



memorandum

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Communication
COUNCIL: <u>May 1/19</u>
<u>CW</u> Rpt. No. <u>14</u> Item <u>10</u>

DATE: April 30, 2019

TO: Mayor and Members of Council

FROM: Nick Spensieri.
Deputy City Manager, Corporate Services

RE: **AMENDMENTS TO THE CODE OF CONDUCT FOR MEMBERS OF COUNCIL, LOCAL BOARDS AND COMMITTEES**
Council Meeting – May 1, 2019
(Committee of the Whole, Item #10, April 2, 2019)

Recommendation:

1. That the definition of "Family Member" in the proposed "Code of Ethical Conduct for Members of Council and Local Boards" be revised as follows:

- a. "Family Member" ¹ means,
 - Spouse, common-law partner, or any person with whom the person is living as a Spouse outside of marriage
 - Parent, including step-parent and legal guardian
 - Child, including step-child and grandchild
 - siblings and children of siblings
 - aunt/uncle, niece/nephew, first cousins
 - in-laws, including mother/father, sister/brother, daughter/son
 - any person who lives with the Member on a permanent basis

¹ When considering whether a complaint triggers section 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act (MCIA), the Integrity Commissioner will adopt the definitions contained in the MCIA, section 3 in respect of an interest of certain persons deemed that of the Member.

Background

At the Committee of the Whole meeting on April 2, 2019, the Committee recommended approval of the proposed Code subject to "adding language to the code portion clarifying the definition of Family Members." There were questions raised about the definition of "Family Member", as there are differences between the definition in the Code of Conduct for Members of Council, Local Boards and Committees and the Municipal Conflict of Interest Act (MCIA). It is recommended that the revised definition of "Family Member" be included in the Code of Conduct, so that the Integrity Commissioner will rely on the MCIA list of family members when reviewing Sections 5, 5.1 and 5.2 of the MCIA.

Conclusion

Revising the definition of "Family Member" as recommended will bring clarity to the definitions being used in the Code of Conduct for Members of Council, Local Boards and Committees and in the interpretation of the Municipal Conflict of Interest Act.



Nick Spensieri,
Deputy City Manager, Corporate Services

Copy to: Suzanne Craig, Integrity Commissioner and Lobbyist Registrar
Todd Coles, City Clerk