

**CODE OF ETHICS AND GOOD CONDUCT OF ELECTED MUNICIPAL OFFICIALS  
(CONSOLIDATED VERSION)**

In the case of any discrepancy between the French and the English version of this bylaw, the French version prevails.

WARNING: This codification was prepared solely for the convenience of the reader and has not official value. No guarantee is offered as to the accuracy of the text. For legal purposes, the reader will need to consult the official version of the by-law and of each of its amendments.

**CODE OF ETHICS AND GOOD CONDUCT OF ELECTED MUNICIPAL OFFICIALS  
C-18-01  
NOTICE OF MOTION : January 10, 2018  
ADOPTION OF BY-LAW : February 12, 2018**

**MODIFIED BY BY-LAW C-19-02 (BY-LAW MODIFYING THE CODE OF ETHICS AND  
GOOD CONDUCT OF ELECTED MUNICIPAL OFFICIALS C-18-01)**

The Town of Dorval Island declares as follows :

**SECTION 1: Scope**

This code applies to every member of the council of the Town of Dorval Island.

**SECTION 2: Purpose of this code**

The purpose of this code is as follows:

- 2.1 To give priority to those values on which individual members of the municipal council base their decisions, and to contribute to a better understanding of the values of the municipality;
- 2.2 To establish standards of behaviour which promote the integration, by elected officials, of these values into the decision making process, as well as into their general conduct as elected officials.
- 2.3 To prevent ethical conflicts and, if they arise, help in resolving them effectively and judiciously;
- 2.4 To ensure the application of control measures in case of breaches of conduct.

**SECTION 3: Values of the municipality**

The following values shall serve to guide the decision making process, the general conduct of the members of the council of the municipality in their capacity as elected officials and particularly when situations that are not explicitly provided for in this code or in the municipality's various policies arise.

### 3.1 Integrity

Members shall promote the values of honesty, rigorousness and justice.

### 3.2 Prudence in the pursuit of the public interest

Members shall assume their responsibilities in their pursuit of the public interest mission entrusted to them. In fulfilling this mission, they shall act with professionalism, diligence and good judgment.

### 3.3 Respect for other members of council, municipal employees and citizens

Members shall promote respect in human relations. They, in turn, have a right to respect, and shall act respectfully toward all those with whom they have dealings in the course of their official duties.

### 3.4 Loyalty to the municipality

Members shall advocate the best interests of the municipality.

### 3.5 Equity

Members shall treat each person justly and, in as much as possible, in interpreting laws and by-laws in the spirit for which they were intended.

### 3.6 Honour attached to the position of members of council

Members shall safeguard the honour of their position, which presupposes the constant practice of the five above-mentioned values: integrity, prudence, respect, loyalty and fairness.

## SECTION 4: Rules of conduct

### 4.1 Scope

The rules in this section should guide the conduct of elected officials as members of the council, a committee, or a commission:

4.1.1 of the municipality, or

4.1.2 of any other body, when sitting on such in their capacity as a member of the municipal council.

### 4.2 Purpose

These rules are intended to prevent namely:

4.2.1 Situations in which the personal interest of council members may influence the independence of their judgment in the course of their official duties;

4.2.2 Situations that would be contrary to sections 304 and 361 of the Municipal Elections and Referendums Act (R.S.Q. chapter E-2.2)

4.2.3 Favouritism, embezzlement, breach of trust or other acts of misconduct.

### 4.3 Conflicts of interest

4.3.1 Members of a council are prohibited from acting, or attempting to act, or omitting to act in the course of their official duties, so as to further their personal interest or abusively further the interest of any other person or persons.

4.3.2 Members of a council are prohibited from using their position to influence or attempt to influence another person's decisions so as to further their personal interest or to abusively improperly further the interest of any other person or persons.

However, members are not considered to have violated this section when they benefit from the exceptions stated in paragraphs 4 and 5 of subsection 4.3.7.

4.3.3 Members are prohibited from soliciting, eliciting, accepting or receiving any benefit, whether for themselves or for another person or persons, in exchange for taking a position which could be perceived as a conflict of interest on a matter that may be brought before a council, a committee or a commission of which the council member is a member.

4.3.4 Members are prohibited from accepting any gift, mark of hospitality or other benefit, whatever its value, that might impair their independence of judgment in the course of their official duties, or otherwise compromise their integrity.

4.3.5 A member of council who receives a gift, mark of hospitality or other benefit that is not of a purely personal nature or not prohibited under subsection 4.3.4, exceeding \$200 in value, must file a written disclosure statement with the city clerk of the municipality within 30 days of receiving such.

The disclosure statement must contain an accurate description of the gift, mark of hospitality or benefit received, state the name of the donor, as well as the date and the circumstances under which it was received. The Town clerk shall keep a public register of these disclosure statements.

4.3.6 Members may not knowingly have a direct or indirect interest in a contract with the municipality or public body contemplated in section 4.1.

A member is deemed not to have such interest if:

- 1° The member has acquired such interest as part of an inheritance or donation, and renounces or disposes of it as soon as possible;
- 2° The member's interest consists in holding shares in a company that he or she does not control, of which he or she is neither a director nor senior executive, and in which the member holds less than 10% of the voting stock;

- 3° The member's interest is based on the fact that he or she is a member, director or officer of another municipal or public body within the meaning of the Access to Public Documents and Protection of Personal Information Act (R.S.Q., chapter A-2.1), a non-profit organization, or a body of which he or she is required by law to be a member, director or officer in his or her capacity as a member of the municipal council or municipal body;
- 4° The contract is for the purpose of remuneration, allowances, reimbursement of expenses, social benefits, goods or services purposes to which the member is entitled as a condition of employment associated with his or her office in the municipality or municipal body;
- 5° The contract is for the appointment of the member to an official post or position which does not affect the holder's eligibility to his or her office;
- 6° The contract is for the delivery of general services provided by the municipality or municipal body;
- 7° The contract is for the sale or rental of an immovable on non-preferential terms;
- 8° The contract is in the form of bonds, notes or other public securities offered by the municipality or municipal body, or is for the acquisition of the securities on non-preferential terms;
- 9° The contract is for services or goods that the member is required by statute or regulation to supply or render to the municipality or municipal entity;
- 10° The contract is for the supply of goods by the municipality or municipal body and was signed before the member assumed office in the municipality or municipal body, and before he or she registered as a candidate for office or was elected to office;
- 11° In case of *force majeure*, the general interest of the municipality or municipal body requires that the contract be awarded in preference to all other offers.

4.3.7 A council member who is present at a session when a matter arises in which he or she has a private pecuniary interest, whether directly or indirectly must disclose the general nature of his or her interest before debate on the matter begins. The member must also abstain from taking part in the discussion or debate, voting or attempting to influence a vote on the matter.

In a closed session, the member must, in addition to the preceding, disclose the general nature of his or her interest, and then leave the session and remain absent until the matter has been debated and voted upon.

If the matter in which a council member has a pecuniary interest is brought up during a session from which the member is absent, the member must disclose the general nature of his or her interest at the first sitting at which he or she is present once he or she becomes aware of the matter under discussion.

This subsection does not apply in cases where the interest of the council member consists of remunerations, allowances, reimbursement of expenses, social benefits, goods or services to which the member is entitled as a condition of employment associated with his or her office in the municipality or municipal body.

Nor does it apply in a case where the interest of a council member interest is so minor that the member cannot reasonably be expected to be influenced by it.

#### 4.4 Use of municipal resources

Members are prohibited from using the resources of the municipality or any other body referred to in section 5.1 for personal use or for purposes other than activities related to their official duties.

This prohibition does not apply when a council member uses a resource generally available to citizens, and does so on non-preferential terms.

#### 4.5 Use or communication of information

Council members must respect the confidentiality of information not generally available to the public obtained in the course of their official duties. This confidentiality applies both during and after their terms of office. They are further prohibited from using or communicating, or attempting to use or communicate, such information so as to further their personal interests or those of another person or persons.

It is also prohibited for any Council member to make the announcement, during a political financing activity, of the realization of a project, the conclusion of a contract or the granting of a subsidy by the City, unless a final decision relative to this project, contract or subsidy has already been taken by the competent authority of the municipality.

In addition, the Council member who employs cabinet staff must ensure that these employees respect the prohibition outlined in the second paragraph. Failure to respect this prohibition by one of the employees will result in the Council member being subject to the imposition of sanctions outlined in Section 5 (amended by C-16-01).

#### 4.6 After term of office

Council members are prohibited, during the 12 months following the termination of their term of office, from serving as a director, officer or senior executive of a corporation, or hold employment or any other position so as to obtain undue benefit for themselves or another person, based on their previous position as members of a municipal council.

- 4.7 Breach of trust and embezzlement  
Council members are prohibited from diverting goods belonging to the municipality for their personal use or use by a third party.

#### SECTION 5: Control measures

- 5.1 Any violation of a rule or rules dictated by this Code of Ethics and Good Conduct by a member of the municipal council may result in one or more of the following sanctions:
- 5.1.1 A reprimand;
  - 5.1.2 The remittance to the municipality, within 30 days following the decision of the Commission municipale du Québec, of:
    - 1° the gift, mark of hospitality or benefit received, or of its equivalent value;
    - 2° any profit obtained in violation of a rule or rules of this Code;
  - 5.1.3 Reimbursement of the remuneration, allowance or other amounts received by a council member in his capacity as member of a municipal council, committee or commission, or as a member of a body contemplated in section 5.1, for the period during which the violation of the rule or rules took place;
  - 5.1.4 Suspension of the municipal council member for a period of up to 90 days but not exceeding the expiry date of the term of office of the member..  
When suspended, a municipal council member may not sit on any council, committee or commission of the municipality, or on any other body in his or her capacity as a municipal council member; nor receive any remuneration, allowance or other amounts from the municipality or such body.

#### SECTION 6: Coming into force

6.1 The present by-law replaces by-laws C-13-07 and C-16-01.

*(Modified by By-Law C-19-02)*

6.2 The present by-law comes into force according to Law.

TOWN OF DORVAL ISLAND

DECLARATION

ACCEPTANCE OF A GIFT, MARK OF HOSPITALITY, OR BENEFIT

BY-LAW C-18-01, SECTION 4.3.5

Name of recipient: \_\_\_\_\_

Name of donor: \_\_\_\_\_

Date of receipt: \_\_\_\_\_

Description of the gift, mark of hospitality, or benefit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Value of the gift, mark of hospitality or benefit: \_\_\_\_\_

Circumstances surrounding the event: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of receipt of declaration by city clerk: \_\_\_\_\_

Signature of city clerk: \_\_\_\_\_

(to be completed by the member of council and tabled with the city clerk within days following the event)