

CANADA  
PROVINCE OF QUEBEC  
HULL DISTRICT

**MUNICIPALITY OF PONTIAC**

M.R.C. OF THE COLLINES-DE-L'OUTAOUAIS

**BY-LAW No 02-13**

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

WHEREAS in virtue of article 146 of the ‘‘Act respecting land use, planning and development’’ (R.S.Q., c. A-19.1), the municipal council may form an advisory committee for urban planning;

WHEREAS by-law No. 06-09 that constitutes the Planning Advisory Committee was adopted on May 12, 2009;

WHEREAS article 15 of this by-law stipulates that a committee member cannot put himself in a situation where his or her spouse’s personal interest could influence his mandate, nor receive or seek any moneys, profits or advantages which could influence his judgment or in exchange to take a stand on any question submitted to the committee.

WHEREAS a notice of motion has been given on March 12, 2013.

It is

Moved by : Inès Pontiroli

Seconded by : Lynne Beaton

AND RESOLVED THAT the Municipality adopt the following code of ethics and professional conduct as follows:

**SECTION 1: TITLE**

The title of this code is: Code of Ethics and Professional Conduct for Members of the Planning Advisory Committee of the Municipality of Pontiac.

**SECTION 2: GENERAL PROVISIONS**

**2.1 Definitions**

In the present code, the following terms mean:

- Committee : the Planning Advisory Committee, as constituted by municipal regulation;
- Member : A committee member, whether he is a member of municipal council or not;
- Contact person : appointed by the municipal council to participate in the committee activities, but is not a member and do not have the right to vote.

**2.2 Application**

The contact person is subject to the same duties and obligations as a member, but he/she may have a responsibility or a contract with the municipality. The fact that a contact person is a municipal employee or a consultant, has a mandate with the municipality is not deemed as a conflict of interests.

Holding an interest under article 305 of the act respecting elections and referendums in municipalities does not fall within the present code.

### **2.3 Values**

The committee subscribes to values focusing on respect, honesty, integrity, objectivity, impartiality and the sound management in a perspective of public interest to govern the performance of duties of its members.

### **2.4 Concurrent Scope**

Nothing in the present exempts a member from obeying any law or any regulation which concerns him/her personally or in his/her official capacity.

## **ARTICLE 3 : ETHICS**

### **SECTION 1 : Duties towards the Municipality and the population**

#### **3.1 Public interest**

The committee member shall perform his/her duties in the public interest, and take any necessary steps to protect their interest.

#### **3.2 Respect for laws and regulations**

The member shall faithfully assume his/her duties in accordance with the applicable legislations, including the current municipal regulations.

#### **3.3 Sound management**

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

#### **3.4 Integrity**

The member shall carry out his/her duties and responsibilities with integrity, dignity and impartiality.

#### **3.5 Conflict of interests**

The member shall refrain from any activity that is incompatible with his/her duties, avoid any conflict of interest and prevent any situation that might call into question his/her objectivity or impartiality.

#### **3.6 Responsibility and contract**

The member shall refrain from soliciting or obtaining a contract with the municipality, for which he/she has a vested interest in, be it for himself/herself, for a friend, a family member or a corporation.

#### **3.7 Study and evaluation of file**

The member shall pay particular attention to every file submitted to the committee in order to assess their merit by taking into account their advantages, their inconveniences, and their impacts on the whole community.

### **SECTION 2 : Duties towards the committee and the council**

#### **4.1 Reputation of the committee**

The member shall contribute to keeping and defending the good reputation of the committee and the Municipal Council.

#### **4.2 Collaboration**

The member shall be available, do due diligence, and lend full cooperation in carrying out the mandates entrusted to the committee.

#### **4.3 Respect for the members**

The member shall show respect and courtesy in dealings with others.

#### **4.4 Relationship of trust**

The member shall seek to establish a relationship of trust with the other members or contact persons.

#### **4.5 Following procedure**

The member shall observe the legal and administrative rules governing the decision-making process.

#### **4.6 Assessment of file**

The member shall refuse to consult the contents of a file and to participate in discussions with other members about a particular file when he/she is aware of a reason justifying his/her abstention.

#### **4.7 Disclosure of conflict of interest**

As soon as he/she notices that he/she is in a conflict of interest, the member shall inform the Chair of the committee.

#### **4.8 Solemn commitment**

The member shall, during the first meeting of the committee which he/she attends, declare solemn commitment and sign a copy of it, the original being recorded in the minutes of this meeting. The contents of this commitment will be found in an appendix.

### **SECTION 3 : Derogatory acts**

The following acts are derogatory to the dignity of a member:

- A) Misappropriation** : the use for purposes other than those that are authorized, of funds, securities or the properties entrusted to the committee or to a member in the performance of his duties;
- B) Confidentiality** : the fact of revealing or commenting on any information or document from the committee unless this information or document was made public by the competent authority;
- C) Illegal act** : in the performance of his/her duties as a member, and having sound knowledge of the facts, to commit or to participate in an illegal or fraudulent act;
- D) Gratification** : collusion with any natural or legal person to directly or indirectly gain an advantage, a profit or a bonus for oneself or another person;
- E) Favoritism** : the fact of unjustifiably discriminating against or favoring, or of encouraging a member to discriminate against or favor a project, a request or a natural or legal person who presents a project or a request other than for the advantages, inconveniences or the impact that this project or request will have on the municipality.
- F) Conflict of interest** : the fact of participating in the assessment of a file in which we know that one's interests are in conflict.

### **ARTICLE 4 : Coming into force**

The present regulation comes into effect according to the Law.

Carried

GIVEN AT PONTIAC (QUÉBEC), THIS 12TH DAY OF MARCH, TWO THOUSAND THIRTEEN.

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Edward J. McCann  
Mayor

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Sylvain Bertrand  
Director General / Secretary-Treasure

Notice of motion given on :

March 12, 2013

Adopted on :  
Date of publication :

March 26, 2013  
April 10, 2013