

# Bylaw 19142

## To Amend Bylaw 18483, Council Code of Conduct Bylaw

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### Purpose

The purpose of this bylaw is to amend Bylaw 18483, Council Code of Conduct Bylaw, to implement the recommendations of the Integrity Commissioner.

### Readings

Bylaw 19142 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 third reading, Council must unanimously agree “That Bylaw 19142 be considered for third reading.”

### Position of Administration

Administration supports this Bylaw.

### Previous Council/Committee Action

At the January 21, 2020, Council Services Committee meeting, Bylaw 19142 was forwarded to City Council for the appropriate readings.

At the September 24, 2019, City Council meeting, the following motion was passed:

That Administration prepare amendments to Bylaw 18483, Council Code of Conduct Bylaw, in line with the recommendations of the Integrity Commissioner, as set out in Attachment 1 of the September 24, 2019, Office of the Integrity Commissioner report CR\_7519, and return to the October 21, 2019, Council Services Committee meeting.

### Report Summary

This Bylaw amends Bylaw 18483, Council Code of Conduct Bylaw. The proposed amendments are in line with recommendations made in the Annual Report of the

Office of the Integrity Commissioner, as presented to City Council on September 24, 2019.

## Report

The Office of the Integrity Commissioner Annual Report, presented to City Council on September 24, 2019, made four recommendations with respect to the Council Code of Conduct. The proposed bylaw amendments will implement these recommendations.

### *1. Schedule A, Part B: Communications, section 1(d)*

Section 1(d) of Schedule A, Part B, reads:

1. Without limiting the ability of a Councillor to hold a position on an issue and respectfully express their opinions, Councillors will:

- d) ensure that all communications issued by, or on behalf of, the Councillor, including social media, are respectful and do not discriminate, harass, defame, or demonstrate disrespect toward any person; and

The proposed amendment deletes the word “defame” from the above, as a complaint of alleged defamatory remarks by a Councillor could require the Integrity Commissioner to make a legal determination, which is beyond the scope of the Integrity Commissioner’s role.

### *2. Schedule A, Part M: Retaliation, Interference and Obstruction*

This amendment prohibits retaliation against anyone, including another Councillor, who participates or provides information in good faith, in an Integrity Office investigation. It also prohibits interference with or obstruction of an Integrity Office investigation.

### *3. Schedule B Complaints: Investigations (Written notice requirements)*

This amendment removes the requirement to provide written notice of investigation to the complainant and respondent Councillor prior to beginning a formal investigation.

### *4. Schedule B Complaints: Investigations (Response time)*

This amendment ensures that a respondent Councillor has adequate time to respond to allegations by starting the 10-day response deadline when all relevant information

has been provided to the respondent Councillor by the Integrity Office, rather than when all information has been gathered.

### Corporate Outcomes and Performance Management

<b>Corporate Outcome(s): Edmontonians are connected to the city in which they live, work and play.</b>			
<b>Outcome(s)</b>	<b>Measure(s)</b>	<b>Result(s)</b>	<b>Target(s)</b>
The Council Code of Conduct reflects the recommendations set out in the Annual Report of the Office of the Integrity Commissioner, as presented to City Council on September 24, 2019.	N/A	To be determined	City Council passes the amending bylaw.

### Public Engagement

No public engagement was conducted for this report.

### Attachments

1. Bylaw 19142

### Others Reviewing this Report

- B. Andriachuk, City Solicitor