

**CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR MEMBERS OF THE PLANNING  
ADVISORY COMMITTEE OF THE MUNICIPALITY OF WEST BOLTON**

(The masculine form is used in this document simply to facilitate reading; it should be interpreted as representing both men and women.)

- CONSIDERING** that under section 146 of the Act respecting land use planning and development (L.R.Q., 19.1-A), the Municipal Council may form a Planning Advisory Committee;
- CONSIDERING** that By-law 313-2016 respecting the Planning Advisory Committee was adopted on August 1, 2005;
- CONSIDERING** that article 6 of this by-law stipulates that the Committee must establish its rules of internal governance;
- CONSIDERING** the absence of a code of ethics and professional conduct governing the Planning Advisory Committee.

It was MOVED by \_\_\_\_\_, SECONDED by \_\_\_\_\_, AND RESOLVED THAT the Municipal Council should adopt this Code of Ethics and Professional Conduct for the Planning Advisory Committee:

**CHAPTER 1: TITLE**

This Code is referred to as the "Code of Ethics and Professional Conduct for Members of the Planning Advisory Committee of the Municipality of West Bolton."

**CHAPTER 2: GENERAL PROVISIONS**

**2.1 Definitions**

The terms identified are defined in this code as follows:

- Committee: the Planning Advisory Committee, as constituted by by-law;
- Member: a member of the Committee;
- Resource person: a person appointed by the Municipal Council to participate in the activities of the Planning Advisory Committee, but who is not a member and does not have the right to vote.

**2.2 Application**

The resource person is subject to the same duties and obligations as a member. The fact that a resource person is an employee of the Municipality or has a professional consulting mandate with the Municipality is not considered to be a conflict of interest.

Where the resource person is a member of a professional order legally constituted under the Professional Code (C-26), the person is also bound by the code of ethics established by his professional order.

**2.3 Values**

The committee subscribes to values that emphasize respect, fairness, honesty, integrity, objectivity, impartiality and sound management from a public interest perspective to govern the way its members perform their duties.

**2.4 Subjugation**

This Code does not have the effect of exempting a member from obeying any law or by-law

that concerns him personally or in his or her official capacity.

## **CHAPTER 3: ETHICS**

### **Section 1: Duties to the municipality and the public**

#### **3.1.1 Public interest**

The member of the Committee must carry out his duties and responsibilities in the public interest and take all necessary measures to ensure that the public interest is respected.

#### **3.1.2 Compliance with laws and by-laws**

The member must faithfully carry out his duties in accordance with applicable laws, including the by-laws in force in the Municipality.

#### **3.1.3 Sound management**

The member must subscribe and adhere to the principles of sound municipal administration.

#### **3.1.4 Integrity**

The member must carry out his duties and responsibilities with integrity, dignity and impartiality.

#### **3.1.5 Conflict of interest**

The member must refrain from any activity incompatible with his duties, avoid any situation where he would be in a conflict of interest and prevent any situation that may call to question his objectivity or impartiality.

#### **3.1.6 Benefits**

Any member of the Planning Advisory Committee should avoid:

- accepting, receiving, eliciting or seeking any benefit for themselves or for another person in exchange for taking a position on an issue that may be referred to a board, committee or commission of which he is a member;
- accepting any benefit, whatever its value, that may influence his independence of judgment in performing his duties or that may jeopardize his integrity.

#### **3.1.7 Charge and contract**

The Member must refrain from soliciting or holding, for himself, a relative or legal entity in whom he has a substantial interest, any position or contract with the Municipality.

#### **3.1.8 File study and evaluation**

The member must pay particular attention to each file submitted to the Committee in order to assess it on its merits, taking into account its advantages, disadvantages and impacts on the community as a whole, as well as taking into account the concept of fairness, all in accordance with applicable laws and by-laws.

#### **3.1.9 Confidentiality**

Any matter before the Planning Advisory Committee is confidential in nature, which includes any discussions that may take place on a subject or file. Only final recommendations are forwarded to the Municipal Council.

## Section 2: Duty to the Committee and to Council

### 3.2.1 Committee reputation

The Member must contribute in maintaining and defending the good reputation of the Committee and the Municipal Council.

### 3.2.2 Diligence and availability

The Member must be available, exercise due diligence, and ensure his full cooperation in carrying out the mandates entrusted to the Committee.

### 3.2.3 Respect

The Member must show respect and courtesy in his dealings with other Committee members, municipal employees, citizens, and anyone else he meets in the course of his duties.

### 3.2.4 Relationship of trust

The Member must seek to establish a relationship of trust with other Members or contacts.

### 3.2.5 Decision-making

The Member must observe the legal and administrative rules governing the decision-making process.

### 3.2.6 File review

The Member must refuse to review a file and participate in discussions with other members about a file when they are aware of their reason for abstaining.

### 3.2.7 Disclosure of conflict of interest

The Member must notify the Committee chair as soon as he finds that he is in a conflict of interest situation. He must also, in such a situation, recuse himself and not take part in discussions, analyses of a file or vote for a project or file covered by this situation.

The Member will be able to resume discussions once the conflict of interest issue has been dealt with.

### 3.2.8 Solemn commitment

The Member must, at the first regular meeting of the Committee he attends, make the solemn commitment and sign a copy, and the original shall be recorded in the minutes of that meeting. The content of this commitment appears in the appendix.

## CHAPTER 4: ETHICS

### 4.1 Derogatory Acts

The following acts are deemed to be derogatory to the dignity of a Member of the Planning Advisory Committee:

- I. **Misappropriation and breach of trust:** The use, for purposes other than those authorized, of money, values or property entrusted to the Committee or a member of the Committee in the performance of his duties;
- II. **Confidentiality:** Disclosing or commenting on any information or documents from the Committee unless such information or document has been made public by the appropriate authority;
- III. **Illegal act:** Knowingly committing or participating in committing an illegal or fraudulent act in the performance of his duties as a member;
- IV. **Gratification:** Collusion with any other natural or legal person for the purpose of obtaining directly or indirectly any benefit or gratification for oneself or another person;

- V. Favoritism:** Unduly favouring or disfavouring or inducing a member to favour or disfavour a project, application or any natural or legal person who submits a project or application other than because of the advantages, disadvantages or impacts of this project or application on the municipality;
- VI. Conflict of interest:** Participating in the review of a file in which a conflict of interest is known to exist.

#### **CHAPTER 5: ENTRY INTO FORCE**

This by-law enters into effect as per the Act.

DONE IN WEST BOLTON, this day \_\_\_\_\_ day of \_\_\_\_\_.

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Jacques Drolet  
Mayor

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Jean-Francois Grandmont  
Director-general and Secretary-treasurer

APPENDIX 1

**Solemn commitment**

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I, appointed by the Municipal Council to be a member of the Planning Advisory Committee of the Municipality of West Bolton, solemnly affirm that I have been made aware of the Code of Ethics and Professional Conduct of the members of the Planning Advisory Committee and that I am committed to being discreet and faithfully complying with its provisions in the public interest.

Signed in \_\_\_\_\_, this \_\_\_\_\_ day of the month of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
Member's signature