EASTERN CHARLOTTE

BY-LAW NO. EC-02-A
A BY-LAW RESPECTING THE CODE OF CONDUCT OF COUNCIL
FOR EASTERN CHARLOTTE

PURPOSE: A By-law of Eastern Charlotte, in the Province of New Brunswick, for the purpose of establishing a Code of Conduct for Elected Members of the Council for Eastern Charlotte.

WHEREAS: the Section 10(2)(b) of the Local Governance Act, authorizes and requires local governments to establish a Code of Conduct by-law;

WHEREAS: A Code of Conduct ensures that Members of Council share a common basis and understanding for acceptable conduct extending beyond the legislative provisions governing the conduct of Members of Council, as set out in the Local Governance Act; and

WHEREAS: The actions of Members of Council have an impact on the lives of all residents and property owners in the community; and

WHEREAS: The establishment of a Code of Conduct By-law is consistent with the principles of transparent and accountable government, reflecting the values of the Eastern Charlotte, its commitment to professional, accountable, and lawful conduct, and its desire to provide strong local governance and leadership;

WHEREAS: The Minister of Local Government and Local Governance Reform may make or amend by-laws of a restructured local government as per An Act Respecting Local Governance Reform, section 11(2);

WHEREAS: The enactment of this by-law, and its predecessors, repeals the following by-law(s);

- *By-Law # 86 - Council Code of Conduct for the Town of St. George*; and
- *By-Law # A.3 - Code of Conduct for Members of Council for the Village of Blacks Harbour.*

BE IT ENACTED: by the Minister of Local Government and Local Governance Reform as follows:

1. TITLE

a) This By-law will be cited as the "Council Code of Conduct".

2. DEFINITIONS

"CAO" means the Chief Administrative Officer for Eastern Charlotte;

"Council" means all members of Council duly elected and holding office;

"Councillor" means any member of Council including the Mayor and Deputy Mayor;

"Eastern Charlotte Property" means Eastern Charlotte's financial and non-financial assets including but not limited to land, vehicles, equipment, electronic devices and documents;

"Officer" means an employee of Eastern Charlotte that reports directly to the CAO and may carry some delegated or designated duties of the CAO.

3. CODE OF CONDUCT

a) Representing Eastern Charlotte

i) All Councillors shall:

1) Work for the common good of Eastern Charlotte's citizens and taxpayers while promoting the public interest and advancing the mandate and long-term interests of Eastern Charlotte;

2) Conduct Council business in an open and transparent manner that promotes public confidence and trust, recognizing that an individual Councillor cannot exercise individual authority over Eastern Charlotte;

3) Exercise their duties with care, diligence, and skills that a reasonably prudent person would exercise in comparable circumstances;

4) Exercise their duties by placing the interests of Eastern Charlotte ahead of their personal interests; and

5) Exercise their duties in an impartial manner, making decisions based on objective criteria, rather than on the basis of bias or prejudice.

b) **Communicating on Behalf of the Municipality**

i) The Mayor, or in his/her absence the Deputy Mayor, is the official spokesperson for Eastern Charlotte;

ii) All Councillors acknowledge that official information related to the decisions of Council will be communicated to the community and the media on behalf of the Council as a whole.

iii) Social media accounts, such as Facebook, Twitter, etc., are to be administrated by municipal staff (ie. Communication), and not members of Council.

c) **Respecting the Decision-Making Process**

i) All Councillors shall:

1) Foster respect for the democratic decision-making process; and

2) Work towards effective and consistent implementation of the positions and/or decisions of Council.

d) **Adherence to Policies, Procedures and Bylaws**

i) As the Eastern Charlotte stewards and decision makers, all Councillors shall respect, and adhere to, the established policies, procedures and bylaws of Eastern Charlotte, showing commitment to performing their duties and functions with care and diligence.

e) **Respectful Interaction with Councillors, Staff, the Public and Other Members of Society**

i) All Councillors shall:

1) Treat fellow Councillors, Administration/Staff and the public with respect, concern and courtesy and not engage in discrimination, bullying, harassment or use of derogatory language towards others in their roles as Councillors;

2) Demonstrate the highest standards of personal integrity and honesty;

3) Communicate and work with all fellow Councillors in an open, transparent and honest manner promoting a spirit of cooperation by listening to and respecting those opinions that may differ;

4) Avoid forming "alliances" with other Councilors for the purpose of controlling Council meetings, agendas or outcomes; and

5) Use communication tools and social media in a professional and appropriate manner only to promote the approved objectives of Council and not to attempt to reflect on Council decisions or disparage or criticize other Councilors or staff. Derogatory, defamatory, discriminatory, indecent, obscene or false comments shall not be posted.

f) **Confidential Information**

i) All Councillors shall hold in strict confidence all information concerning matters deemed confidential and shall not, either directly or indirectly, release, make public or in any way divulge any information which is deemed to be confidential unless expressly authorized by Council or required by law to do so.

g) **Conflict of Interest**

i) No Councillor shall engage in any activity which is incompatible or inconsistent with the ethical conduct of official duties in the public interest. These activities include but are not limited to:

1) Use any influence of the office for any purpose other than official duties;

2) Use any information gained in the execution of the office that is not available to the general public for any purpose other than for official duties;

3) Place themselves in a position of obligation to any person or organization who might reasonably benefit from special consideration or may seek preferential treatment; and

4) Influence any Council decision or decision-making process involving or affecting any person or organization in which a Councillor or Councillors have a financial interest.

h) **Improper Use of Influence**

i) All Councillors shall, at all times, conduct themselves in a manner that reflects the separation of roles and responsibilities between Council and Administration, and shall:

1) Refrain from giving direction to any municipal employee or contracted resource, except through the CAO;

2) Convey all concerns or requests for action or information directly to the CAO or, where appropriate, and as agreed by the CAO, communicate with an officer without committing Eastern Charlotte to any specific course of action, expenditure, or use of municipal resources outside of the Eastern Charlotte's established policies, procedures, or budget, or otherwise;

3) Not solicit, demand or accept the services of any municipal employee;

4) Avoid any situation that would create undue influence, access to information, conflict of interest, or to undermine the authority of the

CAO: and

5) Not express any opinion on the performance of any municipal employee unless through a formal performance evaluation;

6) Not advocate for the promotion, sanction, or termination of any municipal employee.

i) **Use of Municipal Assets and Services**

i) No Councillor shall use or attempt to use Eastern Charlotte's property, funds, services, or information for personal benefit or the benefit of any other individual.

ii) No Councillor shall use Eastern Charlotte's assets, including cell phones or email accounts, for any political activity.

iii) The Solicitor for the municipality will function at the direction of Council as a Whole and not at the discretion of individual Member(s) of Council.

j) **Orientation and Other Training Attendance**

i) All new Councilors must attend the local orientation sessions. All Councilors are encouraged to attend training opportunities that may be provided during their term.

4. COMPLAINTS

a) Any person, being a resident of Eastern Charlotte, in good faith, may report a perceived wrongdoing or make a complaint alleging a breach of the Council Code of Conduct by a Councillor.

All reasonable attempts shall be made to keep the reports and complaints confidential until full investigation is completed in order to protect a Councillor and a complainant.

b) The report or complaint shall be submitted using the ***Complaint Submission Form (Schedule A)***. The form shall outline the nature and specifics relating to sections of the bylaw that the person believes a Councillor violated, be dated, include the name of the complainant, and be signed.

c) Complaints alleging a breach of the Code of Conduct must be submitted within sixty (60) calendar days of the date on which the complainant knew or reasonably ought to have known of the alleged breach. Complaints received after this period will not be considered. Complaints concerning conduct of former Council members or members of a previous council shall not be considered.

d) Once completed, the ***Complaint Submission Form (Schedule A)*** shall be addressed to the Mayor (or in the case of perceived wrongdoing of the Mayor, to the Deputy Mayor), and marked "*confidential*". The complaint may be mailed, emailed, or hand-delivered to the municipal office.

e) An anonymous report or complaint shall not be considered valid.

f) Valid complaints received shall be reviewed in the open session of a regular Council meeting.

i) During open session of a regular Council meeting, only the following information from the ***Complaint Submission Form (Schedule A)*** shall be read out loud and recorded in minutes,

1) Section 1. A, B – Name and Address of Complainant.

2) Section 2. A, B – Name and Title of Complainee.

3) Section 4. A – Section of this bylaw that was presumed violated.

g) Depending on the nature of the complaint, Council may:

i) Dismiss the report or complaint as invalid;

ii) Request legal opinion regarding the report or complaint;

iii) Request that legal counsel investigate the complaint and report to Council through the Mayor (or in the case of perceived wrongdoing by the Mayor, through the Deputy Mayor);

iv) Determine the report or complaint as valid;

1) If the complaint is determined to be valid by the majority of Council or through independent legal advice, Council may impose sanctions, defining the specific action to be taken by a motion.

5. SANCTIONS

a) Council may impose sanctions on a Member of Council who contravenes the Council Code of Conduct in the following forms:

i) A letter of reprimand;

ii) Requesting a letter of apology;

iii) Requesting to attend training;

iv) Suspension or removal of the Mayor or Deputy Mayor as official spokesperson for the Council;

v) Suspension or removal from some or all Council committees and bodies to which Council has the right to appoint members;

vi) Restricting the privileges of attending conferences and workshops at Eastern Charlotte's expense;

vii) Reduction or suspension of remuneration as Council may deem appropriate.

6. REPEAL OF EXISTING BYLAW

a) The enactment of this by-law repeals the following by-law(s): Bylaw # EC-02, Code of Conduct, enacted on 27 December 2022.

7. ENACTMENT

IN WITNESS WHEREOF the local government of Eastern Charlotte has caused its corporate seal to be affixed to this By-Law, the 19th day of August, 2026.

First Reading: 17 June 2026
Second Reading: 15 July 2026
Third and Final Reading and Enacted: 19 August 2026

John Craig, Mayor

Jason N. Gaudet, Clerk/CAO

[Seal]

SCHEDULE "A"
COMPLAINT SUBMISSION FORM

Received by:
Date:

Code of Conduct - Complaint Submission Form

By-Law No. EC-02, A By-Law Respecting the Code of Conduct of Council for Eastern Charlotte

COMPLAINTS:

a) Any person, being a resident of Eastern Charlotte, in good faith, may report a perceived wrongdoing or make a complaint alleging a breach of the Council Code of Conduct by a Councillor.

All reasonable attempts shall be made to keep the reports and complaints confidential until full investigation is completed in order to protect a Councillor and a complainant.

b) The report or complaint shall be submitted using the ***Complaint Submission Form (Schedule A)***. The form shall outline the nature and specifics relating to sections of the bylaw that the person believes a Councillor violated, be dated, include the name of the complainant, and be signed.

c) Complaints alleging a breach of the Code of Conduct must be submitted within **sixty (60)** calendar days of the date on which the complainant knew or reasonably ought to have known of the alleged breach. Complaints received after this period will not be considered. Complaints concerning conduct of former Council members or members of a previous council shall not be considered.

d) Once completed, the ***Complaint Submission Form (Schedule A)*** shall be addressed to the Mayor (or in the case of perceived wrongdoing of the Mayor, to the Deputy Mayor), and marked "confidential". The complaint may be mailed, emailed, or hand-delivered to the municipal office.

e) An anonymous report or complaint shall not be considered valid.

***Excerpt taken from By-Law EC-02**

1. COMPLAINANT INFORMATION

A) Full name:	
B) Address:	
C) Phone Number:	
D) Email address:	

2. COMPLAINEE INFORMATION

A) Full name:	
B) Position/Title:	

3. DETAILS OF THE INCIDENT

A) Date(s) of Incident:	
B) Location of Incident:	

Received by:
Date:

4. DETAILS OF THE INCIDENT – SECTION OF BY-LAW

A) Which part of the Council Code of Conduct do you believe was violated (please provide the section of by-law violated):

5. DETAILS OF THE INCIDENT - EXPLAINATION

A) Please describe the alleged violation of the Municipality's Code of Conduct. Include as much detail as possible, such as what occurred, who was involved and any witnesses.

(Attach additional pages if necessary)

6. WITNESSES (IF ANY)

Name:		Name:	
Contact:		Contact:	

7. SUPPORTING DOCUMENTS

Please list any documents or evidence you are submitting with this complaint (emails, photos, letters, recordings, etc.)

☐ Documents ☐ Emails/Messages ☐ Photos/Video ☐ Recordings

8. PREVIOUS STEPS TAKEN

Did you raise this issue with the Municipality already? ☐Yes ☐No

If yes, explain what happened:

9. DECLARATION

I declare that the information provided in this complaint is true and accurate to the best of my knowledge.

Signature:	
Date:	