

26 Amendments to Code of Conduct for Members of Council

City Council on September 25, 26 and 27, 2006:

- (1) adopted the following recommendations contained in the Recommendations Section of the report (September 21, 2006) from the Integrity Commissioner, subject the Code of Conduct in Appendix I being approved in principle:

“It is recommended that:

- (1) the proposed amendments to the Code of Conduct for Members of Council as set out in Appendix I be adopted, and except as specifically designated in that Code, come into force on the date of the coming into force of the *City of Toronto Act, 2006*;
- (2) the Code of Conduct for Members of Council apply to Council Members’ staff, and the City Manager, in consultation with the City Solicitor, the Executive Director for Human Resources and the Integrity Commissioner report to the Executive Committee on the steps required to implement this policy, including any recommendations for legislative amendments;
- (3) any contracts for staff of Members of Council entered into or renewed for the new term of Council include provisions that will require compliance with any applicable Code of Conduct as adopted by Council from time to time;
- (4) the Council Code of Conduct Complaint Protocol be extended to apply to complaints against members of local boards (restricted definition) as provided for in the *City of Toronto Act, 2006*;
- (5) the Council Code of Conduct Complaint Protocol include a provision that provides Council with authority to vary any penalty that the Integrity Commissioner has recommended for a violation of the Code of Conduct for Members of Council but not to refer the Integrity Commissioner’s recommendation other than back to the Integrity Commissioner;
- (6) the Integrity Commissioner prepare a report for the first meeting of the Executive Committee following the swearing in of the new Council on the ramifications of any changes in the Code of Conduct for Members of Council for the Council Code of Conduct Complaint Protocol;
- (7) the Integrity Commissioner, as part of the process culminating in the mandatory two year review of the *City of Toronto Act, 2006*, keep under review the scope of penalties for violations of the Code of

Conduct and, in particular, those recommended by the Bellamy Commission that require specific legislative authority in that Act; and

- (8) the City urge the appropriate authorities within the provincial government to either modernize the *Municipal Conflict of Interest Act* or confer on the City of Toronto authority to create its own conflict of interest regime in place of or supplementary to that Act.”;
- (2) requested the City Manager to report to the Executive Committee in January 2007, for consideration by City Council in January 2007, on an ‘Appeal Mechanism’ and ‘Legal Support Program’ to be endorsed by City Council; upon Council’s approval of the Appeal Mechanism and Legal Support Program, the Code of Conduct shall come into effect;
- (3) directed that the Code of Conduct for Members of Council include, in principle, Conflict of Interest provisions, but exclude “apparent” Conflict of Interest provisions; and requested the Integrity Commissioner, in consultation with the City Solicitor, to report to the Executive Committee in the first quarter of 2007 on possible provisions; and
- (4) requested the Integrity Commissioner to:
 - (i) report to the first meeting of City Council in January 2007:
 - (a) on a more specific Councillors’ Disclosure Policy for assets and liabilities similar to the provincial and federal governments’ policies; and
 - (b) providing an explanation on the difference between Councillors using their office budget rather than spending monies out of their own personal accounts, and elaborate on possible sanctions to Councillors who chose to pay for their own expenditures outside their allocated Councillors’ Global Office Budget; and
 - (ii) monitor the impact of the changes to the Code of Conduct, evaluate whether other changes are necessary, and generally keep the Code of Conduct under review, and report to Council, through the appropriate successor Committee, no later than July 2007.

This Clause, as amended, was adopted by City Council.