



## THE CORPORATION OF THE TOWNSHIP OF BILLINGS

### INAUGURAL MEETING AGENDA

**November 15<sup>th</sup>, 2022, 7:30 p.m.**

**PARK CENTRE**

Bryan Barker, Mayor Elect  
Jim Cahill, Councillor Elect  
Vincent Paul Grogan, Councillor Elect  
David John Hillyard, Councillor Elect  
Michael Hunt, Councillor Elect

#### Staff

Emily Dance, CAO/Clerk  
Cheryl McCulligh, Treasurer  
Tiana Mills, Deputy Clerk  
Todd Gordon, Municipal Project Manager  
Chris Cyr, Public Works Superintendent  
Martin Connell, Fire Chief  
Arthur Moran, By-Law / Health and Safety

#### **1. OPEN**

*The Clerk will call the meeting to order.*

#### **2. DECLARATIONS TO OFFICE**

- 2.1 Mayor
- 2.2 Councillors

#### **3. DEEMED ORGANIZED**

*The Clerk of the Corporation of the Township of Billings to deem the municipality organized.*

#### **4. CODE OF CONDUCT**

*Members of Council to sign the oath of Code of Conduct*

#### **5. MAYOR BARKER INAUGURAL ADDRESS**

#### **6. COUNCILLOR COMMENTS**

#### **7. ADJOURNMENT**

*Convene to celebratory refreshments*

**DECLARATION OF OFFICE**

**(Section 232 of the *Municipal Act, 2001*)**

I \_\_\_\_\_, having been elected or appointed to the office  
(name of person)

of \_\_\_\_\_  
(name of office)

in the municipality of \_\_\_\_\_  
(name of municipality)

do solemnly promise and declare that:

1. I will truly, faithfully and impartially exercise this office to the best of my knowledge and ability.
2. I have not received and will not receive any payment or reward, or promise thereof, for the exercise of this office in a biased, corrupt or any improper manner.
3. I will disclose any pecuniary interest, direct or indirect, in accordance with the *Municipal Conflict of Interest Act*.
4. I will be faithful and bear true allegiance to His Majesty King Charles the Third.

And I make this solemn promise and declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the \_\_\_\_\_ )  
 at the..... ) signature of declarant  
 ..... )  
 ..... )  
 on ..... )  
 \_\_\_\_\_ )

Commissioner for taking Affidavits

**DECLARATION OF OFFICE  
ALTERNATE OPTION FOR INDIGENOUS PERSONS  
(Section 232 of the *Municipal Act, 2001*)**

I \_\_\_\_\_, having been elected or appointed to the office  
(name of person)

of \_\_\_\_\_  
(name of office)

in the municipality of \_\_\_\_\_  
(name of municipality)

do solemnly promise and declare that:

1. I will truly, faithfully and impartially exercise this office to the best of my knowledge and ability.
2. I have not received and will not receive any payment or reward, or promise thereof, for the exercise of this office in a biased, corrupt or any improper manner.
3. I will disclose any pecuniary interest, direct or indirect, in accordance with the *Municipal Conflict of Interest Act*.

I identify as an Indigenous person and I assert that making the declaration of allegiance to His Majesty King Charles the Third would be inconsistent with my views regarding the relationship between the Crown and Indigenous peoples.

And I make this solemn promise and declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me ) \_\_\_\_\_  
at the..... ) signature of declarant  
..... )  
..... )  
on ..... )  
\_\_\_\_\_ )

Commissioner for taking Affidavits

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2018-41

BEING A BY-LAW TO ADOPT A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

WHEREAS section 223.2(1) of the Municipal Act, 2001, as amended requires all municipalities to establish a code of conduct for members of the council of the municipality and of its local boards on or before March 1, 2019;

NOW THEREFORE the Council of the Corporation of the Township of Billings hereby enacts as follows:

1. That the Code of Conduct for Members of Council and Local Boards attached hereto as Schedule "A" is adopted and forms part of this by-law; and,
2. That this by-law shall come into force and take effect upon the day of the final passing thereof.

Read a First, Second and Third time and enacted this 17<sup>th</sup> day of September, 2018.



\_\_\_\_\_  
Austin Hunt, Mayor



\_\_\_\_\_  
Kathy McDonald, CAO/Clerk

**CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS  
OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS**

**PRINCIPLES WHICH FORM A BASIS FOR THIS CODE:**

Improving the quality of municipal government and administration can best be achieved by maintaining high standards of proper conduct on the part of all municipal officials. In particular, the public is entitled to expect the highest standards of conduct from those whom it elects to local government.

Adherence to these standards will also serve to protect and maintain the municipality's integrity and reputation.

Key statements of principle which underlie the requirements of this Code are the following:

- Members must serve and be seen to serve their constituents in a conscientious and diligent manner, and in the public interest;
- Members must be committed to performing their responsibilities with integrity, and avoiding conflicts of interest and other improper use of the influence of their office, both real and apparent;
- Members are expected to perform their duties in office in the public interest, and to arrange their private affairs in a manner that promotes public confidence and will bear public scrutiny;
- Members must recognize and act upon the principle that democracy is best achieved when the operation of government is made as transparent and accountable as possible;
- Members shall uphold and comply with both the spirit and intent, as well as the words, of the laws and policies of Parliament, the Ontario Legislature, and the municipal Council.

SCHEDULE 'A'

**APPLICATION OF THIS CODE**

**This Code of Conduct applies to every Member of the Council and local boards of the Township of Billings.**

**STATUTES PROVIDING CONTEXT TO THIS CODE**

This Code of Conduct shall be interpreted and complied with in a manner consistent with statutes and other laws which govern the conduct of its Members, including the following:

- **The Criminal Code of Canada;**
- **Municipal Act, 2001, and Regulations;**
- **Municipal Conflict of Interest Act;**
- **Municipal Affairs Act;**
- **Municipal Freedom of Information and Protection of Privacy Act;**  
and
- **Municipal Elections Act.**

**DEFINITIONS**

In this Code of Conduct:

“closed meeting” means all or part of a meeting lawfully held in the absence of the public, or from which members of the public have been lawfully precluded or prohibited from attending.

“confidential information” includes information, documents or records:

- (a) which the Township is prohibited by law from disclosing or is required by law to refuse to disclose;
- (b) which the Clerk as head of the municipality for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, has the lawful power or discretion to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act* or other law, has decided to refuse to disclose, and has not revoked or amended that decision in a manner which would permit such disclosure; and

By-law 2018-41

SCHEDULE 'A'

(c) concerning matters that are considered at a closed meeting.

“Council” means the Council of the Township of Billings;

“information” includes a record or document, however created or stored;

“Member” means a Member of the Council or local board;

“municipality” means The Corporation of the Township of Billings;

“person” includes a corporation, partnership, association, and any other entity as the context allows or is stated to apply.

**COMPLIANCE WITH DECLARATION OF OFFICE**

1. Every Member shall comply with his or her declaration of office.

**ADHERENCE TO THIS CODE AND OTHER COUNCIL LAWS AND PROCEDURES**

2. Every Member shall observe and comply with every requirement of this Code of Conduct, as well as other laws and procedures adopted or established by Council affecting the Member, whether or not acting in the capacity as a Member.

**CONDUCT AT MEETINGS**

3. Every Member shall conduct himself or herself properly and in a civil manner at Council, committee, and other meetings, and in accordance with applicable provisions of the Procedure By-law, this Code of Conduct, and other applicable law and municipal policies.

**CONFIDENTIALITY**

4. No Member shall disclose or release by any means, directly or indirectly, any confidential information, or other information acquired by virtue of her or his office, except when required or lawfully authorized to do so, and to a person authorized by law to receive it.
5. No Member shall do any of the following:
  - (a) use confidential information for financial or other gain, or use or disclose information obtained by reason only of the Member's

## By-law 2018-41

### SCHEDULE 'A'

membership on the Council or other body, for any other purpose or to any other person, except as authorized by law, for the benefit of the municipality, and in the public interest;

- (b) disclose any confidential information for the purpose, or with the effect, directly or indirectly, of providing a benefit to any person bidding, or who may bid, upon any tender, request, proposal or other procurement process of the municipality or any agency, board or other body associated with the municipality;
- (c) disclose the content of any matter that has been discussed or considered, or has been the subject-matter or substance of consideration, debate or deliberations at a closed meeting of the Council or other body, except where such disclosure has been authorized by the Council or is otherwise authorized or required by law;
- (d) access or seek to obtain access, to confidential information unless such access is necessary for the performance of the Member's duties, and not prohibited by law.

### **CONDUCT RESPECTING OTHERS**

6. Every Member shall treat members of the public, one another, and municipal employees appropriately, and without abuse, bullying, harassment or intimidation, and shall seek to ensure that the municipality's work environment is free from improper discrimination, harassment or abuse.
7. Every Member shall be respectful of the role of municipal employees and proceed on the assumption that department managers and members of administrative staff will provide advice to the Council based on political neutrality and objectivity, and without undue influence from any one or more Members of Council.
8. Every Member shall refrain from individually providing direction to management and employees on daily operational matters. Council provides direction through policy statements, by-laws and



SCHEDULE 'A'

resolutions which establish the types of services delivered and the level of service delivery.

9. No Member shall use any indecent, abusive or insulting words or expression toward any municipal employee, any other Member, or any member of the public, or maliciously or falsely injure or impugn the professional or ethical reputation of any such person.
10. No Member shall compel or seek to compel any municipal employee to engage in any political or partisan activity, or purport to do so, or attempt to issue any order or requirement to any municipal employee except in the course of the implementation of decisions of the Council and in accordance with the lawfully required responsibilities of the person.

**GIFTS AND BENEFITS**

11. (a) No Member shall, except in the case of the exceptions set out in paragraph (b) below, request or accept, or take any step at Council or other meetings or otherwise, to bring about, any direct or indirect gift or benefit, that is connected, directly or indirectly, to the Member's membership on Council or the performance of her or his responsibilities.

(b) Each of the following, where authorized by law, is recognized as an exception from paragraph (a):

- i. a gift or benefit of the kind that normally accompanies the responsibilities of office and is received as an incident of protocol or social obligation;
- ii. a political contribution otherwise authorized and reported as required by law in the case of a candidate for political office;
- iii. services provided without compensation by a person volunteering his or her time;
- iv. a suitable memento of a function honouring the Member;
- v. food, lodging, transportation or entertainment lawfully provided by any governmental body, or by those organizing a conference, seminar or event where the Member is speaking or attending in an official capacity;

By-law 2018-41

SCHEDULE 'A'

- vi. food and beverages consumed at a banquet, reception or similar event, if:
  - a. attendance by the Member is for a legitimate municipal purpose;
  - b. the person extending the invitation, or a representative of the organization holding the event, is in attendance; and
  - c. the value is reasonable;
- vii. communications to the office of a Member, including subscriptions to newspapers and periodicals; and
- viii. a sponsorship or donation for a community event organized or run by a Member, a third party on behalf of the Member, subject to any limitations set out in any applicable municipal policy; and,
- ix. compensation and benefits authorized by law.

(c) In the case of the foregoing exceptions: (i), (iv), (v), (vi), (vii), and any one or more of them, the Member shall, within 30 days of receipt of the gift or benefit, file a disclosure statement with the municipal CAO/Clerk indicating:

- the nature of all such gifts or benefits and the amount of each;
- the source and date of such receipt; and
- the circumstances under which it was given or received.

**USE OF MUNICIPAL PROPERTY, SERVICES AND OTHER RESOURCES**

- 12. No Member shall use or permit the employment of municipal land, facilities, equipment, supplies, services, municipal employees or other resources for purposes or activities other than the furtherance of the business of the municipality.
- 13. No Member shall obtain, or seek to obtain, financial gain from the use or sale of municipal owned or developed property, including intellectual property.
- 14. No Member shall use her or his newsletter, or any other asset or

By-law 2018-41

SCHEDULE 'A'

resource of the municipality, for personal, or election-related activities, or for any other purpose, other than the performance of municipal responsibilities in the public interest.

15. No Member shall use the influence of her or his office for any purpose other than for the lawful exercise of his or her official duties and for municipal purposes. Without limiting the generality of the foregoing, no Member shall seek or attempt to gain direct or indirect personal advantage by reason of a decision or implementation of a decision by the Council or municipal employees.
16. Every Member shall comply with every requirement of the Code of Conduct, and shall co-operate with and assist the municipality's Integrity Commissioner, and every other person lawfully engaged in the administration and/or enforcement of this Code of Conduct, including in respect of any inquiry or seeking of information and records relating to any complaint or request relating to all or any part of the Code of Conduct.

Adopted by Bylaw 2018-41  
by the Council for the Corporation of the Township of Billings

Each member of council is asked to swear an Oath  
to Observe and Comply with this Code of Conduct  
as well as other laws and procedures  
adopted or established by the Council for  
the Corporation of the Township of Billings



**THE CORPORATION OF THE TOWNSHIP OF BILLINGS**

**MUNICIPAL MAYOR/COUNCILLOR  
OATH OF CODE OF CONDUCT**

I, \_\_\_\_\_, being a Member of the Council for the Corporation of the Township of Billings, do make this oath that I shall observe and comply with every requirement of The Code of Conduct established by By-law 2018-41, as well as other laws and procedures adopted or established by the Council affecting me as a member, whether acting in the capacity as a Member of the Council or not.

**DECLARED and SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**Signature of Declarant**

\_\_\_\_\_  
**Witness**