

**Draft By-law number 387-2026 establishing
the Code of Ethics and Professional
Conduct for Elected Officials**

**PROVINCE OF QUEBEC
MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON
MRC OF ARGENTEUIL**

Résolution #

**DRAFT BY-LAW NUMBER 387-2026 ESTABLISHING THE CODE OF ETHICS
AND PROFESSIONAL CONDUCT OF ELECTED OFFICIALS**

WHEREAS on February 14, 2022, the Council of the Municipality adopted By-law No. 280-01-2022 establishing the Code of Ethics and Professional Conduct for Elected Officials currently in force.

WHEREAS pursuant to section 13 of the Act respecting ethics and professional conduct in municipal affairs, RLRQ c. E-15.1.0.1 (hereinafter the “LEDMM”), every Municipality must, before May 1 following any general election, adopt a revised Code of Ethics and Professional Conduct to replace the one currently in force, with or without amendments.

WHEREAS it is therefore necessary to adopt a revised code of ethics and professional conduct for elected officials.

WHEREAS the formalities set forth in the LEDMM for the adoption of such a revised code have been complied with.

WHEREAS the Mayor states that the purpose of this by-law is to set forth the Municipality’s core values regarding ethics and the rules of professional conduct that must guide the conduct of a person serving as a member of the Council, a committee, or a commission of the Municipality, or, in their capacity as a member of the Council, of another organization.

WHEREAS this by-law is adopted pursuant to section 13 of the Act respecting ethics and professional conduct in municipal affairs, RLRQ, c. E-15.1.0.1.

THEREFORE,

IT IS MOVED BY: _____

AND CARRIED to adopt the following by-law:

1. Declaratory Provisions

1.1. The title of this by-law is: By-law No. 387-2026 Establishing the Code of Ethics and Professional Conduct for Municipal Elected Officials.

1.2. The preamble forms an integral part of this Code.

1.3. The Code does not supersede the laws and by-laws in force governing the Municipality and, more generally, the municipal sphere. Rather, it is supplementary and complements the various obligations and general duties applicable to municipal elected officials as provided for in applicable laws and other by-laws.

1.4. The Code shall not be interpreted as permitting any deviation from the provisions contained in the laws and by-laws in force governing the Municipality, Municipal Elected Officials, and, more generally, Municipal affairs.

2. Interpretive Provisions

This Code shall be interpreted in accordance with the principles and objectives set forth in the LEDMM. The rules provided for in that Act are deemed to form an integral part of this Code and prevail over any inconsistent rule set forth in this Code.

In this Code, unless the context indicates otherwise, the following terms mean:

- a) “Benefit”: Whether of a pecuniary nature or not, a benefit includes, in particular, any gift, donation, favor, reward, service, gratuity, token of hospitality, remuneration, compensation, gain, indemnity, privilege, preference, advance, loan, reduction, discount, etc..
- b) “Code”: By-law No. 387-2026 establishing the code of ethics and professional conduct for municipal elected officials.
- c) “Professional Conduct”: Refers to the set of rules and duties governing the role of Council members, their conduct, their relationships with one another, as well as their interactions with municipal employees and the general public.
- d) “Ethics”: Refers to the set of moral principles that form the basis of Council members’ conduct; it takes into account the values of the Municipality.
- e) “Personal interest”: Such an interest is linked to the elected official personally and is distinct from the community they represent.

3. Application of the Code

This Code, and more specifically the rules set forth herein, guide the conduct of every Council member.

Certain rules set forth in this Code also apply after the term of office of any person who has served as a Council member.

4. Values of the Municipality

4.1. Integrity

Every Council member upholds honesty, rigor, and fairness. They must demonstrate integrity and honesty beyond reproach.

4.2. Prudence in the Pursuit of the Public Interest

Prudence requires every Council member to fulfill their responsibilities regarding the public interest mission entrusted to them objectively and with discernment. Prudence involves gathering sufficient information, reflecting on the consequences of one’s actions, and examining alternative solutions.

The public interest requires making decisions for the greater good of the community and not for the benefit of private or personal interests to the detriment of the public interest.

4.3. Respect and civility toward fellow members, Municipality employees, and citizens

Every member promotes respect and civility in human relations. They are entitled to these and act with respect and civility toward all persons with whom they interact in the course of their duties. Civility involves demonstrating courtesy, politeness, and good manners.

More specifically, every Council member must:

- Demonstrate civility and courtesy in their interactions and communications, including those on the web and social media.

- Respect the dignity and honor of other Council members, municipal employees, and citizens.

4.3.1 Every Council member must engage in frank and honest dialogue with other Council members in order to reach an informed decision.

4.3.2 Every Council member must observe decorum during a public or private Council meeting. In particular, the Council member must follow the chairperson's instructions.

4.3.3 In their communications with municipal employees, the Municipality's partners, citizens, the media, and the general public, Council members may not use their position or title to imply that they are acting on behalf of the Municipality, except where a resolution has been duly adopted to that effect by the Council. This prohibition does not, however, apply to the mayor acting within the specific powers conferred upon him or her by law.

4.4. Loyalty to the Municipality

Loyalty requires performing one's duties in the best interests of the Municipality, with objectivity and independence of mind. It entails setting aside personal interests and disclosing them transparently, in accordance with applicable by-laws. Furthermore, loyalty entails respecting the decisions made by the Council;

4.5. The pursuit of fairness

Fairness entails demonstrating impartiality - that is, conducting oneself objectively and independently - and considering the rights of all. Fairness requires non-discrimination.

4.6. The honor associated with the duties of a Council member

Every member upholds the honor associated with their office, which presupposes the consistent practice of the five values listed above: integrity, prudence, respect and civility, loyalty, and fairness.

4.6.1 Every Council member must take reasonable steps to attend public and private meetings of the Council. The same applies when representing the Municipality at various meetings or events.

4.6.2 No Council member shall incur an expense in violation of the Act respecting the remuneration of municipal elected officials, RLRQ, c. T-11.001, or attempt to obtain reimbursement for such an expense.

4.6.3 With regard to travel and expenses that involve reimbursement by the Municipality, every Council member must, as much as possible, limit costs to what is reasonable under the circumstances.

5. **Rules of Conduct**

5.1. Application

The rules set forth in this section shall govern the conduct of an elected official serving as a member of a Council, committee, or commission:

a) Of the Municipality, or

b) Of another body when serving in the capacity of a member of the Municipal Council.

5.2. Purpose

These by-laws are intended, in particular, to prevent:

- a) Any situation involving a personal interest of the Council member that may influence their independence of judgment in the performance of their duties;
- b) Favoritism, embezzlement, breach of trust, or other misconduct;

5.3. Conflicts of Interest

- 5.3.1. No member shall act, attempt to act, or fail to act in a manner that, in the performance of their duties, favors their personal interests or, in an improper manner, those of any other person.
- 5.3.2. No member shall use their position to influence or attempt to influence another person's decision in a manner that favors their personal interests or, in an abusive manner, those of any other person.
- 5.3.3. No member shall solicit, induce, accept, or receive, for themselves or for another person, any benefit whatsoever in exchange for taking a position on a matter that may be brought before a Council, committee, or commission of which they are a member.
- 5.3.4. No member of the Council may have a direct or indirect interest in a contract with the Municipality, subject to the exceptions provided for in section 305 of the Act respecting elections and referendums in municipalities, RLRQ, c. E-2.2.
- 5.3.5. No Council member may participate in deliberations, vote, or attempt to influence the vote on a matter in which they have a direct or indirect pecuniary interest, subject to the exceptions provided for in section 362 of the Act respecting elections and referendums in Municipalities, RLRQ, c. E-2.2.
- 5.3.6. Every Council member must avoid knowingly placing themselves in a situation where they are likely to have to choose between, on the one hand, their personal interest or that of another person and, on the other hand, that of the Municipality or another body, when acting in their capacity as a Council member.
- 5.3.7. Every Council member must demonstrate impartiality and fairness. They may not show favoritism, particularly toward the Municipality's suppliers.
- 5.3.8. Every Council member must be independent in mind and exercise objective judgment free from personal interest so as to make the best decisions for the Municipality.
- 5.3.9. A Council member who becomes aware of a conflict of interest or is notified of one must take steps to resolve it as soon as possible after becoming aware of it.
- 5.3.10. Every Council member must prevent and avoid situations in which they risk being subject to undue influence regarding a decision that is likely to favor their personal interest or, in an abusive manner, those of any other person.
- 5.3.11. Every Council member must ensure, at all times, that their activities other than those related to their elected office do not conflict with the performance of their duties as a municipal elected official.

6. Acceptance and Solicitation of Benefits

- 6.1. No member of the Council shall solicit, induce, accept, or receive, for themselves or for another person, any benefit whatsoever in exchange for taking

a position on a matter that may be brought before the Council, a committee, or a commission of which they are a member.

- 6.2. No member shall accept any gift, token of hospitality, or other benefit, regardless of its value, that is offered by a supplier of goods or services or that may influence their independence of judgment in the performance of their duties and risk compromising their integrity.
- 6.3. Any gift, hospitality, or other benefit received by a member of the Municipal Council that is not of a purely private nature or covered by Section 6.1 must, if its value exceeds \$200, be reported in writing by that member to the Clerk-Treasurer of the Municipality within thirty (30) days of receipt. This declaration must contain an adequate description of the gift, gesture of hospitality, or benefit received, and specify the name of the donor, as well as the date and circumstances of its receipt. The Clerk-Treasurer shall maintain a public register of these declarations.
- 6.4. When a Council member represents the Municipality at an event and receives a door prize or any benefit without having to pay a personal fee to receive it, the Council member must turn it over to the Municipality, which shall decide how to use or dispose of it.

7. Use of Municipal Resources

No Council member may use the resources of the Municipality or any other body referred to in section 5.1 for personal purposes or for purposes other than activities related to the performance of their duties.

This prohibition does not apply when a Council member uses, on non-preferential terms, a resource made available to citizens.

A Council member may not allow a municipal employee or a third party to use the resources of the Municipality or any other municipal body affiliated with the Municipality for personal purposes unless it involves a service or activity generally offered by the Municipality.

A council member is prohibited from misappropriating, for their own benefit or the benefit of a third party, any property or sum of money belonging to the Municipality.

8. Use and Disclosure of Confidential Information

No member shall, either during or after their term of office, use, disclose, or attempt to use or disclose any information obtained in the course of or in connection with the performance of their duties - and which is not generally available to the public - for the purpose of furthering their own personal interests or those of any other person.

- 8.1 No member of the Council shall use or disclose, for their own benefit or the benefit of a third party, any inside information or information in their possession that is not otherwise available or that the Municipal Council has not yet disclosed.
- 8.2 A Council member may not disclose in any manner, directly or indirectly, an opinion expressed in a private meeting by another Council member or any other person participating therein.
- 8.3 Every Council member must exercise caution in their communications, particularly on the web and social media, to avoid directly or indirectly disclosing privileged information or information that is not of a public nature.

8.4 For the purposes of this section, and without limiting the generality of the foregoing, the following, among others, are considered privileged information and information that is not of a public nature: documents and information that may not be disclosed or whose confidentiality must be ensured under the Act respecting Access to documents held by public bodies and the Protection of personal information, RLRQ, c. A-2.1; discussions held during private sessions; and anything protected by professional secrecy, provided that the Municipality has not waived such protection in the latter case.

9. After Term of Office

Within twelve (12) months following the end of their term of office, a member of the Council is prohibited from holding a position as a director or officer of a legal entity, or any other position or role, in such a way that they or any other person derives an undue advantage from their prior duties as a member of the Municipality's Council.

10. Breach of Trust and Embezzlement

A council member is prohibited from misappropriating property belonging to the Municipality for their own use or for the use of a third party.

11. Announcement at a Political Fundraising Event

No Council member shall announce, during a political fundraising event, the implementation of a project, the conclusion of a contract, or the awarding of a grant by the Municipality unless a final decision regarding such project, contract, or grant has already been made by the competent authority of the Municipality.

12. Respect and Civility

No Council member shall behave in a disrespectful manner toward other members of the Council, municipal employees, or citizens through, in particular, the use of words, writings, or gestures that are vexatious, disparaging, or intimidating, or through any form of incivility of a vexatious nature.

13. Interference

13.1 A Council member may not interfere in the day-to-day administration of the Municipality or issue directives to municipal employees, except when making a decision during a public meeting of the Council. In such cases, the directives are implemented by the municipal administration.

13.2 It is understood that a Council member who is a member of a committee or commission formed by the Council, or who is mandated by the Council to represent the Municipality in a specific matter, may nevertheless be required to collaborate with the executive branch and municipal employees. Such collaboration is limited to the mandate assigned to the Council member by the Council.

13.3 Under no circumstances may this provision be applied or interpreted in a manner that limits the mayor's right of oversight, investigation, and control as conferred upon him by law.

13.4 Every Council member must forward any complaints they receive to the Municipality's Director General, who will take appropriate action. If the complaints concern the Director General, they shall be referred to the mayor.

14. Honor and Dignity

No Council member shall engage in conduct that undermines the honor and dignity of the office of elected official.

15. Oversight Mechanism

Any violation of a by-law set forth in this Code by a member of the Council may result in the imposition of the following sanctions:

- 15.1. A reprimand.
- 15.2. Participation in training on ethics and professional conduct in municipal affairs, at the council member's expense, within the timeframe prescribed by the Commission municipale du Québec.
- 15.3. The return to the Municipality, within thirty (30) days of the decision of the Commission municipale du Québec.
 - a) The gift, token of hospitality, or benefit received, or the value thereof;
 - b) Any profit derived in violation of a by-law of this Code;
- 15.4. Reimbursement of any remuneration, allowance, or other sum received for the period determined by the Commission municipale du Québec as a member of the Council, a committee, or a commission of the Municipality, or of an organization referred to in section 5.1.
- 15.5. A penalty of up to \$4,000 to be paid to the Municipality.
- 15.6. Suspension of the Council member for a period not exceeding ninety (90) days, such suspension being effective beyond the day on which their term ends if they are reelected in an election held during their suspension and the suspension has not ended on the day their new term begins.

When a member of the municipal council is suspended, he or she may not perform any duties related to his or her position as a Council member and, in particular, may not sit on any Council, committee, or commission of the Municipality, or in his or her capacity as a member of a Council or another body, nor may he or she receive remuneration, an allowance, or any other sum from the Municipality or such a body;

16. Replacement

This by-law replaces By-law No. 280-01-2022.

17. Entry into force

This by-law enters into force in accordance with the law.

Gabrielle Parr
Mairesse

Steve Deschênes
Directeur général

Notice of motion	March 16, 2026
Tabling and presentation of Draft By-law	March 16, 2026
Avis public	
Adoption of By-law	
Notice of coming into force	
Transmission of certified copy to MAMH	

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