

RURAL MUNICIPALITY OF ORKNEY No. 244

BYLAW No. 7/2025

CODE OF ETHICS

Short Title

1. This Bylaw may be cited as the "Code of Ethics Bylaw".

Preamble

2. The members of council for the Rural Municipality of Orkney No. 244 recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards. The quality of the public administration and governance of the Rural Municipality of Orkney No. 244, as well as its reputation and integrity, depends on our conduct as elected officials.

Purpose and Interpretation

3. The purpose of this code is to outline basic ethical standards and values for members of council. It is to be used to guide members of council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials. It also explains the procedure for filing a complaint, investigating a complaint, and enforcing these standards and values.

This bylaw is to be interpreted in accordance with the legislation applicable to the municipality, the common law and the policies and bylaws of the municipality.

Neither the law nor this code is to be interpreted as exhaustive, and there will be occasions on which a council will find it necessary to adopt additional rules of conduct in order to protect the public interest and to enhance the public confidence and trust in local government.

It is the responsibility of each member of council to uphold the standards and values set out in this code.

4. Definitions

In this Bylaw:

- a) Act: means *The Municipalities Act, 2010*
- b) Complainant: means an individual, organization, municipal employee, member of Council
- c) Designated Officer: means a person designated by resolution of council in the absence of a designation by council the Administrator, or a person to whom power or authority is delegated by the Administrator
- d) Members of Council: means the council of the Rural Municipality of Orkney No. 244 and includes the Reeve and each Councillor.
- e) Municipality: means the Rural Municipality of Orkney No. 244

5. Standards and Values

a. Honesty

Members of council shall be truthful and open in their roles as council members and as members of the communities they serve.

b. Objectivity

Members of council shall make decisions carefully, fairly and impartially with consideration to preservation of bias.

c. Respect

- i. Members of council shall treat every person, including other members of council, municipal employees and the public, with dignity, understanding and respect;
- ii. Members of council shall not engage in discrimination, bullying or harassment in their roles as

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- members of council;
- iii. Members of council shall not use derogatory language towards others;
 - iv. Members of council shall treat people with courtesy; and
 - v. Members of council shall recognize the importance of the different role's others play in local government decision making.

d. Transparency and Accountability

- i. Members of council shall endeavour to conduct and convey council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in a closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions; and
- ii. Members of council are responsible for the decisions they make. This responsibility includes acts of commission and acts of omission.

e. Confidentiality

- i. Members of council shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by council to do so; and
- ii. Members of council shall not take advantage of or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in the public domain. This includes complying with The Local Authority Freedom of Information and Protection of Privacy Act in their capacity as members of council of a local authority

f. Leadership and the Public Interest

- i. Members of council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality.
- ii. Members of council shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government;
- iii. Members of council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct; and
- iv. Members of council shall not accept a gift or personal benefit greater than \$200.00 that is connected directly or indirectly with the performance of their duties.

g. Responsibility

- i. Members of council shall act responsibly and in accordance with the Acts of Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act 2010*;
- ii. Members of council shall disclose actual or potential conflicts of interest, either financial or otherwise, related to their responsibilities as members of council, following the policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred; and
- iii. Members of council are individually responsible for preventing potential and actual conflicts of interest.

Mandatory Council Training

- 6. After each general election or by-election each newly elected Council member will obtain a certificate in the Respect in the Workplace course offered through SARM (Saskatchewan Association of Rural Municipalities). The cost of the course will be borne by the municipality. There shall be no indemnity provided for taking the online course. The course must be obtained and the RM Office provided with a certificate of completion within thirty days from the first meeting of Council.

COMPLAINT PROCESS

Informal Complaint Procedure

- 7. Any person who has witnessed or believes that a member of council has contravened the bylaw may advise the member that they are in contravention of this bylaw and encourage the member to stop.

Contravention During a Council Meeting

- 8. If council is of the opinion that a member has violated the code of ethics during a council meeting, council may require the member to remove themselves for the remainder of the Council meeting.

Formal Complaint Procedure

9. To report an alleged contravention of the bylaw, the complainant shall submit the Complaint Form found in Schedule A, personally or by sending the form directly to the designated officer by mail, email, fax or courier along with the fee set out in Schedule B.
10. As soon as possible after receiving the complaint, the designated officer will issue the Receipt of Complaint form, found in Schedule C, to the complainant, personally or by sending the form by mail, email, fax or courier.
11. Within twenty days of issuing the Receipt of Complaint, the designated officer will review the complaint to ensure the following:
 - a) Whether the complaint form is filled out completely and in detail;
 - b) Whether the complaint falls within the jurisdiction of this bylaw;
 - c) Whether there are sufficient grounds for an investigation;
 - d) Whether the complaint was made in good faith;
 - e) Whether the complaint is destined to be unsubstantiated; and
 - f) Whether the complaint is frivolous or vexatious.

Should the RM solicitor review or assist to review any complaints all communications between the RM solicitor and the designated officer regarding the complaint shall be covered by solicitor-client privilege and shall be kept private and confidential, and may not be disclosed to any member of the public or council.

12. If it is determined that the complaint shall not proceed to an investigation based on any of the considerations set out in section 11, the designated officer shall, as soon as reasonably possible, notify the complainant in writing that the complaint is dismissed and provide any reasons for the dismissal of the complaint. If applicable, the designated officer shall direct the complainant to another more suitable process for addressing the complaint.
13. If it is determined that the complaint falls within the scope of this bylaw and shall proceed to investigation, the designated officer shall, as soon as reasonably possible:
 - a) Notify the complainant in writing that the complaint meets the requirements of this bylaw.
 - b) Notify the respondent council member(s) in writing that a complaint has been filed pursuant to the bylaw; and
 - c) After notifying the complainant and respondent council member(s) that the complaint has been filed, refer the complaint as designated
14. If it is determined that the complaint falls within the scope of this bylaw and shall proceed to investigation, at the next council meeting, council shall acknowledge by resolution that a code of ethics complaint has been filed and that the investigation process has commenced.

Investigation

15. The Council shall annually appoint a third party to conduct the investigations.
16. The investigation must, as is reasonably possible, protect the names of all parties involved.
17. The investigation shall be done in a confidential, objective and unbiased way.
18. At a minimum, the investigation must:
 - a) Clarify what the complaint is about;
 - b) Verify the information provided in the complaint is relevant and accurate;
 - c) Provide an opportunity for all parties involved to review the preliminary findings and to provide contrary and/or additional information that may be relevant;
 - d) Determine what section(s), if any, of this bylaw was contravened; and
 - e) Summarize the results of the investigation into a written report.
19. The investigator will provide the report to council in a closed meeting.
20. The council member(s) who the complaint is made against shall not participate in the closed meeting.
21. If the complainant is a council member, that council member shall not participate in the closed meeting.

22. Upon the report from the investigator, in an open meeting, council shall pass a resolution stating that the complaint is either unsubstantiated or substantiated.
23. If the complaint is unsubstantiated, it is deemed dismissed and council shall notify all parties involved the following:
 - a) The reasons the complaint is dismissed; and
 - b) The ability to contact Ombudsman Saskatchewan if they feel they have been treated unfairly in the handling of the complaint.
24. If the complaint is substantiated, council shall provide all parties involved the following:
 - a) The reasons for the substantiation;
 - b) What remedial action(s), if any, will be imposed as per section 25; and
 - c) Information about the ability to contact Ombudsman Saskatchewan if they feel they have been treated unfairly in the handling of the complaint.
 - d) Reimburse the complainant the fee described in Schedule B

Remedial Action

25. The remedial action(s) imposed should be corrective and progressive and have a realistic time frame for completion. Council should take into consideration the nature and severity of the violation as well as whether the council member(s) has previously violated this bylaw.
26. The remedial action(s) imposed by council shall be decided by resolution, at a meeting open to the public. The remedial action may include, but is not limited to:
 - An apology, either written and/or verbal, by the member of council to the impacted individual(s), council and/or the general public.
 - Educational training on ethical and respectful conduct with the course, date to be identified and the costs to be borne by the council member
 - Repayment of moneys/gifts received.
 - Removal of the member from council committees and/or bodies.
 - Dismissal of the member from a position of chairperson of a committee or council.
 - Reduction in remuneration and/or benefits and/or expenses for a specified time period.
 - Temporary Suspension from Council
27. Failure to comply with the course(s) of action set out by council may lead to further remedial action and possibly to suspension.

Dispute Resolution

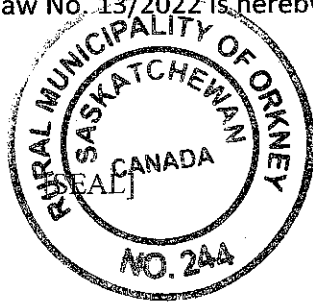
28. If council believes it to be desirable, council may offer the parties to a complaint an opportunity to mediate the complaint.
29. Mediation must be agreed upon by all parties. The costs of the mediation would be equally shared between the municipality and the complainant.
30. Mediation shall be handled by a neutral third-party who has experience in the mediation process.
31. Mediation shall be confidential.


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Coming Into Force


32. This Bylaw shall come into force and take place upon its third reading.

33. Bylaw No. 13/2022 is hereby repealed



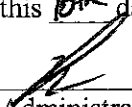


Reeve



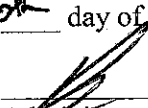
Administrator

Read a third time and adopted
this 10th day of April



Administrator

Certified a true copy of Bylaw No. 7/2025 adopted by the
Council of the R.M. of Orkney No. 244 on the
10th day of April, 2025.



Administrator – Bridgette Rushkewich



Bylaw No. 7/2025 - Schedule A

Complaint Form

Complainant Name: (Print name) _____

Complainant Address: (Mailing address) _____

Complainant Phone Number(s): _____

Complainant Email: _____

I have reasonable and probable grounds to believe that council member(s):
(List name(s) of council member(s) whom the complaint is against):

_____ has (have) contravened the Code of Ethics Bylaw by reason(s) of the following:

1. Insert date(s), time and location of conduct

2. Include the sections of the Code of Ethics Bylaw that have been contravened

3. Provide the particulars and names of all persons involved and of all witnesses

4. Provide contact information for all people

5. Number of exhibits attached (if applicable): _____

6. If more space is required, please attach additional pages if needed.

I declare that the information given by me with respect to the above statements is true in all respects. I understand that signing a false affidavit may expose me to prosecution under the Criminal Code of Canada.

Dated this _____ day of _____, 20_____.

(Signature of Complainant)

For Office Use Only	
(Date received)	(Reference number)
(Signature of Administrator, City Clerk, or other applicable position pursuant to subsection 4 of bylaw)	(i.e. Designated Officer)

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Bylaw No. 7/2025 - Schedule B

FEE

A fee of \$100.00 must accompany each complaint.

No review shall be conducted until the required fees are received in the RM office

Bylaw No. 6/2025 - Schedule C

Receipt of Complaint

I acknowledge that I have received a completed Complaint Form as prescribed in the Code of Ethics Bylaw, Schedule A from

_____, dated on the _____.
(Name of complainant) (Date the complainant signed)

Dated at _____, on _____.
(Location) (Date of issuing the Receipt of Complaint)

(Signature of Designated Officer)

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