

BYLAW 20901

Council Disclosure Bylaw

Recommendation

That Bylaw 20901 be given the appropriate readings.

Purpose

To repeal the outdated existing Disclosure Bylaw 15254 and recommend that City Council continue to require members of Council to file an annual disclosure statement with the municipality by giving Council Disclosure Bylaw 20901 the appropriate readings.

Readings

Bylaw 20901 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving to third reading, Council must unanimously agree “That Bylaw 20901 be considered for third reading.”

REPORT

The current Disclosure Bylaw, 15254, was first passed on April 28, 2010, and last updated on January 29, 2014. It contains a number of sections that are no longer applicable as the legislation has been updated and therefore those sections have been superseded.

The current **Disclosure Bylaw 15254** addresses two topics:

1. Disclosure of financial interests of Councillors

The *Municipal Government Act* (MGA) permits Council to pass a bylaw requiring this type of disclosure, and the current bylaw has been in effect since April 28, 2010.

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2. Campaign disclosure and surplus funds

Numerous changes have been made to the *Local Authorities Election Act* (LAEA) regarding campaign financing, making these parts of Disclosure Bylaw, 15254 obsolete.

New Council Disclosure Bylaw 20901

Bylaw 20901 continues to require the same information as outlined in Bylaw 15254 to be reported annually and provides additional clarity on retention of filed disclosures and public access to the disclosed information.

As all election financing requirements are set out in the LAEA, these have been removed from the proposed new Bylaw.

Considerations

The MGA permits but does not require Council to pass a bylaw requiring disclosure of Councillors' financial information; however, once passed, every member of Council must submit the required annual disclosure. The type of information required to be disclosed under proposed Bylaw 20901 is consistent with the current Bylaw and practice, as well as the MGA enabling authority.

Bylaw 20901 also proposes publication of filed disclosure statements once the names of Council's family members and other personal information has been removed. This supports the City's commitment to openness, transparency and accountability, while protecting the privacy of non-elected parties. All filed disclosures will be retained in accordance with existing records retention schedules, which is currently set at 12 years.

While the current Disclosure Bylaw 15254 contains a prescribed form that must be completed, Bylaw 20901 allows the City Manager to create and update the required form as needed, as long as the information required aligns with the Bylaw. For efficiency, the new form will consolidate all financial reporting obligations for members of Council into a single form. If the Bylaw receives three readings the bylaw and new form will take effect for the disclosure required in January 2025.

Community Insight

As this bylaw will continue to address the same disclosure requirements, no new community insight was solicited.

Attachments

1. Bylaw 20901 - Council Disclosure Bylaw (NEW)
2. Bylaw 15254 - Disclosure Bylaw (Recommending to be repealed)
3. Comparison of the Bylaw 15254 and Bylaw 20901
4. Definitions

Others Reviewing the Report

- M. Plouffe, City Solicitor