



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 200-2014

A By-law to appoint an Integrity Commissioner and repeal By-law 233-2012

WHEREAS the *Municipal Act, 2001* confirms that a municipality may establish a Code of Conduct for Members of Council and the Council of the City of Brampton has approved a Code of Conduct for Members of Council;

AND WHEREAS the Members of Council of the City of Brampton agree to serve their community in an open, transparent and accountable manner, respecting that members of the public expect elected officials to be guided by the highest ethical standards of behaviour in decision-making and conduct;

AND WHEREAS to promote public confidence in government, Members of Council agree to execute their duties and obligations without improper use of influence, taking all steps necessary to avoid conflicts of interest both apparent and real and to uphold the letter and spirit of the law including policies adopted by Council;

AND WHEREAS rigorous oversight of Members of Council is contained in numerous statutes such as the *Criminal Code of Canada*, the *Human Rights Code*, provincial legislation and various City by-laws, policies and protocols of the City of Brampton including but not limited to:

- *Municipal Act, 2001*
- *Municipal Conflict of Interest Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Municipal Elections Act*
- *Occupational Health and Safety Act*
- Procedure By-law
- Purchasing By-Law
- Conflict of Interest Guidelines as it relates to the Provincial Offences Court
- The Corporate Values Statement
- Corporate policies related to expenses, sponsorships, use of resources
- Corporate policies related to "human resources" matters;

AND WHEREAS the *Municipal Act, 2001* authorizes municipalities to appoint an Integrity Commissioner who reports to Council and is responsible for performing in an independent manner the application of a Code of Conduct for Members of Council as well as the application of any procedure, rule and policy of the municipality governing the ethical behaviour of Members of Council;

AND WHEREAS the establishment of a Code of Conduct for the Members of Council and the appointment of an Integrity Commissioner are consistent with the principles

of open, transparent and accountable government providing Members of Council with a common basis for demonstrating their high regard and respect for the public trust that extends beyond current legislative provisions;

AND WHEREAS the Code of Conduct and the retention of an Integrity Commissioner will underscore the commitment of Members of Council toward the highest standard of conduct to serve the Citizens of the City of Brampton;

AND WHEREAS sections 5, 8, 9 and 11 of the *Municipal Act, 2001* authorize the Council to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 2 of subsection 11 (2) authorizes by-laws respecting the accountability and transparency of the municipality and its operations;

AND WHEREAS section 223.3 of the *Municipal Act, 2001* confirms that Council may appoint an Integrity Commissioner who performs functions with respect to the application of the Code of Conduct for Members of Council and other procedures, rules or policies governing their ethical behavior;

AND WHEREAS sections 223.4 to 223.8 of the *Municipal Act, 2001* provide that an Integrity Commissioner has certain powers, duties and protections;

AND WHEREAS by By-law Number 233-2012, Council established the Office of the Integrity Commissioner, and appointed an Integrity Commissioner;

AND WHEREAS Council, at its Special Meeting held on July 16, 2014, passed a Resolution to appoint a new Integrity Commissioner, effective July 16, 2014, resulting from a procurement process conducted in accordance with the City's Purchasing By-law, to continue to provide Integrity Commissioner services to City Council;

AND WHEREAS it is necessary to repeal By-law 233-~~2014~~²⁰¹² to give effect to this by-law;

NOW THEREFORE The Council of The Corporation of the City of Brampton
ENACTS AS FOLLOWS:

Appointment

- 1 Council hereby establishes the Office of Integrity Commissioner, and appoints Robert J. Swayze, Barrister & Solicitor, as the Office of the Integrity Commissioner for the City of Brampton, with all powers, duties and protections provided under the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended.

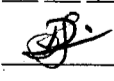
Short Title

- 2 This By-law may be referred to as the "Integrity Commissioner By-law."

In Force

- 3 This By-law comes into force on July 16, 2014.
- 4 By-law 233-~~2014~~²⁰¹² is hereby repealed on the day this by-law comes into force.

READ a FIRST, SECOND and THIRD TIME and PASSED in Council, this 16th day of July, 2014.

Approved as to content.
14/15/7


Approved as to form.
14/16/7
CG


S. Fennell, Mayor


Peter Fay, City Clerk