

BYLAW NO. 20/001

A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND THE INTEGRITY COMMISSIONER BYLAW 19/005

WHEREAS section 191(1) of the *Municipal Government Act*, RSA 2000, c.M-26, as amended, provides that a council of a Municipality may amend its bylaws.

NOW THEREFORE the Council of the Regional Municipality of Wood Buffalo, duly assembled, hereby enacts the following:

1. THAT the Integrity Commissioner Bylaw No. 19/005, is amended by:
 - a. Deleting section 3, and replacing it with the following:
 3. Council will appoint an individual to fulfill the duties of the Integrity Commissioner for an initial two-year term:
 - (a) Council may renew the appointment for a maximum of 2 one-year terms.
 - (b) Where no appointment has been made under section 3(a), the Chief Administrative Officer will secure a third party to carry out one or more of the duties set out in this Bylaw, the Council Code of Conduct, or both.
 - (c) Council may revoke the appointment of the Integrity Commissioner at any time, with or without cause.
 - (d) If the Integrity Commissioner is carrying out an ongoing investigation when their appointment is revoked, the Integrity Commissioner will complete the investigation, unless Council passes a resolution directing otherwise.
 - b. Deleting subsection 5(d), and replacing it with the following:
 5. (d) have no familial, private or professional relationship with any present or past Member.
 - c. Deleting subsection 7(c), and replacing it with the following:
 7. (c) publish and adopt procedures, policies and protocols designed to ensure that Formal Complaints are fully and fairly investigated to determine whether to proceed to investigate a Formal Complaint or dispose of the Formal Complaint in a summary manner.

- d. Deleting section 10(f), and inserting the following in replacement:
10. (f) If the Formal Complaint is within the jurisdiction of the Integrity Commissioner and was not dismissed under section 10(e) above, the Integrity Commissioner must:
- (i) Take such steps as the Integrity Commissioner deems appropriate to investigate the Formal Complaint and may attempt to resolve the Formal Complaint; and
 - (ii) without limiting paragraph (i), deliver a confidential copy of the Formal Complaint to the Member who is the subject of the complaint, and at any time during the Formal Complaint Procedure, prior to delivery of the draft report to the Member under section 10(h)(i), may make a submission in writing to the Integrity Commissioner regarding the Formal Complaint and provide any further information in support of the submission.
- e. In section 10(g), by deleting the sub-heading "(i)" and consolidating the two sentences into one paragraph.
- f. Deleting section 10(h), and inserting the following in replacement:
10. (h) The Integrity Commissioner will not issue a report to Council finding a violation of the Code of Conduct on the part of any Member unless the Member has:
- (i) received a confidential copy of the draft report and has had a reasonable opportunity to make submissions to the Integrity Commissioner regarding the draft report; and
 - (ii) had a reasonable notice of the basis for any proposed finding in the report and any recommended sanction and an opportunity either in person or in writing to comment on the proposed finding and any recommended sanction.

- g. Deleting section 10(m), and replacing it with the following:
 - 10. (m) If the Integrity Commissioner determines that a contravention of the Code of Conduct, or any other policies, rules or procedures governing ethical behavior or Members has occurred although the Member took reasonable action or measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner will so state in the report and will recommend that no sanction be imposed.
- h. Re-lettering the remaining subsections following subsection 10(m) accordingly.as (n) through (q).

2. This Bylaw comes into force when it is passed.

Read a first time this _____ day of _____, 2021.

Read a second times this _____ day of _____, 2021.

Read a third time and final time this _____ day of _____, 2021.

SIGNED and PASSED this _____ day of _____, 2021.

Mayor

Chief Legislative Officer