

THE CORPORATION OF THE TOWN OF HAWKESBURY
By-law N° 26-2026

**A by-law to adopt a Code of Conduct for the members of Council and Local
Boards of the Town of Hawkesbury**

WHEREAS section 9 of the *Municipal Act, 2001* S.O. 2001, chapter 25 as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person; and

WHEREAS section 11 (2) 2 of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, authorizes municipalities to pass By-laws regarding accountability and transparency of the municipality and its operations and of its local boards and their operations; and

WHEREAS subsection 223.2(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that municipalities shall establish codes of conduct for members of the council of the municipality and of local boards of the municipality; and

WHEREAS subsection 223.3(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that municipalities shall appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to, among other matters, the application of the code of conduct; and

WHEREAS subsection 270(1), paragraph 2.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that municipalities shall adopt and implement policies with respect to the relationship between members of council and officers and employees of the municipality; and

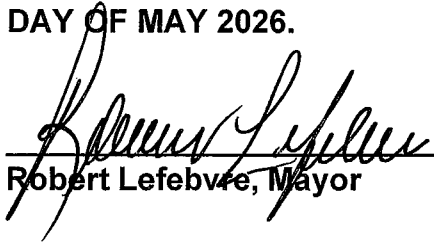
WHEREAS By-law N° 13-2019 establishing a Code of Conduct was adopted on February 25, 2019, and amended by By-law N° 33-2019 adopted on May 27, 2019; and

WHEREAS it is deemed appropriate to revise and update the Code of Conduct to ensure that it remains current, clear, and consistent with best practices and legislative requirements.


NOW THEREFORE the Council of the Corporation of the Town of Hawkesbury hereby enacts as follows:

1. **THAT** the Code of Conduct for Council and Local Boards, attached hereto as Schedule "A" and forming an integral part of this by-law, be and is hereby adopted.
2. **THAT** if any provision of this by-law is declared invalid, such invalidity shall not affect the remaining provisions, which shall continue to be valid and in full force and effect.
3. **THAT** this by-law shall come into force and take effect on the date of its enactment.
4. **THAT** By-laws N° 13-2019 and 33-2019 be repealed.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS 11th DAY OF MAY 2026.



Robert Lefebvre, Mayor



Sonia Girard, Clerk

Council and Local Boards

Code of Conduct

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Council and Local Boards

Code of Conduct

PART 1: SHORT TITLE AND SPECIFICATIONS

1.1 Short Title

This By-law shall be known as the Council and Local boards Code of Conduct for the Corporation of the Town of Hawkesbury, hereafter “Code of Conduct”.

1.2 Related Policies and Municipal By-Laws

This Code of Conduct is supported by the Town’s Procedural By-law N° XX-2026, Violence and Harassment in the Workplace Policy SST-P-2025-01, Recruitment and Hiring Policy RH-P-2026-01, Nepotism Policy RH-P-2026-02, Communications Policy DG-P-2025-02, Council-Staff Relations Policy SG-P-2026-01, Policy on the reimbursement of expenses SF-P-01-01 ((available in French only - “Remboursement des dépenses et des frais de déplacement des membres du conseil et du personnel »), and Community Forum Policy SG-P-2026-02.

1.3 Related Laws

This Code of Conduct is supported by the following laws: *Municipal Act, 2001, Municipal Conflict of Interest Act, 1990, the Municipal Elections Act, 1996, the Municipal Freedom of Information and Protection of Privacy Act, 1990, the Occupational Health and Safety Act, 1990, the Human Rights Code, 1990 and the Criminal Code of Canada, 1985.*

1.4 Legislative Authority

This Code of Conduct is adopted pursuant to the authority granted to municipalities under the Municipal Act. The Act authorizes municipalities to adopt

policies governing the relationship between Members of Council and municipal officers and employees and to establish codes of conduct governing the ethical behaviour of Members of Council and the municipal administration.

Where the provisions of this Code of Conduct intersect with statutory obligations, the requirements of the applicable legislation shall prevail.

PART 2: STATEMENT OF INTENT AND PURPOSE

2.1 Statement of Intent

To guide those who are covered by this Code of conduct in their day-to-day responsibilities on behalf of the citizens of the Town of Hawkesbury. These standards are designed to supplement the legislative parameters within which the members must operate.

2.2 Purpose

The purpose of this Code of Conduct is to establish enforceable standards governing the professional conduct of all members of Council and members of local boards while providing transparent and structured mechanisms for addressing concerns regarding conduct in a manner that promotes fairness, accountability, and the restoration of productive working relationships.

A central objective of this Code of Conduct is to ensure that disputes and conduct concerns are addressed through progressive processes that prioritize early resolution, transparency, and proportional response. The Code of Conduct therefore codifies both informal and formal mechanisms for resolving disputes, beginning with constructive dialogue and mediation wherever appropriate before progressing to investigation or adjudication where necessary.

In addition to addressing conduct concerns, this Code of Conduct establishes procedures for restoring professional working relationships where conflicts have occurred. Municipal governance depends upon the ability of individuals to continue working together following disagreement or dispute. Accordingly, this

Code of Conduct incorporates workplace restoration practices intended to rebuild trust, re-establish respectful communication, and maintain the effective functioning of municipal governance.

Through these mechanisms the Town seeks not only to respond to misconduct but to prevent escalation, protect the integrity of municipal institutions, and maintain public confidence in the conduct of municipal affairs.

2.3 Principles of Conduct

The conduct of members of Council and members of local boards shall be guided by principles of integrity, accountability, transparency, professionalism, and stewardship. Individuals entrusted with public authority must exercise that authority in a manner that promotes confidence in municipal governance and protects the public interest.

Integrity requires that decisions be made honestly and without personal advantage. Accountability requires that those exercising authority accept responsibility for their actions and decisions. Transparency requires that municipal decision-making be conducted openly wherever possible, while respecting confidentiality obligations established by law. Professionalism requires that individuals conduct themselves in a respectful manner and recognize the distinct roles that exist within the governance structure of the Town. Stewardship requires responsible management of public resources and a commitment to the long-term well-being of the community.

These principles guide the interpretation and application of this Code of Conduct.

PART 3: APPLICATION

3.1 Scope

All members of Council and members of local boards are expected to follow this Code of conduct, the Council Procedural By-law and other sources of applicable procedural law.

This Code of Conduct governs conduct arising from the performance of municipal duties, including conduct occurring during Council meetings, committee meetings, community engagement activities, or any communication related to municipal governance.

The Code of Conduct also applies to interactions between Members of Council and administration, recognizing that the effectiveness of municipal governance depends upon maintaining a professional relationship between those responsible for governance and those responsible for administration.

3.2 Delegated Authority to the Chief Administrative Officer

Council hereby affirms that all administrative and operational authority of the Town is delegated to the Chief Administrative Officer, in accordance with applicable legislation and approved municipal policies.

The Chief Administrative Officer is responsible for the management of municipal operations and day-to-day decision-making, including staffing, service delivery, and the implementation of Council decisions within approved budgets and policies.

Members of Council shall exercise their authority collectively and shall not direct staff or involve themselves in administrative decisions except through formal Council direction or where authority has been expressly delegated.

All direction from Council to the administration shall occur through the Chief Administrative Officer or by formal resolution.

Nothing in this section limits Council's authority to establish policy, approve budgets, or provide direction through Council decisions.

PART 4: DEFINITIONS

In this Code of Conduct:

“Complaint” means a request that the Integrity Commissioner conducts an inquiry into an action, event, or series of events alleged to have contravened the Code of conduct, or any other procedures, rules or policies governing the ethical behaviour of members;

“Child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

“Complainant” means a person who makes a complaint;

“Council” means the Council of the Corporation of the Town of Hawkesbury;

“Director” means an employee of the Corporation of the Town of Hawkesbury responsible for the management of a specific department of the Town and includes the Chief Administrative Officer and their respective delegate;

“Good faith” means accordance with standards of honesty, trust and sincerity;

“Incivility” refers to behaviours, actions, or communications—whether verbal, written, visual, or digital—that undermine respectful discourse or create a hostile, demeaning, or unsafe environment. Incivility may occur intentionally or unintentionally and includes conduct that is rude, dismissive, aggressive, harassing, or degrading in nature.

Incivility may occur in public forums, meetings, correspondence, social media, digital platforms, or any environment where Town-related communications take place.

“Information” includes a record or a document;

“Local board” means a municipal service board, transportation commission, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding the following:

- (a) a school board;
- (b) a conservation authority

(c) a society as defined in subsection 2 (1) of the *Child, Youth and Family Services Act, 2017*;

(d) a committee of management established under the *Long-Term Care Homes Act, 2007*;

(e) a corporation established in accordance with section 203 of the *Municipal Act, 2001*;

(f) such other local boards as may be prescribed in the *Municipal Act, 2001*.

“Mayor” means the elected head of Council for the Corporation of the Town of Hawkesbury, as defined under the *Municipal Act, 2001*, who presides at meetings of Council, provides leadership to Council, and acts as the primary spokesperson for the Town, except where otherwise delegated by Council.

“Deputy Mayor” means a Member of Council appointed or elected in accordance with the Town’s Procedural By-law to act in place of the Mayor when the Mayor is absent or unavailable, and to carry out such duties and responsibilities as assigned by Council or delegated under applicable legislation or municipal policy.

“Member” means a member of the Council and of a local board;

“Parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family;

“Person” includes a corporation, partnership, association and any other entity, as the context allows;

“Spouse” means a person to whom a person is married or with whom the person is living in a conjugal relationship outside marriage;

“Staff” means a person employed by the Town, including those employed on personal service contracts and volunteers, but does not include members of Council or local boards;

“Town” means the Corporation of the Town of Hawkesbury;

PART 5: GENERAL INTEGRITY

5.1 All members whom this Code of conduct applies to shall serve their constituents in a conscientious and diligent manner. Members shall not use the influence of office for any purpose other than the exercise of his or her official duties.

This Code of conduct sets standards for the behaviour of Council and local board members in carrying out their functions. It has been developed to assist members to:

5.1.1 Understand the standards of conduct that are expected of them and the law that applies in relation to these standards;

5.1.2 Fulfill their duty to act honestly and exercise reasonable care and diligence;

5.1.3 Act in a way that enhances public confidence in local government; and

5.1.4 Identify and resolve situations that might involve a conflict of interest or a potential misuse of position and authority. This Code of conduct outlines each individual's responsibility to uphold these principles and values, and act in the public interest.

5.2 Interpersonal behaviour:

5.2.1 Treat every person with dignity, understanding and respect;

5.2.2 Not discriminate;

5.2.3 Not engage in violence or harassment of any kind.

PART 6: GIFTS, BENEFITS AND HOSPITALITY

6.1 No member shall accept a fee, advance, gift, personal benefit, hospitality of anything of the kind that is connected directly or indirectly with the performance of his or her duties of office, unless permitted by the exceptions listed below.

6.2 For these purposes a fee, advance, gift, personal benefit, hospitality or anything of the kind provided with the member's knowledge to a member's spouse, child, parent, brother, sister, father-in-law, mother-in-law, sister-in-law and brother-in-law or to a member's staff that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member.

6.3 The following are recognized as exceptions:

6.3.1 Compensation or benefit authorized by Council or by law;

6.3.2 Gifts or benefits that normally accompany the responsibilities of office received as protocol or social obligation;

6.3.3 A political contribution authorized and reported as required by law, in the case of member running for office;

6.3.4 Services provided without compensation by persons volunteering their time;

6.3.5 A suitable memento of a function honouring the member;

6.3.6 Food, lodging, transportation and entertainment provided by any Provincial, regional and local governments, or board or political subdivisions of them, by the Federal government or by a foreign government within a foreign country, or by those organizing a conference, seminar or event where the member is speaking or attending in an official capacity;

6.3.7 Food and beverages consumed at banquets, receptions or similar events, if:

6.3.7.1 attendance serves a legitimate business purpose;

6.3.7.2 the person extending the invitation or a representation of the organization is in attendance; and

6.3.7.3 the value is reasonable and the invitations infrequent.

6.3.8 Media communications to the office of a member, including subscriptions to newspapers and periodicals; and

6.3.9 A sponsorship or donation for a community event organized or run by a member, or a third part on behalf of a member, subject to the limitations set out in any applicable municipal policy.

6.4 Except for exception 6.3.3 (political contributions authorized by law), these exceptions do not apply where a gift or benefit is provided by a lobbyist or a lobbyist's client or employer. In this provision a lobbyist is an individual, organization or business who or that:

6.4.1 Lobbies, or causes the lobbying of, any public office holder of the Town, the Council or a local board; or

6.4.2 The member knows is attempting or intending to lobby the member or any of the public persons or bodies listed in paragraph 6.4.1.

6.5 Council is the custodian of the assets of the Town. The community places its trust in Council and those it appoints to make decisions for the public good in relation to these assets.

6.6 Members of Council and members of local boards must not use municipal assets for personal convenience, or for profit, except where such privileges are granted to the public or provided by law.

6.7 Members of Council and members of local boards must not accept gifts and benefits except as provided under law and in the course of their duties. They may accept gifts of token value only but should be aware that, even these, may place them in a position where their actions are open to serious question.

6.8 If a member receives a gift or benefit and the value of the gift or benefit exceeds \$100, or if the total value received from any source during the course of a calendar year exceeds \$100, the member shall within 30 days of receipt of the gift or benefit or of reaching the annual limit, file a disclosure statement on the form attached hereto as Appendix "C" with the Clerk. The disclosure statement must indicate:

- 6.8.1 The nature of the gift or benefit;
- 6.8.2 Its source and date of receipt;
- 6.8.3 The circumstances under which it was given or received;
- 6.8.4 Its estimated value;
- 6.8.5 What the recipient intends to do with it; and
- 6.8.6 Whether it will at some point be provided to the Town. Any disclosure statement made under this subsection will be a matter of public record.

PART 7: EXPENSES

- 7.1 Members of Council are required to adhere to the Policy on the reimbursement of expenses incurred because of the position and the Policy for the reimbursement of expenses and traveling costs of municipal elected and staff, as amended, and related procedures and guidelines and ensure that conditions related to each expense are met.
- 7.2 Falsifying of receipts or signatures by a member is a serious breach of this Code of conduct and the *Criminal Code of Canada*, and could lead to prosecution.

PART 8: CONFIDENTIAL INFORMATION

- 8.1 Members have a duty to hold information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. They either shall not, directly or indirectly, release, make public or in any way divulge any such information or any confidential aspect of the closed deliberations to anyone, unless authorized by Council, by the local board or required by law.
- 8.2 Members must not disclose, use or release information in contravention of applicable privacy law. They are only entitled to information in the possession of the Town that is relevant to matters before the Council or a local board.
Otherwise, they enjoy the same level of access rights to information as any other

member of the community and must follow the same processes as any private citizen.

8.3 Members shall not release information subject to solicitor-client privilege, unless expressly authorized by Council, by the local board or required by law.

8.4 Members shall:

8.4.1 Keep confidential any information that is circulated to members marked confidential.

8.4.2 Return any information marked confidential to the Chief Administrative Officer's office for destruction.

8.5 The obligation to keep information confidential applies even if the member ceases to be a Council or local board member.

8.6 Protection of Privacy:

8.6.1 Confidential information includes information in the possession of, or received in confidence by the Town that the Town is either prohibited from disclosing, or is required to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), or other legislation.

Generally, MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.

8.6.2 No member shall disclose or release by any means to anyone, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council or local board to do so.

8.6.3 No member shall use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

PART 9: CONDUCT AT MEETINGS OF COUNCIL AND LOCAL BOARDS

9.1 Members shall conduct themselves in accordance with the provisions of this Code of Conduct, the Procedural By-law, and related policies, as amended, during all of the following:

- Council meetings
- Committee and/or Board meetings, as applicable
- Community forums
- Community engagement activities
- Within any communication related to municipal governance.

PART 10: CONDUCT RESPECTING STAFF

10.1 Roles and responsibilities

The Chief Administrative Officer (CAO) shall take direction from and be responsible to Council of the Town but shall not be instructed or directed by or be responsible to any individual member of the Council. The CAO shall consult with Council with respect to any matter of concern to the Town or to any of its local boards. Clearly defined roles, distinguishing between the concepts of “governance” and “management”, are critical to the success of a municipality. It will be reinforced at the outset that Council sets the policy for the community; it does not engage or participate in the daily operations of the Town.

The *Municipal Act, 2001* sets out the roles of members of Council and the municipal administration, including specific roles for statutory officers such as the Chief Administrative Officer, Clerk, Treasurer and the Integrity Commissioner. For clarity of interpretation within this Code of Conduct, the roles are Council, the CAO and Municipal Staff are summarized below.

10.2 Role of Council

Council governs the Town by establishing policies, setting strategic priorities, approving budgets, and representing the interests of residents. Council exercises

Effective date: 11/05/2026

Schedule “A” to By-law N° 26-2026

Replace: By-law N° 13-2019

Code of Conduct

Resolution N°: R-73-26

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its authority collectively through resolutions and by-laws adopted during properly constituted meetings.

Individual Members of Council do not possess authority to direct municipal staff or to make decisions on behalf of the Town unless such authority has been expressly delegated by Council through policy, by-law, or resolution.

Members of Council are expected to engage constructively in deliberations, respect the viewpoints of other Members, and maintain a focus on policy matters rather than personal criticism.

Council is accountable to the public for the direction it provides to the Town and must exercise that authority responsibly and transparently.

10.3 Role of the Chief Administrative Officer (CAO)

The Chief Administrative Officer is responsible for the overall management and administration of the Town and serves as the primary administrative link between Council and the municipal organization.

The CAO is accountable to Council for the implementation of Council decisions and for the effective operation of municipal services. The CAO directs municipal employees and establishes the administrative structure necessary to carry out the work of the Town.

Council provides direction to the organization through the CAO. Municipal staff report through the administrative hierarchy established by the CAO.

The CAO is responsible for ensuring that professional advice provided to Council reflects objective analysis and supports informed decision-making.

10.4. Role of Municipal Staff

Municipal staff are responsible for providing professional advice to Council, implementing Council decisions, and managing municipal operations in accordance with policies established by Council.

Staff must perform their duties in a non-partisan manner and must provide advice that is objective, professional, and based on sound administrative judgment. Staff serve the Town as a whole and must treat all Members of Council fairly and equally.

Staff shall not be placed in situations where they are required to respond to political matters on behalf of Members of Council or where their professional independence may be compromised.

10.5 Council–Staff Relations

The relationship between Council and municipal staff must be founded upon mutual respect and a clear understanding of roles. Members of Council shall respect the professional expertise of municipal staff and shall refrain from publicly criticizing individual employees during Council meetings or other municipal forums. Concerns regarding staff performance or administrative matters should be raised through the Chief Administrative Officer so that they may be addressed through appropriate administrative channels.

10.5.1 Only Council, acting as a body, can dictate that staff perform such duties as are necessary to the efficient management of the affairs of the community, and/or research such matters as the Council deems necessary. Individual members do not have authority to direct the CAO, directors, or staff.

10.5.2 Questions or issues surrounding operational concerns or complaints, excluding the basic issues covered above, should be directed to the CAO or to the directors.

10.6 Members of Council are expected to:

10.6.1 Represent the public and to consider the well-being and interests of the Town;

10.6.2 Develop and evaluate the policies and programs of the Town;

10.6.3 Determine which services the Town provides;

10.6.4 Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;

10.6.5 Ensure the accountability and transparency of the operations of the Town, including the activities of the senior management of the Town;

10.6.6 Maintain the financial integrity of the Town; and

10.6.7 Carry out the duties of Council under the *Municipal Act, 2001* or any other Act.

10.7 Municipal staff are expected to:

10.7.1 Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;

10.7.2 Undertake research and provide advice to Council on the policies and programs of the Town;

10.7.3 Provide professional advice honestly and shall not tailor recommendations based on perceived political preferences; and

10.7.4 Carry out other duties required under the *Municipal Act, 2001* or any Act and other duties assigned by the Town.

10.8 Maintaining this balance ensures that Council can exercise effective governance while administration can operate with professional independence. Members of Council shall be respectful of the role of staff to provide advice based on political neutrality and objectivity and without undue influence from an individual member or group of members of Council.

10.9 Members of Council shall not:

10.9.1 Maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff;

10.9.2 Attempt to influence administrative decisions improperly or request that staff undertake tasks outside the authority granted by Council;

10.9.3 Compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities; or

10.9.4 Use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff's duties.

PART 11: HARASSMENT

11.1 Harassment of another member, staff or any member of the public is misconduct. It is the policy of the Town that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. As employees of the Town, Members of Council must abide by the provisions set out in the Violence and Harassment in the Workplace Policy SST-P-2025-01.

11.2 Harassment, which occurs in the course of, or is related to, the performance of official duties by members is subject to this Code of conduct and shall be investigated by the Integrity Commissioner.

PART 12: COMMUNICATIONS AND MEDIA RELATIONS

12.1 It is understood that the Mayor, as Head of Council, is the primary spokesperson for the Council. Therefore, the following shall apply to other Council members:

12.1.1 Members will accurately communicate the decisions of Council, even if they disagree with the majority decision of Council, and by doing so, affirm the respect for and integrity in the decision-making process of Council. A member may state that he/she did not support the decision, or voted against the decision;

12.1.2 Members shall refrain from making judgemental or critical comments about other members, staff, or Council's processes and decisions;

12.1.3 Members shall refrain from speculating or reflecting upon the motives of other members or staff, when communicating with the media;

12.1.4 The Communication Coordinator, or designate, will work/consult with the Head of Council and/or CAO regarding media releases as necessary.

12.2 Members of Council shall comply with the Town's Communications Policy, DG-P-2025-02, as amended, which governs external communications, internal communications, media relations, and public messaging. The Communications Policy provides detailed direction respecting spokesperson roles, media engagement, use of social media, and coordination with the Town to ensure communications are accurate, consistent, and aligned with Council decisions.

PART 13: MUNICIPAL CONFLICT OF INTEREST

13.1 Members shall conduct themselves in accordance with the *Municipal Conflict of Interest Act* as amended.

13.2 The following principles should be used as a guide:

13.2.1 In making decisions, always place the interests of the taxpayers first and, in particular, place them before the interests of colleagues on Council or on a local board, staff, friends or family;

13.2.2 Always interpret the phrase "Conflict of interest" in the broadest possible terms;

13.2.3 Any factor which could be considered a conflict by taxpayers should be treated as a conflict and be disclosed by the member;

13.2.4 If in doubt, it is better to disclose a situation;

13.2.5 If in doubt, it is the responsibility of individual members to obtain independent legal advice or to consult the Integrity Commissioner of the Town with respect to any situation that might arise whereby there is a potential for a conflict of interest;

13.2.6 It is considered a breach of this By-law to require or to attempt to burden staff members to assist in the determination of a conflict of interest for individual members.

PART 14: IMPROPER USE OF INFLUENCE

14.1 As an elected or appointed official, members are expected to perform their duties of office with integrity, accountability and transparency. Members should not use the status of their position to influence the decision of another individual to the private advantage of oneself, or one's parents, children or spouse, staff members, friends, or associates, business or otherwise.

PART 15: ELECTION-RELATED ACTIVITY

15.1 Members are required to conduct themselves in accordance with the *Municipal Elections Act, 1996* and specifically to the Use of Municipal Resources Policy (C-P-2018-01) as amended.

PART 16: USE OF MUNICIPAL PROPERTY AND RESOURCES

- 16.1 In order to fulfill their roles as elected or appointed representatives, members have access to municipal resources such as property, equipment, services, staff and supplies. No member shall use, or permit the use of Town land, facilities, equipment, supplies, services, staff or other resources (for example, Town-owned materials, or websites) for activities other than purposes connected with the discharge of Council and local board duties or Town business.
- 16.2 No member shall obtain financial gain from the use or sale of Town-developed intellectual property, computer programs, technological innovations, or other patent, trademark, copyright held by the Town.

PART 17: ACKNOWLEDGEMENT OF UNDERSTANDING AND COMPLIANCE

17.1 Each member of Council and member of local boards shall sign the “Acknowledgement of Understanding and Compliance Form” found at Appendix “B” attached hereto upon beginning of mandate or appointment. PART 18: COMPLIANCE WITH THE CODE OF CONDUCT

17.2 Threat-free atmosphere

17.2.1 No member may directly or indirectly, induce, encourage, or aid a member to violate any provision of this Code of conduct.

17.2.2 Neither staff nor any member of Council shall take, threaten to take, discharge, discipline, personally attack, harass, intimidate, etc. a person who has reported a violation of this Code of conduct.

17.3 Informal Dispute Resolution and Early Intervention

The Town recognizes that disagreements may arise during the course of municipal governance. Many disputes can be resolved through constructive dialogue before formal processes become necessary.

Informal resolution may include facilitated dialogue, mediation between the parties, or the clarification of misunderstandings through structured discussion. These processes are intended to resolve disputes while preserving working relationships and preventing escalation.

The use of informal resolution does not prevent a party from initiating a formal complaint where circumstances warrant such action.

17.3.1 Conflict Between Members of Council

Where concerns regarding conduct arise between two or more Members of Council, the individuals involved are encouraged to first address the matter through respectful and direct discussion. Where direct discussion is not appropriate or does not resolve the concern, the matter may be referred to the Mayor and Deputy Mayor, acting jointly, for facilitation of an informal resolution process. This may include facilitated dialogue or other appropriate measures

intended to resolve the issue early and preserve effective working relationships within Council.

17.3.2 Conflict Involving a Member of Council and the Mayor

Where concerns regarding conduct arise between a Member of Council (including Deputy Mayor) and the Mayor, the individuals involved are encouraged to first address the matter through respectful and direct discussion. Where direct discussion is not appropriate or does not resolve the concern, the matter may be referred to the Clerk and/or the CAO, in consultation with the Integrity Commissioner where appropriate, for facilitation of an informal resolution process. This may include facilitated dialogue or other appropriate measures intended to resolve the issue early and preserve effective working relationships within Council.

17.3.3 Conflict Involving a Member of Council and the Deputy Mayor

Where concerns regarding conduct arise between a Member of Council (excluding the Mayor) and the Deputy Mayor, the individuals involved are encouraged to first address the matter through respectful and direct discussion. Where direct discussion is not appropriate or does not resolve the concern, the matter may be referred to the Mayor and/or the CAO, in consultation with the Integrity Commissioner where appropriate, for facilitation of an informal resolution process. This may include facilitated dialogue or other appropriate measures intended to resolve the issue early and preserve effective working relationships within Council.

PART 18: COMPLIANCE WITH THE CODE OF CONDUCT

18.1 Making a complaint via the formal complaint process.

Where concerns cannot be resolved informally, a formal complaint may be submitted in writing.

Complaints concerning Members of Council shall be submitted to the Integrity Commissioner in accordance with this Code of Conduct. Complaints concerning the conduct of the Chief Administrative Officer shall be submitted to the Mayor and Clerk for referral to Council.

Upon receipt of a complaint, the receiving authority shall determine whether the matter falls within the jurisdiction of this Code of Conduct and whether an investigation is warranted.

18.1.1 Complaints shall be filed on the form attached hereto as Appendix “A” and shall be signed by an identifiable individual or legal person.

18.1.2 A refundable fee of \$250 shall be paid upon the filing of a complaint to the Integrity Commissioner in trust.

18.1.3 The fee payable under this By-law shall be refunded to the complainant when the Integrity Commissioner files his or her report under this section, unless it was declared frivolous, vexatious, or not made in good faith by the Integrity Commissioner.

18.1.4 Complaints shall be filed with the Integrity Commissioner at the address shown in Appendix A who in return shall put the Clerk on notice.

18.2 Complaints and inquiry during regular elections

During the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act:

18.2.1 No complaints on a contravention to the Code of conduct by a member may be filed.

18.2.2 The Integrity Commissioner shall not report to the Town or local board about whether, in his or her opinion, a member has contravened the Code of conduct.

18.2.3 The Town or local board shall not consider whether to impose the penalties referred to 18.10 of this By-law.

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, he or she shall terminate the inquiry on that day.

He or she shall not commence another inquiry within six weeks after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*, and only if the person or entity who made the request makes a written request to the Commissioner that the inquiry be commenced.

18.3 Limitation period

18.3.1 The Integrity Commissioner shall only proceed with an inquiry about a complaint filed less than 180 days after the date when the action, event or the last action, event or a series of events which are the subject matter of the complaint occurred.

18.3.2 Notwithstanding the above section , the Integrity Commissioner may proceed with an inquiry in regard to a complaint that is filed after the expiry of the time limit if the Integrity Commissioner is satisfied that:

18.3.2.1 the delay was incurred in good faith;

18.3.2.2 it is in the public interest to proceed with an inquiry; and

18.3.2.3 no substantial prejudice will result to any person because of the delay.

18.3.3 A complainant is deemed to have known the matters referred to in section 18.3.1 of this By-law at the time the action, event or the last action, event or a series of events have occurred, unless the contrary is proven. The onus of proof lies upon the complainant.

18.4 Appointment of Integrity Commissioner

18.4.1 Council shall appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the Town.

18.4.2 The Integrity Commissioner is appointed by Council for a term of two years with an option to renew for two additional years.

18.4.3 The Integrity Commissioner shall complete any inquiries begun during his or her term notwithstanding the expiry of the term and this By-law shall continue to apply with all the necessary modifications.

18.4.4 If the Integrity Commissioner is unable to complete an inquiry in accordance with section 18.4.3 of this By-law, the Integrity Commissioner next appointed shall complete the inquiry.

18.4.5 The Integrity Commissioner may be removed before the expiry of his or her term of office only for cause. Council shall first receive legal advice from external legal counsel to determine if cause exists.

18.5 Duties of Integrity Commissioner

To report conflict of interest. If the Integrity Commissioner becomes aware of a situation where a conflict of interest arises, the Integrity Commissioner shall advise the Clerk and members of Council in writing and delegate in writing his functions and duties to conduct the inquiry, including the exercise of powers under the *Public Inquiries Act* and the duty to report on an inquiry.

The duties of the Integrity Commissioner are:

18.5.1 The application of the Code of conduct for members of Council and of local boards.

18.5.2 The application of any procedures, rules and policies of the Town and local boards governing the ethical behaviour of members.

18.5.3 The application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to members of Council and of local boards.

18.5.4 Respond to written requests from members of Council and of local boards for advice respecting their obligations under the Code of Conduct applicable to the member.

18.5.5 Requests from members of Council and of local boards for advice respecting their obligations under a procedure, rule or policy of the Town or of the local board, as the case may be, governing the ethical behaviour of members.

18.5.6 Requests from members of Council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.

18.5.7 Provide educational information to members of Council, members of local boards, the Town and the public about the Town's Code of Conduct for members of Council and members of local boards and about the *Municipal Conflict of Interest Act*, upon written request of Council or local board.

18.6 Delegation of authority

18.6.1 If the Integrity Commissioner delegates his or her powers and duties to any person, he or she shall first satisfy himself or herself that the person to whom the duties are to be delegated is fully capable of carrying out these duties.

18.7 Conduct of inquiry

18.7.1 The Integrity Commissioner shall be independent from both Council and staff.

18.7.2 The Integrity Commissioner and any delegates shall be impartial and neutral and shall perform all duties skillfully, competently, independently and in accordance with all applicable law.

18.7.3 The Integrity Commissioner has the power to conduct an inquiry if requested by Council, any other member, or a member of the public, about whether there has been a contravention of this Code of conduct or any other Town policy.

18.7.4 Complaints shall set out reasonable and probable grounds for the allegation that the member has contravened this Code of conduct and include a supporting document that sets out the evidence in support of the complaint.

18.7.5 Complaints shall be filed with the Integrity Commissioner who shall put the Clerk on notice. The Integrity Commissioner shall determine if the matter is, on his/her face, a complaint with respect to non-compliance with this Code of conduct and/or not covered by other legislation or policy.

18.7.6 If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious, or not made in good faith, or that there are no grounds, or insufficient grounds for an investigation, or if the complainant fails to provide requested additional information or clarification, the Integrity Commissioner shall not conduct an investigation or if it becomes apparent in the course of an investigation, terminate the investigation.

18.7.7 If the complainant provides new information after an inquiry is dismissed under section 18.7.6 of this By-law and there is sufficient information to set out an apparent contravention of the Code of conduct, or any other procedures, rules or policies governing the ethical behaviour of members, the Integrity Commissioner shall reopen the inquiry.

18.7.8 The Integrity Commissioner shall give the member who is subject to a complaint the opportunity to comment either in person or in writing on the proposed findings and recommended sanction.

18.7.9 Complaints will be processed in compliance with the confidentiality requirements of section 223.5 (1) of the *Municipal Act, 2001*, as amended.

18.7.10 The Integrity Commissioner is entitled to free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the Town or a local board.

18.7.11 The Integrity Commissioner and any delegates acknowledge that the Town is an institution for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). Accordingly, the Integrity Commissioner and any delegates undertake not to disclose information subject to the MFIPPA except as may be necessary in the proper discharge of their functions and duties pursuant to the terms of this By-law and in accordance with the MFIPPA and the *Municipal Act*.

18.7.12 The Town and its local board shall give the Integrity Commissioner such information as the Integrity Commissioner believes is necessary for the inquiry of a complaint.

18.7.13 The Integrity Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case those sections apply to the inquiry.

18.7.14 If the Integrity Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of any other Act or of the *Criminal Code of Canada*, R.S.C., 1985, c. C-46, the Integrity Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police investigation and charge have been finally disposed of, and shall report the suspension of the inquiry to Council.

18.8 Providing advice

18.8.1 Members seeking advice under sections 18.5.4, 18.5.5 and 18.5.6 of this By-law from the Integrity Commissioner shall complete the form attached hereto as Appendix “D” and submit it to the Integrity Commissioner.

18.8.2 Following a formal request, the Integrity Commissioner shall give his or her advice to the member in writing.

18.8.3 Advice provided by the Integrity Commissioner to a member may be released with the member’s consent.

18.8.4 If a member releases only part of the advice provided by the Integrity Commissioner, the Integrity Commissioner may release part or all of the advice without obtaining the member's consent.

18.8.5 The Integrity Commissioner may disclose such information as in the Integrity Commissioner's opinion is necessary:

18.8.5.1 for the purposes of a public meeting under subsection 223.4.1(8) of the *Municipal Act, 2001*;

18.8.5.2 in an application to a judge referred to in subsection 223.4.1 (15) of the *Municipal Act, 2001*; or

18.8.5.3 in the written reasons given by the Commissioner under subsection 223.4.1 (17) of the *Municipal Act, 2001*.

18.9 Integrity Commissioner reporting to the Town

18.9.1 The Integrity Commissioner shall report annually to Council on the number of complaints filed and activities by way of a summary report to Council, in November of each calendar year.

18.9.2 The Clerk shall ensure confidentiality is maintained during and after the Integrity Commissioner's investigation.

18.9.3 Records of the Integrity Commissioner must be retained permanently.

No breach of Code of conduct

18.9.4 Where a complaint is unfounded or dismissed, the Integrity Commissioner shall not report to Council, except as part of his or her annual report.

Report on breach of Code of conduct

18.9.5 The Integrity Commissioner shall submit his or her report to Council within 60 days from the filing of a complaint.

18.9.6 If the Integrity Commissioner is unable to prepare his or her report within 60 days, he or she shall advise Council of this in writing and give reasons and also an approximate date for the filing of his or her report.

18.9.7 The report filed by the Integrity Commissioner shall include:

18.9.7.1 the nature of the complaint;

18.9.7.2 if the complaint was filed after the expiry of the time limit under section 18.3.1 of this By-law, the Integrity Commissioner's findings regarding sections 18.3.2 and 18.3.3 of this By-law, which findings shall be in accordance with the civil standard of the balance of probabilities;

18.9.7.3 the evidence gathered from the complaint and from the inquiry;

18.9.7.4 the Integrity Commissioner's findings of fact regarding the complaint, which findings shall be made in accordance with the civil standard of the balance of probabilities;

18.9.7.5 the Integrity Commissioner's decision, based on the findings of fact that the member contravened or did not contravene his or her obligations under the Code of conduct, or under any other procedures, rules or policies governing his or her ethical behaviour; and

18.9.7.6 where the Integrity Commissioner decides that the member has contravened the Code of conduct, or any other procedures, rules or policies governing the ethical behaviour of members, his or her recommendation on the penalty shall be imposed pursuant to section 18.10 of this By-law.

18.9.8 The Integrity Commissioner may make interim reports to Council, where necessary, to address any issues of interference, obstruction, delay or retaliation encountered during the investigation.

18.9.9 The Integrity Commissioner shall file a copy of the final report on an investigation with the Clerk, who will then provide a copy of the report to the complainant and the member whose conduct it has addressed.

18.9.10 The Clerk shall submit the Integrity Commissioner's report to Council within the next two regular meetings and the Integrity Commissioner shall appear to present his or her report to Council.

18.9.11 The Integrity Commissioner reporting shall be made at an open Council meeting.

18.9.12 Although the Integrity Commissioner's report must be made public, pursuant to the *Municipal Act, 2001*, some parts of the investigations may be confidential, and will not be made public.

18.10 Penalties imposed by the Town

18.10.1 Council may impose any of the following penalties on a member if the Integrity Commissioner reports to the Town that, in his or her opinion, the member has breached this Code of Conduct:

18.10.1.1 A reprimand.

18.10.1.2 Suspension of the remuneration paid to the member in respect of his or her services as a member of Council or local board, as the case may be for a period of up to 90 days.

18.10.2 Council may also take the following additional actions:

18.10.2.1 Remove the member from an ad-hoc committee, committee or board.

18.10.2.2 Remove as chair of a committee or local board.

18.10.2.3 Require the member to repay or reimburse the compensation received.

18.10.2.4 Require the member to return property or reimburse for the value of it.

18.10.2.5 Any other fair and reasonable sanction given the circumstances.

18.10.2.6 Request a public apology to Council, the complainant, or both.

18.10.2.7 All sanctions under this Code of conduct will be fair and in keeping with the severity of the infraction, giving due regard to the member's previous conduct.

PART 19: PROTECTION AGAINST RETALITION

19.1 No person shall be penalized or subject to retaliation for making a complaint in good faith under this Code of Conduct or for participating in an investigation conducted pursuant to this Code of Conduct.

Allegations of retaliation shall themselves be treated as serious breaches of this Code of Conduct.

Part 20: TRANSPARENCY AND PUBLIC REPORTING

20.1 Council recognizes that transparency is essential to maintaining public trust in municipal governance. Where investigations result in findings or recommendations that may appropriately be disclosed, Council may release summaries of those outcomes in accordance with applicable legislation and privacy obligations.

Part 21: ALTERNATIVE FORMAT SUPPORT

21.1 The Town shall, on request, provide this document, or the information contained in this document, to any person in an accessible format or with communication support ;

- in a timely manner that considers the person's accessibility needs due to disability; and
- at a cost that is no more than the regular cost charged to other persons.

The Town shall consult with the person making the request to determine the suitability of an accessible format or communication support.

The time required to transfer the information depends on the chosen medium, size, complexity, quality of source material and the number of documents to be converted. Information will be provided as soon as possible taking into consideration the factors noted above.

Requests for alternative formats or supports may be submitted to the Town verbally (in person or by telephone) or in writing (handwritten, delivered, website, or e-mail) as follows:

- Communicating with the department Director responsible for providing the goods and services about which they require an alternative format
 - by mail posted to 600 Higginson Street, Hawkesbury ON K6A 1H1
 - by e-mail, addressed directly to the department Director
 - by completing a request for information specific to the department in question, via the Town's website's contact page, or the Town's mobile application's request module
 - by telephone, 613 632-0106
 - by making an appointment to meet in-person with the department Director
- Communicating with the Town Clerk
 - by mail posted to 600 Higginson Street, Hawkesbury ON K6A 1H1
 - by e-mail, addressed to info@hawkesbury.ca
 - by completing a request for information to the Clerk's Office, via the Town's website's contact page, or the Town's mobile application's request module
 - by telephone, 613 632-0106
 - by making an appointment to meet in-person with the Clerk at Town Hall

Appendix "A"
By-law N° 26-2026

Formal Complaint Form / Affidavit
Code of Conduct

Fillable form on the following four (4) pages.

CONFIDENTIAL

**REQUEST FOR INVESTIGATION FORM
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND OF LOCAL BOARDS**

Requester's information

Name: _____

Mailing address: _____

Town: _____ Prov.: _____ Postal code: _____

Home phone: _____ Work: _____ Cell number: _____

Email address: _____

I, _____ (full name)
of _____ (municipality of residence), in _____ (province)

1. I have personal knowledge of the facts cited in this form, because:
(Briefly write the reasons, i.e. I work for... I attended a meeting at which... etc.)

2. I have reasonable and probable grounds to believe that:
(specify the name of Member(s) of Council of the Town of Hawkesbury/Member(s) of local board)

_____ has contravened to Section(s) _____ (specify)

of the Code of Conduct. The particulars are as follows:

(Set out statements of facts in consecutively numbered paragraphs in the space below, with each paragraph being confined, as much as possible, to a particular statement of facts. Should you require more space, please use the attached Form for additional information at page 4. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B, C, etc. and attach them to this Form.)

(If the complaint concerns a fact that occurred more than 180 days ago, you must explain the reason why you waited before filing this complaint.)

3. This complaint is made for the purpose of requesting that this matter be investigated and for no improper purpose.

Requester's signature

Date

Payment of \$250.00 to be made to and sent to :

The Corporation of the Town of Hawkesbury
Integrity Commissioner
600 Higginson Street
Hawkesbury (Ontario) K6A 1H1

This affidavit was created for the purpose of requesting that this complaint is to be reviewed by the Town of Hawkesbury Integrity Commissioner and for no other improper purpose or motive.

SWORN OR AFFIRMED
SOLEMNLY before me

At _____
(city, town, etc.)

The _____
(date)

(Signature of commissioner for oaths)

(Signature of complainant)

Please note that signing an affidavit containing a false statement may expose you to prosecution under sections 131 and 132 or 134 of the Criminal Code, R.S.C. 1985, c. C-46 as well as civil liability for defamation.

**Form
(additional information)**

[Empty rectangular box for additional information]

*Pursuant to Section 223.5 of the *Ontario Municipal Act, 2001*

Appendix "B"
By-law N° 26-2026

Acknowledgment of Understanding and Compliance Form
Code of Conduct

The undersigned Member of Council, a Committee, and/or Local board of the Town of Hawkesbury hereby acknowledges receipt of a copy of the Code of Conduct By-law N° 26-2026 and agree to abide by its contents. I also acknowledge this form will be kept on file with the Town of Hawkesbury, and a copy of this signed form was retained by the Member him/herself.

Printed Name _____

Signature of Member

Date

Appendix "C"
By-law N° 26-2026

Disclosure Statement Form
Code of Conduct

Subsection 6.8 of the Code of Conduct regarding the acceptance of gifts and benefits requires Members of Council and of local board o disclose the receipt of certain gifts and benefits if the dollar value of a single gift or benefit exceeds \$100 or if the total value of gifts and benefits received from one source in a calendar year exceeds \$100. This Disclosure Statement is to be used to report on such gifts and benefits and shall be filed with the Clerk of the Town of Hawkesbury within 30 days of receipt of such gift or benefit, or upon reaching the annual limit. Disclosure Statements as this one are a matter of public record.

Nature of Gift or Benefit received:

Source of Gift or Benefit:

Circumstances under which Gift or Benefit was received:

Estimated Value of Gift or Benefit: \$ _____

Date Gift or Benefit was received: _____

Signature of Member: _____

Date: _____

Date on which the Statement is received by the Clerk: _____

Appendix "D"
By-law N° 26-2026

Request for Advice Form

Code of Conduct

Name of Member: _____

Telephone No.: _____

Email Address: _____

Advice Requested: (Please provide as many details as possible. Attach additional pages if required.)

(Signature of Requestor)

(Signature of Integrity Commissioner)

(Date)

(Date Received by Integrity Commissioner)