

Resolution: Ethics Commissioner

WHEREAS Bill 26 – 2021: Municipal Affairs Statutes Amendment Act (No. 2), 2021 does not require a local government to adopt a Code of Conduct for Council members;

WHEREAS many local governments in British Columbia cannot afford or do not have an independent non-partisan Ethics Commissioner to review and resolve allegations of misconduct;

THEREFORE BE IT RESOLVED that the Lower Mainland Local Government Association and UBCM call upon the provincial government to immediately create an Office of the Municipal Ethics Commissioner within the Ministry of Municipal Affairs that will 1) respond to allegations of misconduct by an elected official of a municipal government and conduct an inquiry if warranted, and 2) review decisions imposed on an elected official of a municipal government and conduct an inquiry if warranted.

Backgrounder

Municipalities in B.C. are responsible for providing local services and governance to its residents. The B.C. government regards municipalities as autonomous, responsible and accountable governments directed by democratically elected councils and is unique in Canada in this regard.

Currently, there is no procedure in BC for an elected municipal official to appeal a decision by council or board except to file for a judicial review in the Supreme Court of BC. This is a costly and lengthy procedure for both the municipality and the elected municipal official and is not in the best interest of the municipality and its residents.

The rationale for this Office includes:

- Promote public confidence in elected public officials as they conduct public business.
- Provide advice on standards of conduct issues to municipalities
- Seek out guidance and advice from the BC Public Service Agency on issues that are complex and/or cannot be easily resolved
- Document any advice provided and/or decisions made
- Participate as ministry representative in working with the municipality to ensure a consistent and coordinated approach to ethics management across municipalities in the province.