

Municipality Of Chatham-Kent

Corporate Services

Municipal Governance

Information Report

To: Mayor and Members of Council
From: Judy Smith, Director, Municipal Governance/Clerk
Date: January 14, 2021
Subject: Code of Conduct - Gifts and Benefits

This report is for the information of Council.

Background

The Code of Conduct for Members of Council was approved at the August 12, 2019 Council meeting.

Section 6 of the Code of Conduct for Council Members states:

6. No member shall accept a fee, advance, gift, advantage, service, benefit or hospitality that is connected directly or indirectly with the performance of his or her duties of office, unless permitted by exceptions listed below in (a) or those which are disclosed and limited to the rules described below in (b). For these purposes, fee, advance, gift, advantage, service, benefit or hospitality to a member's spouse, child, or parent is deemed to be a gift to that member.
 - (a) The following are recognized as exceptions and do not require disclosure to the Municipal Clerk:
 - i. compensation authorized by Council or otherwise authorized by law;
 - ii. gifts or benefits of nominal value that are received as an incident of protocol or social obligation;
 - iii. a political contribution otherwise reported publicly by law, in the case of members running for office;
 - iv. food, lodging, transportation and entertainment provided by federal, provincial, regional or municipal governments or political subdivisions of them;
 - v. food, lodging, transportation and entertainment at a conference or seminar where the member is either speaking or attending in an official capacity;
 - vi. food, lodging, transportation or entertainment provided by a private individual, association, partnership, company or foreign government, on the condition that:
 - a. attendance serves a legitimate business purpose;

- b. the person extending the invitation or a representative of the organization is in attendance;
 - c. the value is reasonable;
 - d. the invitations are infrequent; and
 - e. the private individual, association, partnership, company or foreign government is not bidding on a tender, RFP, or obtaining other contract or any financial benefit or relationship with the Municipality, within a 12 month period before and after the food, lodging, transportation or entertainment is provided; and
- vii. communication provided to a member, including subscriptions to newspapers and periodicals.
- (b) Members may personally accept a fee, advance, gift, advantage, service, benefit or hospitality that is connected directly or indirectly with the performance of his or her duties of office subject to the following rules, restrictions and public disclosure:
- i. the total value of all fees, advances, gifts, advantages, services or personal benefits is subject to an annual limitation of \$7,500 per member in money and in kind donations;
 - ii. members shall monthly provide the Municipal Clerk with a list of any gifts, and other benefits obtained, where the fair market value exceeds \$100.00 per gift, sponsorship or donation. The member shall disclose an itemized list for each gift, and benefit received, along with the name of the giver and an estimated fair market value of the gift and benefits received. The member may choose to provide comment for any or each item on the list; and
 - iii. annually the Municipal Clerk shall summarize the information received from each member and provide this information to Council in a public report.

The purpose of this information report is to fulfill the requirement of section 6 (b) (iii).

Comments

For the period, January 1, 2020 – December 31, 2020, there were no gifts or benefits reported by a Council member.

Consultation

No other departments were consulted.

Financial Implications

There are no financial implications at this time.

Prepared by:

Reviewed by:

Judy Smith, CMO
Director, Municipal Governance/Clerk

Cathy Hoffman, MPA, CHRL
General Manager, Corporate Services/
Chief Human Resource Officer

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