

**BY-LAW 145-10  
DISCLOSURE OF PECUNIARY INTEREST**

A BYLAW OF THE CLEAR HILLS COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF DISCLOSURE OF PECUNIARY INTEREST OF COUNCILLORS AND TO RESCIND BYLAW NO. 61.

**PURPOSE**

1. The purpose of this Bylaw is to provide transparent and open Government by allowing for public review of the disclosure of information related to the pecuniary interests of Councillors.

**DEFINITIONS**

2. In this Bylaw:

<b>"Councillor"</b>	means a member of Clear Hills County Council, including the Reeve;
<b>"Chief Administrative Officer"</b>	means the Chief Administrative Officer of the Municipal District;
<b>"Disclosure Statement"</b>	means the Councillor's statement under section 3 of this Bylaw;
<b>"Family"</b>	means the Councillor's spouse, the Councillor's children, the parents of the Councillor and the parents of the Councillor's spouse;
<b>"Spouse"</b>	means a party to a relationship between a man and woman who are living together on a bona fide domestic basis and does not include a spouse who is living apart from the other spouse if the spouses have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order;

**DISCLOSURE STATEMENTS**

3. Disclosure Statements are due on or before the first of November each year a general municipal election is held. In the case of a by-election, Disclosure Statements are due on or before thirty (30) days after the by-election date. Each Councillor must file with the Chief Administrative Officer a completed Disclosure Statement in the form shown as Schedule "A" containing the following information:
  - (a) the name of each member of the Councillor's Family;
  - (b) the name of the Councillor's employer(s);

- (c) any corporation, partnership, firm, government, organization, club, service or person in respect of which the Councillor has a pecuniary interest as referred to in section 170 of the Municipal Government Act;
- (d) the legal description of all land within or immediately adjacent to the County boundaries in which the Councillor or a member of the Councillor's Family have a direct or indirect interest; and
- (e) all contracts involving the County to which the Councillor, or a member of the Councillor's Family, is a party, including contracts in which the Councillor may be indirectly involved as a result of a partnership or other interest in any business or corporation, or as an agent for any corporation, partnership or person.

#### **AMENDMENTS TO STATEMENTS**

- 4. When there is any change in, or addition to, the information to be provided by the Councillor under section 3, the Councillor must inform the Chief Administrative Officer in writing of the change or addition in a form acceptable to the Chief Administrative Officer, identifying the changes from the Disclosure Statement filed, no later than 30 days after the change or addition occurred.

#### **CHIEF ADMINISTRATIVE OFFICER'S DUTIES**

- 5.
  - i) Within thirty (30) days after expiry of the time for filing Disclosure Statements the Chief Administrative Officer must prepare and submit a report to County Council indicating:
    - (a) the Disclosure Statements that have been filed,
    - (b) whether any supplementary Disclosure Statements have been filed, and
    - (c) the name of any person who failed to file a Disclosure Statement as required by this Bylaw.
  - ii) The Chief Administrative Officer must ensure all Disclosure Statements filed, including notification of alterations or additions received, are retained in the corresponding personnel file.

#### **PUBLIC DOCUMENTS**

- 6. The Disclosure Statements and the report made by the Chief Administrative Officer become public documents only after the report has been submitted to Council.

#### **PENALTIES**

- 7. Any Councillor who contravenes a provision of this Bylaw is guilty of an offence and must forfeit and pay a penalty as set out in Schedule "B" of this Bylaw. Each 30 day

period that a Disclosure Statement remains unfiled after it is due is a separate offence.

**MISCELLANEOUS**

8. (1) Nothing in this Bylaw relieves a Councillor from observing the provisions of the Municipal Government Act relating to the disclosure of pecuniary interest.
- (2) If a deadline for filing a Statement under this Bylaw occurs on a Saturday, Sunday or a County holiday, the deadline will be the next County working day.
- (3) Bylaw No. 61, and any related amendments, shall be repealed upon third and final reading of this bylaw.

**DATE OF COMMENCEMENT**

9. This Bylaw comes into effect upon the date of third reading.

Read a first time this 11<sup>th</sup> day of January, 2011.

Read a second time this 11<sup>th</sup> day of January, 2011.

Read a third time this 11<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Administrative Officer

**SCHEDULE "A" – DISCLOSURE STATEMENT**

Name of Councillor: \_\_\_\_\_

**FAMILY MEMBERS**

Father: \_\_\_\_\_

Mother: \_\_\_\_\_

Spouse: \_\_\_\_\_

Spouse's Mother: \_\_\_\_\_

Children: \_\_\_\_\_

Spouse's Father: \_\_\_\_\_

\_\_\_\_\_

**RELATED ENTITIES**

The names of all corporations, partnerships, firms, governments, organizations, clubs, services or person related to me under section 170 of the Municipal Government Act (or any replacement legislation) and details of my relationship to such entitles or persons are:

**NAME:**

**RELATIONSHIP:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**EMPLOYER (S) NAME**

\_\_\_\_\_

\_\_\_\_\_

**LAND HOLDINGS**

"Land" by definition in the Alberta Land Titles Act may be every estate or interest in land, legal or equitable, and this includes options, easements, agreements for sale, mortgages, trusts and leaseholds.

The legal description and nature of my land holdings or those of my Family members which I am required to disclose are:

\_\_\_\_\_

\_\_\_\_\_

**CONTRACTS**

I, or a member of my Family, have an interest in the following listed contracts or work with the County, including work or contracts either directly with me or my Family member OR through a partnership, as agent, or as a result of some other interest with a corporation or business as defined in the Disclosure Bylaw:

**CONTRACT DATE**

**CONTRACTOR'S NAME AND ADDRESS**

\_\_\_\_\_

\_\_\_\_\_

This is to certify that, to the best of my knowledge, this Disclosure Statement is accurate and complete.

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Date

**TO BE FILED WITH THE OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER PRIOR TO NOVEMBER 1<sup>ST</sup> FOLLOWING A GENERAL MUNICIPAL ELECTION OR PRIOR TO 30 DAYS FOLLOWING A BY-ELECTION.**

**SCHEDULE "B"**  
**Schedule of Fines**

<b>Offence</b>	<b>Fine</b>
1. Filing an incomplete or inaccurate Statement	\$100.00
2. Failing to file a Statement by the deadline or for each 30 day period after the deadline during which a Statement remains unfiled	\$ 50.00 per offence