



Special Report

Date: July 7, 2026

To: Council

From: CAO

Subject: Change to By-Law A.01: Code of Conduct of Council

Related To: Regular Council Meeting, July 14, 2026

Executive Summary

The administration is recommending a major update to the Code of Conduct By-Law A.02. The proposed by-law provides a major change to current by-law 03-22 and aligns with provincial requirements as presented by Andres Daigle.

Background

Every municipality requires a *Code of Conduct* by-law to define what councillors can and can't do. In 2023, Five Rivers received a generic by-law from the province through local reform. That by-law lacked detail and did not reflect the new requirements that the province issued in 2024.

Analysis

Taking guidance from subject matter expert Andres Daigle, the by-law was updated to include the following:

- Preserves some line-item content from by-law 03-22 (where appropriate).
- Offers clear and simple definitions for **values**: honesty, integrity, objectivity, impartiality, and accountability.
- Borrows and/or reflects line-item content from by-laws in other New Brunswick municipalities.
- Covers all **key topics**: conflict of interest, social media use, improper use of influence, behavior toward CAO, staff, and officers, use of public property, resources, services, public communications, and confidential information.
- Contains new process for **complaints**. It permits the accuser(s) and the accused to make their case and includes a preliminary finding. It also permits a third party to investigate the complaint. It leaves the final decision with council as a whole, as required by the provincial statute.
- Contains full set of **corrective actions**, providing options for penalties and sanctions. It also prescribes a maximum period for the corrective action to be applied.



General Considerations

OPTION	DESCRIPTION
Community	• Builds confidence in council.
Council	• Clarifies the rules so council can focus on its legislative duties.
Administration / Staff	• Clarifies the rules for administration.
Services	• N/A.
Operations	• N/A.
Assets & Infrastructure	• N/A
Legal	• Protects council and municipality from legal actions.

Fiscal Considerations

Not Applicable.

Options

ID	OPTION	PROS	CONS
1	Do Nothing	• No learning curve	• Gaps in by-law are not closed • Does not meet provincial requirements
2	Accept As Proposed	• Much fuller content than current by-law • Meets provincial requirements	• Adaptation to changes
3	Accept with Changes	• Council gets to pick and choose	• Getting stuck in weeds



Recommendation

The administration recommends that the by-law be accepted as presented. It is based on our experience in Five Rivers, conduct by-laws from other New Brunswick municipalities, and the advice of expert Andres Daigle. Minor edits could be discussed, debated, and made, but too many may take too much time in a live council meeting. More minor edits could be made in another meeting of council (through a second and/or a third reading). As well, it's better to have this by-law in place and amend it later than to leave the current by-law in place, which is missing significant areas of content.