

# **TOWN OF LANIGAN BYLAW**

**No. 10/2025**

## **A BYLAW OF THE TOWN OF LANIGAN TO ESTABLISH A CODE OF ETHICS**

The Council of the Town of Lanigan in the Province of Saskatchewan enacts as follows:

### **PART I**

### **CODE OF ETHICS**

#### **Code of Ethics for Members of Council**

#### **Short Title**

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

#### **Legal Requirement**

2. This Bylaw has been created to comply with section 93.1 of *The Municipalities Act* and as outlined in section 3.1, Schedule I, of *The Municipalities Regulations* (the “**Regulations**”).

#### **Preamble**

3. As members of council, we 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.
4. The quality of the public administration and governance of the Town of Lanigan as well as its reputation and integrity, depends on our conduct as elected officials.

#### **Purpose and Interpretation**

5. The purpose of this Bylaw 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.
6. This Bylaw applies to all current council members of the Town of Lanigan, including the Mayor and each councillor. This Bylaw does not apply to former members of council.
7. 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 Town of Lanigan.
8. Neither the law nor this Bylaw 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.
9. It is the responsibility of each member of council to uphold the standards and values set out in this Bylaw.



10. In this Bylaw, “designated officer” means the Chief Administrative Officer, or a person acting as his or her designate. In the event that the Chief Administrative Officer is the complainant or has a conflict of interest in relation to the Code of Ethics complaint, the “designated officer” shall be a member of Town Administration designated by council.

## **PART II**

### **STANDARDS AND VALUES**

#### ***a. Honesty***

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

#### ***b. Objectivity***

- (i) Members of council shall make decisions carefully, fairly and impartially. *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 members of council.
- (iii) Members of council shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

#### ***d. Transparency and Accountability***

- (i) Members of council shall endeavor 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 closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.
- (ii) Members of council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

#### ***e. Gifts***

- (i) No member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office.
- (ii) The following are exceptions to section e(i):
- food, lodging or transportation and entertainment provided by another government body;



- food and beverage consumed at banquets and receptions;
- a suitable memento of a function honouring the member;
- gifts that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- a political contribution otherwise reported by law;
- if the value of the gift does not exceed \$100.00

***f. 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.
- (ii) Members 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.

***g. 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 focusing 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.

***h. Responsibility***

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

## PART III

### COMPLAINT PROCESS

**Informal Complaint Process**

- 11. Any person who has witnessed or who believes that a member of council has contravened this





Bylaw may advise the member that they are in contravention of this Bylaw and encourage the member to stop the contravention.

### **Formal Complaint Process**

12. As required by section 93.1(5)(c) of *The Municipalities Act*, the following section details the procedure for handling contraventions of the code of ethics.
13. To report an alleged contravention of this 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.
14. Upon receipt of a formal complaint, the designated officer shall ask the Town solicitor to provide a recommendation as to the following:
  - a. whether the complaint falls within the jurisdiction of this Bylaw;
  - b. whether there are sufficient grounds for an investigation;
  - c. whether the complaint was made in good faith;
  - d. whether the complaint is destined to be unsubstantiated; and
  - e. whether the complaint is frivolous or vexatious.
15. All communications between the Town solicitor and the designated officer regarding the complaint:
  - a. shall be covered by solicitor-client privilege; and
  - b. shall be kept private and confidential, and may not be disclosed to any member of the public or council.
16. If the Town solicitor determines that the complaint shall not proceed to an investigation based on any of the considerations set out in section 13, 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.
17. If the Town solicitor determines that the complaint falls within the scope of this Bylaw and shall proceed to an 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 that the complaint has been filed, refer the complaint to the members of council who are not named in the complaint.
18. If the Town solicitor determines that the complaint falls within the scope of this Bylaw and shall proceed to an investigation, at the next council meeting, council shall acknowledge by resolution that a code of ethics complaint has been filed.



## **Dispute Resolution**

19. If council believes it to be desirable, council may offer the parties to a complaint an opportunity to mediate the complaint before an investigation is initiated.
20. Mediation must be agreed upon by all parties.
21. Mediation shall be confidential.

## **PART IV INVESTIGATION PROCESS**

### **Investigation – Third Party is the Investigator**

22. If mediation does not take place, or if a resolution cannot be reached between the parties, council shall pass a resolution to retain a third party, independent investigator to investigate the complaint.
23. Where the complaint proceeds to the investigation stage, the designated officer shall inform all parties of the following:
  - a. who will be investigating the complaint;
  - b. when the investigation will be initiated; and
  - c. how the investigator's findings will be communicated.

### **Investigation Requirements**

24. The investigation must, as is reasonably possible, protect the names and other personal information of all parties involved.
25. The investigation shall be done in a confidential, objective and unbiased manner.
26. At a minimum, the investigator must:
  - a. provide the respondent with an opportunity to respond to the allegations;
  - b. if necessary, clarify what the complaint is about;
  - c. provide an opportunity for all parties involved to provide contrary and/or additional information that may be relevant;
  - d. make relevant findings of fact; and
  - e. summarize the results of the investigation into a written report (the “**Investigation Report**”).

### **Council is the Decision Maker**

27. When completed, the Investigation Report shall be provided to Council in a closed meeting.
28. The respondent council member(s) shall not participate in the closed meeting.

29. If the complainant is a council member or the Chief Administrative Officer, the complainant shall not participate in the closed meeting.
30. At the closed meeting, council shall pass resolutions to:
  - a. receive the Investigation Report;
  - b. provide a copy of the Investigation Report to the complainant and the respondent council member(s);
  - c. invite written submissions from the complainant and the respondent council member(s) in response to the Investigation Report by a specified deadline.
31. Once the deadline for written submissions has passed, at the next council meeting, council shall go in camera to consider the Investigation Report and the written submissions of the complainant and respondent council member, if any.
32. After discussing the Investigation Report and written submissions, council shall return to the public portion of the meeting and shall pass a resolution stating that the complaint is either unsubstantiated or substantiated.

#### **Remedial Action**

33. If the complaint is found to be substantiated, council may pass a resolution imposing remedial action on the respondent council member(s).
34. Any remedial action imposed shall 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 has previously violated this Bylaw.
35. The remedial action may include, but is not limited to:
  - a. an apology, either written and/or verbal by the respondent council member to the impacted individual(s), council and/or the general public;
  - b. educational training on ethical and respectful conduct;
  - c. repayment of moneys/gifts received;
  - d. removal of the member from council committees and/or bodies;
  - e. temporary suspension from council;
  - f. reduction in remuneration and/or benefits and/or expenses;
  - g. restrictions on the provision of confidential documents;
  - h. reprimand;
  - i. such further penalties as allowed pursuant to *The Municipalities Act*.
36. Failure to comply with the remedial action imposed by council may lead to further remedial action, including suspension or additional suspension.



## Written Reasons


37. If the complaint is unsubstantiated, it is deemed dismissed and council shall notify all parties involved of the following:
- the reasons the complaint is dismissed; and
  - the ability to contact Ombudsman Saskatchewan if they feel they have been treated unfairly in the handling of the complaint.
38. If the complaint is substantiated, council shall provide all parties involved with the following:
- the reasons for the substantiation;
  - what remedial action(s), if any, will be imposed; and
  - information about the ability to contact Ombudsman Saskatchewan if they feel they have been treated unfairly in the handling of the complaint.

## PART V

### COMING INTO FORCE

39. Bylaw No. 7/2016 shall be repealed.
40. This Bylaw shall come into effect on the day of its final passing.

Introduced and read a first time this 18<sup>TH</sup> day of AUGUST, 2025  
Read a second time this 18<sup>TH</sup> day of AUGUST, 2025  
Read a third time and adopted this 18<sup>TH</sup> day of AUGUST, 2025.



Mayor



Chief Administrative Officer