



Bylaw #2002-57

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

Office Consolidation

THE REGINA CODE OF CONDUCT AND DISCLOSURE BYLAW

Bylaw No. 2002-57

Including Amendments to March 31, 2021

This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:

- a) the original bylaw and of all bylaws amending it; and**
- b) the fact of passage of the original and all amending bylaws.**

AMENDMENTS

DATE PASSED

Bylaw No. 2004-6

January 26, 2004

Bylaw No. 2004-93

November 22, 2004

Bylaw No. 2009-40

June 22, 2009

Bylaw No. 2018-60

November 26, 2018

Bylaw No. 2020-14

February 26, 2020

Bylaw No. 2020-75

December 16, 2020

Bylaw No. 2021-25

March 31, 2021

BYLAW NO. 2002-57

THE REGINA CODE OF CONDUCT AND DISCLOSURE BYLAW

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

1. The purpose of this Bylaw is to:
 - (a) establish and apply a code of conduct and disclosure of land holdings requirement with respect to non-council members appointed by Council to committees, boards and commissions created by Council; and
 - (b) establish a process for disclosing conflicts of interest and dealing with violations of any employee code of conduct by the City Manager, City Clerk and City Solicitor as these positions report directly to Council.
- (#2020-14, s. 2, 2020)

Authority

2. The authority for this Bylaw is sections 8 and 55 of The Cities Act.
- (#2020-14, s. 3, 2020)

Disclosure of Land Holdings

3.
 - (1) Repealed (#2020-14, s. 4, 2020)
 - (2) Repealed (#2020-14, s. 4, 2020)
 - (3) Persons appointed by Council to the following boards and committees are required to fill out and file a land holdings disclosure form with the City Clerk in a form attached as Schedule 'A':
 - (a) Repealed. (#2018-60, s. 29, 2018)
 - (a.1) Regina Planning Commission;
 - (a.2) Repealed (#2020-75, s.7, 2020)
 - (b) The Regina Board of Revision;
 - (c) The Regina Development Appeals Board;
 - (d) The Regina Downtown Business Improvement District Board
 - (e) Repealed (#2020-14, s. 4(c), 2020)

- (f) Repealed (#2004-93, s. 3, 2004);
 - (g) Repealed (#2020-14, s. 4(c), 2020)
 - (h) Regina’s Warehouse Business Improvement District Board;
 - (i) Repealed (#2009-40, s. 36, 2009).
 - (j) The Regina Appeal Board
- (#2004-6, s. 3, 2004; #2009-40, s. 36, 2009, #2018-60, s. 29, 2018, #2020-14, s. 5, 2020, #2021-25, s.9, 2021)

Code of Conduct

4. (1) The Code of Conduct applies to all persons appointed to any board, committee or commission created by Council, except for members of Council in so far as the following provisions provide.

(2) Subject to subsection (3), employees of the City of Regina are not subject to this Bylaw and are instead subject to any employee code of conduct policy approved by the City Manager.

(3) While the City Manager, City Clerk and City Solicitor are subject to any employee code of conduct policy approved by the City Manager, the process for disclosing conflicts of interest and dealing with violations of the policy are set out in this Bylaw.

(#2020-14, s. 6, 2020)

5. Repealed (#2020-14, s. 7, 2020)

6. (1) The conflict of interest rules in sections 114-115 and sections 117-119 of The Cities Act shall apply in the same manner to a member of a board, committee or commission created by Council.

(2) No person appointed by Council to any such board, committee or commission shall appear before that board, committee or commission either on their own behalf or on behalf of another person.

(#2020-14, s. 8, 2020)

7. No person to whom the Code of Conduct applies shall:

(a) solicit or accept any gifts or benefits from any person or organization which is directly or indirectly involved in any manner whatsoever with the City of Regina, unless:

(i) the gift or benefit is a normal exchange of hospitality among persons doing business;

(ii) the gift is a token exchanged as a part of protocol;

- (iii) the gift is a normal contribution for or award or prize made to persons participating in charitable, professional, or public functions;
- (b) use City property for private business or profit, unless:
 - (i) the property is available for such use by the public generally and the person is receiving no special preference in its use; or
 - (ii) the property is made available to the person as a matter of City policy or under their terms of employment or appointment;
- (c) gain or attempt to gain a material benefit or advantage over other members of the public from the use of information acquired as a result of their position with the City unless such information is available to the public generally, nor disclose such information without proper authorization;
- (d) give undue preference or treatment to any person in their dealings with the City;
- (e) seek, accept or agree to accept a commission, reward, or benefit of any kind from any person who has dealings with the City, either on their own behalf or through a relative or other person for their benefit;
- (f) represent the City in any dealings directly or indirectly with any of their relatives or business associates, nor attempt to influence the City's dealings with those relatives or business associates;
- (g) run for or serve in elected public office, if a conflict of interest exists between the elected public office and the person's responsibilities to the City;
- (h) use their position with the City to actively campaign for the election of or solicit funds for a potential or declared candidate for elected public office. This clause shall not affect their right to actively participate in the democratic process as a citizen during their own time.

(#2020-14, s. 9, 2020)

Disclosure of Potential Conflict

- 8. (1) Where a member of a board, committee or commission perceives they are or may potentially be in conflict with the code of conduct provisions in this Bylaw, the person shall disclose it to the City Clerk.

(1.2) Where the City Clerk or City Solicitor perceives they are or may potentially be in a conflict of interest with the code of conduct provisions in an employee code of conduct approved by the City Manager, the City Clerk or City Solicitor shall disclose it to the City Manager for consideration and adjudication.

(1.3) Where the City Manager perceives they are or may potentially be in a conflict of interest with the code of conduct provisions in an employee code of conduct approved by the City Manager, the City Manager shall disclose it to the Mayor and the Deputy Mayor for consideration and adjudication
(#2020-14, s. 10, 2020)

Complaint of Breach of the Code of Conduct

9. (1) Where a person wishes to file a complaint that a member of a board, committee or commission has breached this Bylaw, they may file a complaint in writing with the City Clerk or the City Manager.

(1.2) Where a person wishes to file a complaint that the City Clerk or City Solicitor has breached an employee code of conduct policy approved by the City Manager, they may file a complaint in writing with the City Manager.

(1.3) Where a person wishes to file a complaint that the City Manager has breached an employee code of conduct policy approved by the City Manager, they may file a complaint in writing with the City Clerk.
(#2020-14, s. 11, 2020)

Review of Disclosures and Complaints

10. (1) Where a disclosure is received or a written signed complaint is received involving the City Clerk or City Solicitor, the City Manager shall:

(a) provide appropriate direction to the City Clerk or City Solicitor or take appropriate remedial action, which may take the form of:

(i) advice on how the employee should act in the future;

(ii) a written waiver of the breach if the breach is insignificant or does not violate the spirit and intent of the code of conduct;

(iii) directing the employee to divest any outside investment or interest or place such interest in a blind trust;

(iv) discipline, however any dismissal can only be decided by City Council.

(1.2) Where the Mayor and Deputy Mayor receive a disclosure from the City Manager, the Mayor and Deputy Mayor shall:

(a) review the disclosure to determine whether there has been or is a real likelihood of a breach of the employee code of conduct;

(b) provide appropriate direction to the City Manager or take appropriate remedial action, which may take the form of:

(i) advice on how the City Manager should act in the future;

(ii) a written waiver of the breach if the breach is insignificant or does not violate the spirit and intent of the code of conduct;

(iii) directing the City Manager to divest any outside investment or interest or place such interest in a blind trust;

(iv) discipline, however any dismissal can only be decided by City Council.

(1.3) Where a disclosure is received or a written signed complaint is received involving a member of a board, commission or committee created by Council, the City Clerk shall place it on the private agenda of the next Executive Committee meeting for consideration.

(1.4) Where a complaint is received involving the City Manager, the City Clerk shall place it on the private agenda of the next Executive Committee meeting for consideration.”

(#2020-14, s. 12, 2020)

(2) In assessing what remedial action, if any, should be taken, consideration shall be given to the question of whether the breach was advertent or wilful, as opposed to inadvertent.

(3) Repealed (#2020-14, s. 13, 2020)

(4) Repealed (#2020-14, s. 13, 2020)

(#2020-14, s. 12, 2020)

Civic Official’s Duties

11. (1) The City Clerk shall:

- (a) maintain a register of disclosures of land holdings, which shall be open for review by members of the public;
 - (b) maintain a register of disclosures of potential conflict, which shall only be open to review by the City Manager, Department heads and members of Council;
 - (c) ensure that all persons appointed by Council to civic boards, commissions and committees are made aware of the Code of Conduct and the disclosure of land holding requirements;
 - (d) Repealed (#2020-14, s. 14, 2020)
- (2) Repealed (#2020-14, s. 14, 2020)
 - (3) Repealed (#2020-14, s. 14, 2020)

Other Laws

- 12. This Bylaw is to operate in addition to other laws governing the conduct of municipal officials and employees, including *The Cities Act and the Criminal Code of Canada* or any successors to those statutes.
(#2020-14, s. 15, 2020)
- 13. Where this Bylaw conflicts with any provision of The Cities Act, or any successor to that Act, the Act shall take precedence to the extent of the conflict.
(#2020-14, s. 16, 2020)

Repeal of Bylaws

- 14. (1) Bylaw No. 8791, being *A Bylaw of the City of Regina to Adopt a Code of Conduct for Municipal Officials and Employees of the City of Regina*, is repealed.
 - (2) Bylaw No. 9579, being *A Bylaw of the City of Regina Respecting the Disclosure of Land Holdings by Municipal Officials and Employees* is repealed.
- 15. This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 24th DAY OF JUNE, 2002.

READ A SECOND TIME THIS 24th DAY OF JUNE, 2002.

READ A THIRD TIME AND PASSED THIS 24th DAY OF JUNE, 2002.

W.A. WELLS
Deputy Mayor

C. EDWARDS
Acting City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

Schedule "A"

Schedule "A"
CITY OF REGINA
DISCLOSURE OF OWNERSHIP OF LAND AND BUILDINGS
BY NON-COUNCIL MEMBERS ON BOARDS AND COMMITTEES

I, _____ member of _____,
(print name) (Name of Committee)

hereby disclose that I or my spouse or a corporation incorporated or continued pursuant to The Business Corporations Act of which I or my spouse is a director or senior officer or in which I or my spouse have a controlling interest, and that is located in the urban municipality or in an adjoining municipality,

(Complete either 1 or 2)

1. Own or owns no land or buildings in the City of Regina or adjoining municipality

Mark 'X'

OR

2. Own or owns lands or buildings in the City of Regina or adjoining municipality the particulars of which ownership are shown below:

Property Description and Location	Names in Which Property is Registered	Nature of Ownership Interest

- Note 1 Land and Buildings shall be listed and their location identified by civic address or legal description.
- Note 2 A person or a corporation owns lands or a building when the person or corporation has any right, title, estate or interest in the land or building.
- Note 3 Every person who is required to furnish a list of land and buildings owned by him is required to notify the Clerk within 30 days of any disposal or acquisition of land and buildings described in Note 1.

PLEASE COMPLETE REVERSE SIDE

(Name of Declarant)

(Address)

(Postal Code)

I, _____, of the City of Regina, in the Province of Saskatchewan, do hereby declare that to the best of my knowledge, information and belief, the statements and allegations contained and made in this form are true and complete, and I make this declaration for the purpose of official registration, in the full knowledge that it will be available for public examination.

Declared before me at the CITY }
of REGINA, in the Province of }
Saskatchewan, this _____ day of }
_____ A.D. 20_____. }

Signature of Declarant

A Notary Public or Commissioner for
Oaths in and for the Province of Saskatchewan

My appointment expires _____, 20____.

=====

FOR USE BY MUNICIPAL CLERK

Date Received: _____

Received By: _____

Date copy returned to
Member _____

() E Mailed
() Delivered in Person

ABSTRACT

BYLAW NO. 2002-57

THE REGINA CODE OF CONDUCT AND DISCLOSURE BYLAW

PURPOSE: To update the code of conduct for civic employees and appointees and require disclosure of land holdings by certain civic employees and appointees.

ABSTRACT: This Bylaw consolidates and revises existing bylaws to provide rules for civic employees and persons appointed by Council to boards and committees to promote ethical public service.

STATUTORY AUTHORITY: Sections 36, 62 and 83 of *The Urban Municipality Act, 1984*

PUBLIC HEARING: N/A

REFERENCE: Executive Committee, June 19, 2002, EX02-40

AMENDS/REPEALS: Repeals Bylaw No. 8791 and Bylaw No. 9579

CLASSIFICATION: Administrative

ORIGINATING DEPT.: City Manager