompliant with this Policy may take the following steps:
  - i. Advise the Member of the alleged noncompliance and follow-up on the facts.
    - 1. If the noncompliance occurred, encourage the Member to come into compliance with this Policy; or
  - ii. Request the Mayor to speak to the Member to follow up on the facts and if the noncompliance occurred, encourage the Member to come into compliance with this Policy.
    - 1. If the subject of the complaint is the Mayor, the complaining Member may request that the Acting Mayor follow up on the facts and if the noncompliance occurred, encourage the Member to come into compliance.
- b. Members are encouraged to use the Informal Complaint Process in Part 3 of this Bylaw as a first step in resolving any complaint.
- c. A Member who is unsatisfied with the outcome of the Informal Complaint Process may escalate the complaint to the Formal Complaint Process set out in this schedule.
- d. Despite this section, a Member may refer a complaint directly to the Formal Complaint Process in Section 2.

**2. Formal Complaint Process**

- a. A complainant shall make a formal complaint in writing, with date and signature, and addressed to Complaints Investigator. The complaint shall name the Council Member who is the subject of the complaint, refer specifically to the section(s) of this Bylaw, and set out reasonable and probable grounds for the allegation that a Member has contravened the section(s).
- b. The Complaints Investigator shall be selected by Council to be one of:
  - i. A member of Council or a subcommittee of Council, with the exception of the complainant and the subject of the complaint, or
  - ii. A third-party investigator who shall not be a member of staff.
- c. The Subject of the complaint shall be provided with a copy of the complaint, with written instructions informing the Subject that they have 14 days within which to respond to the Complaints Investigator.
- d. The Subject of the complaint shall provide a written, signed and dated response to the allegation(s) of the complaint, addressed to the Complaints Investigator.
- e. The Complaints Investigator shall review the complaint and the Subject's response, and determine whether to proceed further with the investigation.
  - i. Where a complaint is deemed by the Complaints Investigator to be frivolous, vexatious, not made in good faith, or based on insufficient grounds, the Complaints Investigator may decide to terminate the

investigation and the complaint process.

- ii. The Complaints Investigator will provide the recommended next steps to Council.
- f. For continuing investigations, the Complaints Investigator shall take steps deemed appropriate which may include seeking legal advice.
- g. The Complaints Investigator shall issue a final report of the results of the investigation process to Council, for Council to determine whether this Bylaw has been contravened.
- h. Following receipt of the Complaints Investigator's final report, Council, may choose to proceed with a hearing of a Motion of Censure.
- i. Should Council vote to proceed with a hearing of the motion of censure against the subject of the complaint, the Subject of the complaint shall be afforded procedural fairness including:
  - i. an opportunity to respond further in writing to the allegations and the Complaint Investigator's final report,
  - ii. a minimum of two weeks to prepare their formal response, and
  - iii. the opportunity to be represented by legal counsel or another representative at the council meeting where a decision on the motion of censure and other accompanying sanctions in Schedule 2 may be imposed.
- j. The motion of censure hearing will be scheduled for an open Council meeting within 30 days of the Council's decision to proceed, provided section 90 of the Community Charter does not require or permit the meeting to be a closed meeting.
- k. At the Council meeting where the hearing of the motion of censure takes place, the following will occur:
  - i. The Complainant may make a statement, setting out the rationale for the complaint.
  - ii. The Complaints Investigator shall provide a verbal summary of the facts and findings expressed in the final report.
  - iii. The Subject of the complaint or their legal counsel or other representative may make a statement of response, responding to the complaint allegations and the Complaint Investigator's final report.
  - iv. Council will discuss, propose debate and vote on whether to make a motion of censure, including the sanctions referenced in Schedule 2.

Schedule 4

**Annual Code of Responsible Conduct  
Acknowledgement**

I affirm that I have read and reviewed the District of Hope Code of Responsible Conduct and am familiar with its contents, expectations and my responsibilities.

I further affirm and agree that I will abide by the District of Hope Code of Responsible Conduct.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

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