



Dear Candidate,

Re: City of Penticton Nomination Package (Councillor)

Thank you for your interest in the City of Penticton 2025 Local Government By-election. This package contains information to help you complete the nomination documents and better understand local government elections.

Important to know. Local governments share the responsibility with Elections BC for local elections. The City accepts nomination documents, administers voting opportunity dates, times and places, and determines and announce results of the voting. Elections BC administers, investigates and enforces the campaign financing disclosure, campaign financing rules and regulations, election advertising rules under the *Local Elections Campaign Financing Act*.

Important Dates: Completed nomination documentation can only be accepted at City Hall between 9 a.m. February 18, 2025 to 4 p.m. February 28, 2025.

City Hall is open Monday through Friday 9 a.m. to 4 p.m.

Appointments to drop off nomination documents and have them witnessed by the

Chief Election Officer can be made by calling: 250-490-2410

Nomination documentation is made available for public inspection. **Please note that your completed nomination documentation will be posted on the City of Penticton website.** A Candidate Information Release Authorization form from CivicInfo BC is included in the package for your consideration and consent.

For the City of Penticton Councillor position you will **need 10 nominators** who must be eligible voters in the City of Penticton. You should advise your nominators that their information entered into the nomination documents will be made available to the public. In this by-election there is one seat, nominators may only nominate one candidate.

In addition to the forms included in this package, for your information and reference the following materials can be found online:

1. Candidate's Guide to Local Elections in B.C. 2022
https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/candidates_guide_to_local_elections.pdf
2. Elections BC –General Information about local elections <https://elections.bc.ca/> (select "Local Elections" tab). Here is where you will find information about campaign financing and financial reporting.
3. General Local Election: Thinking of running for local office?
<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/general-local-elections>

4. Elections BC – Local Elections FAQs

<https://elections.bc.ca/local-elections/elections-and-assent-voting/local-elections-faqs/>

We are happy to answer any election questions you may have or provide further details regarding the expectations of a City of Penticton elected official.

Wishing you a successful campaign,

Angie Collison

Paula McKinnon

Hayley Anderson

Chief Election Officer
City of Penticton
250-490-2410

Deputy Chief Election Officer
City of Penticton
250-490-2405

Acting Deputy Chief Election Officer
City of Penticton
250-490-2473

Angie.Collison@penticton.ca
election@penticton.ca

Paula.McKinnon@penticton.ca

Hayley.Anderson@penticton.ca

Included in this package (items followed by "*" are to be returned when you hand in your nomination):

1. This City of Penticton Overview Letter
2. Candidate Nomination Package & Statement of Financial Disclosure * (*note appointment of scrutineer form does not need to be handed in with your nomination package, this can be submitted at a later date*)
3. Elections BC Letter: Campaign Accounts
4. Candidate Information Release Authorization *
5. Ready to Start Campaigning – Signage Tips
6. Political Signage Regulations Bylaw No. 2022-28
7. Regional District of Okanagan-Similkameen Elected Official Code of Conduct Policy

**Note, if you are being supported or promoted by an Elector Organization, contact us for additional information.

CANDIDATE NOMINATION PACKAGE

Use the Candidate Cover Sheet and Checklist Form C1 to ensure that the Candidate Nomination Package is complete and meets the legislative requirements of the *Local Government Act*, *Local Elections Campaign Financing Act*, *Financial Disclosure Act* and/or *Vancouver Charter*.

The Candidate Cover Sheet and Checklist Form C1 serve as a guide to the forms that must be submitted by a Candidate, their Official Agent and/or their Financial Agent to the Chief Election Officer as part of the nomination process.

Ensure that, for each item checked off on the Checklist Form C1 (Section B), the relevant form is completed and attached.

The Candidate Cover Sheet and Checklist Form C1 are for the Chief Election Officer's reference only and do not constitute part of the Candidate Nomination Package.

Completing only the Candidate Cover Sheet and Checklist Form C1 **does not** constitute completion of the Candidate Nomination Package, nor does it satisfy the legislative requirements set out in the *Local Government Act*, *Local Elections Campaign Financing Act*, *Financial Disclosure Act* and/or *Vancouver Charter*.

COMPLETION INSTRUCTIONS:

1. Record the Candidate's full name.
2. Record the office for which the Candidate is seeking election.
3. Use section B of the Candidate Cover Sheet and Checklist Form C1 to identify which forms have been completed and are included in the Candidate Nomination Package.
4. Return the completed package to the Chief Election Officer.

As per *Local Elections Campaign Financing Act* requirements, the following forms will be forwarded to Elections BC by the Chief Election Officer:
C2 – Nomination Documents (only page 3);
C3 – Other Information Provided by Candidate; and,
C4 – Appointment of Candidate Financial Agent.

After election results have been declared, please send any changes to documents previously provided to Elections BC to:

Elections BC
PO Box 9275 Stn Prov Govt
Victoria BC V8W 9J6
Toll-free fax: 1-866-466-0665
Email: electoral.finance@elections.bc.ca

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C1 – Candidate Cover Sheet and Checklist Form

PLEASE PRINT IN BLOCK LETTERS

SECTION A

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
NAME OF OFFICE FOR WHICH CANDIDATE IS SEEKING ELECTION (E.G., MAYOR, COUNCILLOR, ELECTORAL AREA DIRECTOR)		

SECTION B

This nomination package includes the following completed forms, appointments, consents and declarations:

- C2 – Nomination Documents
- C3 – Other Information Provided by Candidate
- C4 – Appointment of Candidate Financial Agent (if Candidate is not acting as own Financial Agent)
- C5 – Appointment of Candidate Official Agent (if applicable)
- C6 – Appointment of Candidate Scrutineer (if applicable)
- Statement of Disclosure: *Financial Disclosure Act* (required under the *Financial Disclosure Act*)

Disclaimer: All attempts have been made to ensure the accuracy of the forms contained in the Candidate Nomination Package; however, the forms are not a substitute for provincial legislation and/or regulations.

Please refer directly to the latest consolidation of provincial statutes at BC Laws (www.bclaws.ca) for applicable election-related provisions and requirements

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C2 – Nomination Documents

PLEASE PRINT IN BLOCK LETTERS

JURISDICTION (NAME OF MUNICIPALITY OR REGIONAL DISTRICT)		ELECTION AREA (NAME OF MUNICIPALITY OR REGIONAL DISTRICT ELECTORAL AREA)	
We, the following electors of the above-named jurisdiction, hereby nominate:			
NOMINEE'S LAST NAME		FIRST NAME	MIDDLE NAME(S)
USUAL NAME OF PERSON NOMINATED IF DIFFERENT FROM ABOVE AND PREFERRED BY THE PERSON NOMINATED TO APPEAR ON THE BALLOT			
RESIDENTIAL ADDRESS (STREET ADDRESS)		CITY/TOWN	POSTAL CODE
MAILING ADDRESS IF DIFFERENT FROM RESIDENTIAL ADDRESS (STREET ADDRESS/PO BOX NUMBER)		CITY/TOWN	POSTAL CODE
As a Candidate for the office of:			
POSITION (E.G., MAYOR, COUNCILLOR, ELECTORAL AREA DIRECTOR)		JURISDICTION (NAME OF MUNICIPALITY OR REGIONAL DISTRICT)	

Each of us **affirms** that to the best of our knowledge, the above-named person nominated for office:

1. Is or will be on general voting day for the election, 18 years of age or older.
2. Is a Canadian citizen.
3. Has been a resident of British Columbia, as determined in accordance with section 67 of the *Local Government Act*, for the past six months immediately preceding today's date.
4. Is not disqualified under the *Local Government Act* or any other enactment from voting in an election in British Columbia or from being nominated for, being elected to or holding the office or be otherwise disqualified by law.

A Nominator MUST be Qualified Under the *Local Government Act* or *Vancouver Charter* to Nominate a Nominee for Office

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

Please see over for additional space when more than two nominators (e.g., 10) are required. For local governments that require 25 nominators attach an additional sheet(s) as necessary.

I consent to the above nomination for office:	
NOMINEE'S SIGNATURE	DATE: (YYYY/MM/DD)

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CANDIDATE NOMINATION PACKAGE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

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C2 – Nomination Documents

PLEASE PRINT IN BLOCK LETTERS

I do solemnly declare as follows:

1. I am qualified under section 81 of the *Local Government Act* to be nominated, elected and to hold the office of

POSITION (E.G., MAYOR, COUNCILLOR, ELECTORAL AREA DIRECTOR)

2. I am or will be on general voting day for the election, 18 years of age or older.
3. I am a Canadian citizen.
4. I have been a resident of British Columbia, as determined in accordance with section 67 of the *Local Government Act*, for the past six months immediately preceding today's date.
5. I am not disqualified by the *Local Government Act* or any other enactment from voting in an election in British Columbia or from being nominated for, being elected to or holding the office, or be otherwise disqualified by law.
6. To the best of my knowledge, the information provided in these nomination documents is true.
7. I fully intend to accept the office if elected.
8. I am aware of and understand the requirements and restrictions of the *Local Elections Campaign Financing Act* and I intend to fully comply with those requirements and restrictions.

NOMINEE'S SIGNATURE

DECLARED BEFORE ME: CHIEF ELECTION OFFICER OR COMMISSIONER FOR TAKING AFFIDAVITS FOR BRITISH COLUMBIA

AT: (LOCATION)

DATE: (YYYY/MM/DD)

I am acting as my own Financial Agent

NOMINEE'S SIGNATURE

I have appointed as my Financial Agent

FINANCIAL AGENT'S NAME (IF APPLICABLE)

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C3 – Other Information Provided by Candidate

PLEASE PRINT IN BLOCK LETTERS

Office for which individual is a nominee:

POSITION (E.G., MAYOR, COUNCILLOR, ELECTORAL AREA DIRECTOR)	JURISDICTION (NAME OF MUNICIPALITY OR REGIONAL DISTRICT)	ELECTION AREA (NAME OF MUNICIPALITY OR REGIONAL DISTRICT ELECTORAL AREA)
NOMINEE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
USUAL NAME OF PERSON NOMINATED IF DIFFERENT FROM ABOVE AND PREFERRED BY THE PERSON NOMINATED TO APPEAR ON THE BALLOT		
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER) AS PROVIDED IN THE NOMINATION DOCUMENTS	CITY/TOWN	POSTAL CODE
ADDRESS FOR SERVICE (STREET ADDRESS OR EMAIL ADDRESS)	CITY/TOWN	POSTAL CODE
TELEPHONE NUMBER	EMAIL ADDRESS (IF AVAILABLE)	

Additional Addresses for Service Information

OPTIONAL

MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER) IF EMAIL WAS PROVIDED AS ADDRESS FOR SERVICE	CITY/TOWN	POSTAL CODE
FAX NUMBER	EMAIL ADDRESS IF MAILING ADDRESS WAS PROVIDED AS ADDRESS FOR SERVICE	

NAME OF ELECTOR ORGANIZATION ENDORSING THE CANDIDATE (IF APPLICABLE)

<input type="checkbox"/> I am acting as my own Financial Agent	<input type="checkbox"/> I am not acting as my own Financial Agent
--	--

Please ensure that name and mailing address information is the same as that entered on FORM C2 – NOMINATION DOCUMENTS

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C4 – Appointment of Candidate Financial Agent

PLEASE PRINT IN BLOCK LETTERS

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
POSITION (E.G., MAYOR, COUNCILLOR, ELECTORAL AREA DIRECTOR)	JURISDICTION (NAME OF MUNICIPALITY OR REGIONAL DISTRICT)	ELECTION AREA (NAME OF MUNICIPALITY OR REGIONAL DISTRICT ELECTORAL AREA)

I hereby appoint as my Financial Agent for the:

GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
FINANCIAL AGENT'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE
TELEPHONE NUMBER	EMAIL ADDRESS (IF AVAILABLE)	
EFFECTIVE DATE OF APPOINTMENT: (YYYY/MM/DD)		
CANDIDATE'S SIGNATURE	DATE: (YYYY/MM/DD)	

I hereby consent to act as the Financial Agent for the above-named Candidate for the:

GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
FINANCIAL AGENT ADDRESS FOR SERVICE (STREET ADDRESS OR EMAIL ADDRESS)	CITY/TOWN	POSTAL CODE

Additional Addresses for Service Information

OPTIONAL

MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER) IF EMAIL WAS PROVIDED AS ADDRESS FOR SERVICE	CITY/TOWN	POSTAL CODE
FAX NUMBER	EMAIL ADDRESS IF MAILING ADDRESS WAS PROVIDED AS ADDRESS FOR SERVICE	
FINANCIAL AGENT'S SIGNATURE	DATE: (YYYY/MM/DD)	

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C5 – Appointment of Candidate Official Agent

PLEASE PRINT IN BLOCK LETTERS

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
POSITION (E.G., MAYOR, COUNCILLOR, ELECTORAL AREA DIRECTOR)	JURISDICTION (NAME OF MUNICIPALITY OR REGIONAL DISTRICT)	ELECTION AREA (NAME OF MUNICIPALITY, REGIONAL DISTRICT ELECTORAL AREA)

I hereby appoint as my Official Agent for the:

GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
OFFICIAL AGENT'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE

I hereby delegate to the above-named official agent the authority to appoint scrutineers.

CANDIDATE'S SIGNATURE	DATE: (YYYY/MM/DD)
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C6 – Appointment of Candidate Scrutineer

PLEASE PRINT IN BLOCK LETTERS

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
POSITION (E.G., MAYOR, COUNCILLOR, ELECTORAL AREA DIRECTOR)	JURISDICTION (NAME OF MUNICIPALITY OR REGIONAL DISTRICT)	ELECTION AREA (NAME OF MUNICIPALITY OR REGIONAL DISTRICT ELECTORAL AREA)
I hereby appoint as my Scrutineer for the:		
GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
SCRUTINEER'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE
CANDIDATE'S SIGNATURE	DATE: (YYYY/MM/DD)	

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Liabilities – s. 3 (e)

List all creditors to whom you owe a debt. Do not include residential property debt (mortgage, lease or agreement for sale), money borrowed for household or personal living expenses, or any assets you hold in trust for another person:

<i>creditor's name(s)</i>	<i>creditor's address(es)</i>

Income – s. 3 (b-d)

List each of the businesses and organizations from which you receive financial remuneration for your services and identify your capacity as owner, part-owner, employee, trustee, partner or other (e.g. director of a company or society).

- Provincial nominees and designated employees must list all sources of income in the province.
- Local government officials, school board officials, francophone education authority directors and designated employees must list only income sources within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position.

<i>your capacity</i>	<i>name(s) of business(es)/organization(s)</i>

Real Property – s. 3 (f)

List the legal description and address of all land in which you, or a trustee acting on your behalf, own an interest or have an agreement which entitles you to obtain an interest. Do not include your personal residence.

- Provincial nominees and designated employees must list all applicable land holdings in the province.
- Local government officials, school board officials, francophone education authority directors and designated employees must list only applicable land holdings within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position.

<i>legal description(s)</i>	<i>address(es)</i>

Corporate Assets – s. 5

Do you individually, or together with your spouse, child, brother, sister, mother or father, own shares in a corporation which total more than 30% of votes for electing directors? (Include shares held by a trustee on your behalf, but not shares you hold by way of security.)

no yes

If yes, please list the following information below & continue on a separate sheet as necessary:

- the name of each corporation and all of its subsidiaries
- in general terms, the type of business the corporation and its subsidiaries normally conduct
- a description and address of land in which the corporation, its subsidiaries or a trustee acting for the corporation, own an interest, or have an agreement entitling any of them to acquire an interest
- a list of creditors of the corporation, including its subsidiaries. You need not include debts of less than \$5,000 payable in 90 days
- a list of any other corporations in which the corporation, including its subsidiaries or trustees acting for them, holds one or more shares.

signature of person making disclosure

date

Where to send this completed disclosure form:

Local government officials:

... to your local chief election officer

- with your nomination papers, and

... to the officer responsible for corporate administration

- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

School board trustees/ Francophone Education Authority directors:

... to the secretary treasurer or chief executive officer of the authority

- with your nomination papers, and
- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

Nominees for provincial office:

- with your nomination papers. If elected you will be advised of further disclosure requirements under the *Members' Conflict of Interest Act*

Designated Employees:

... to the appropriate disclosure clerk (local government officer responsible for corporate administration, secretary treasurer, or Clerk of the Legislative Assembly)

- by the 15th of the month you become a designated employee, and
- between the 1st and 15th of January of each year you are employed, and
- by the 15th of the month after you leave your position

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ELECTIONS BC
Province of British Columbia

Mailing Address:
PO Box 9275 Stn Prov Govt
Victoria BC V8W 9J6

Location:
Suite 100 – 1112 Fort Street, Victoria BC

Phone: 250-387-5305
Toll-free: 1-800-661-8683/ TTY 1-888-456-5448
Fax: 250-387-3578
Toll-free Fax: 1-866-466-0665
Email: electionsbc@elections.bc.ca
Website: elections.bc.ca

To Whom It May Concern:

Section 18 of the *Local Elections Campaign Financing Act* requires financial agents of candidates running in a local election to ensure all money received in relation to the candidacy is deposited in a separate campaign account in a savings institution. Section 18 also requires that all election related expenditures must be paid from the separate account.

For purposes of this section, the definition of a candidate includes an individual who intends to become a candidate at a later date. This means a candidate must open a campaign account for their campaign financing transactions even if they have not yet filed nomination documents with their jurisdiction.

Elections BC encourages potential candidates to open their campaign accounts as early as possible in their campaign to ensure that all financial transactions can be put through the account as required by the *Local Elections Campaign Financing Act*. This could be several months before General Voting Day for the election or even before an election is officially called by the jurisdiction.

If you have any questions, or need assistance understanding the rules, please do not hesitate to contact the local elections campaign financing team at **1-855-952-0280** or by email at electoral.finance@elections.bc.ca.

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CITY OF PENTICTON

CANDIDATE INFORMATION RELEASE AUTHORIZATION

Your nomination documents are available to the public to view as soon as they are submitted. Consent provided with this form simply allows the municipality to provide additional information, as appearing below, to the public and / or media.

The information you choose to share will be posted on websites operated by CivicInfo BC (www.civicinfo.bc.ca) and The City of Penticton (www.penticton.ca). This is the primary source through which the media, the public, provincial ministries, researchers, and others are able to obtain province-wide local election information.

I, _____
(please print name of person nominated)

having submitted nomination documents for election to the office of _____, hereby give my consent to share the following information. This information may be shared by email, posting on a website, phone, fax, or by any other means of electronic communication.

Address:	
Phone:	Alternate Phone (e.g. Cell):
Email:	
Website:	Instagram:
Twitter:	Facebook:

Gender (Check one):

Female Male Non-binary Other / undisclosed

Previous Elected Experience (Check one):

- Incumbent. Served on Council or School Board **in the same role** since the last election or by-election.
- Served on Council or School Board in a **different role** between the last election or by-election.
- Served on Council or School Board before 2018, but not during the past term.
- No Council or School Board experience, but has been elected to office elsewhere (school, local, provincial, or federal).
- None.

(Signature of Candidate)

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Ready to start campaigning? Here are a few signage tips:

- Political signage can be installed after the close of the nomination period (February 28, 2025, at 4:00 p.m. as per *Political Signage Regulations Bylaw No. 2022-28*);
- Signs can stay up until April 12, 2025.
- Political signage is permitted on public lands within the orange areas identified in Schedule A - Sign Locations of the enclosed *Political Signage Regulations Bylaw No. 2022-28*;
- Political signage must not exceed a maximum of 16 square feet per location, which includes any sign enclosures or holders, but does not include measurements for posts. For clarity, this measurement reflects the sign size overall per candidate, if a sign is double sided there is no additional measurement added. Measurements of both panels on a free-standing sign that is 'V' shaped count towards square footage. Appendix 11 McLaren Arena may exceed the maximum of 16 square feet total and may have signs on all four bordering streets with a maximum of 16 square feet per bordering street;
- The School District does not allow any signage on school property;
- Signs can be placed on private property with permission of the property owner;
- When installing signs, watch for traffic sightlines at street intersections. Any signs causing a safety concern to vehicles, pedestrians or cyclists will be removed;
- On polling days, (March 26, 27 and April 5, 2025) signs cannot be within 100 meters of the polling station (maps will be provided). It is the candidate's responsibility to remove all signage from polling station areas prior to 8:00 a.m. on polling days.

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The Corporation of the City of Penticton
Political Signage Regulations Bylaw

No. 2022-28

Consolidated for convenience only

Amended by:
2024-42

On:
December 17, 2024

This is a consolidated bylaw prepared by the Corporation of the City of Penticton for convenience only. The city does not warrant that the information contained in this consolidation is current. It is the responsibility of the person using this consolidation to ensure that it accurately reflects current bylaw provisions.

The Corporation of the City of Penticton

Bylaw No. 2022-28

A Bylaw to regulate the size, appearance and location of political signage within the City of Penticton.

WHEREAS under the *Local Government Act*, Council may, by bylaw, regulate political signage within the City of Penticton;

AND WHEREAS Council wishes to establish regulations under that authority;

NOW THEREFORE, the Council of the City of Penticton, in open meeting assembled, enacts as follows:

1. Title

This Bylaw may be cited for all purposes as "Political Signage Regulations Bylaw No. 2022-28".

2. Definitions

"POLITICAL SIGNAGE" Means a sign(s) that pertains to an election by the voters in the City of Penticton for City Council, School Board, Provincial and Federal Government or assent voting.

"SIGN LOCATIONS" Means the areas permitted within this Bylaw as shown in orange on Schedule A attached to and forming part of this Bylaw that have been dedicated as the only authorized areas, besides private property, where election signs may be located within the boundaries of the City of Penticton.

"GENERAL VOTING DAY" Means polling day under the *Canada Elections Act* or 'general voting day' under the *Local Government Act*, *School Act* (BC) or *Election Act* (BC), whichever is applicable.

3. Location

- (a) Political signage is permitted on public lands within the orange areas identified in Schedule A - Sign Locations.
- (b) Political signage is only permitted on Provincial lands where authorized or allowed through Provincial legislation or policy.
- (c) Political signage is permitted on private lands, but does not include the public boulevard fronting private lands.

4. Restrictions

Political signage must not:

- (a) Be installed on public lands prior to the end of the nomination period for a local election or prior to a federal or provincial election being called; (Bylaw No. 2024-42)
- (b) Remain on public lands for longer than 7 days after General Voting Day; (Bylaw No. 2024-42)
- (c) exceed a maximum of 16 square feet per each permitted location identified in Schedule A – Sign Locations. For clarity, this measurement reflects the sign size overall per candidate, if a sign is double sided there is no additional measurement added (4 x 4 sign, one sided = 16ft² AND a 4 x 4 sign that is two-sided = 16ft²). Measurements of both panels on a free-standing sign that is 'V' shaped count towards square footage. Appendix 11 McLaren Arena may exceed the maximum of 16 square feet

total and may have signs on all four bordering streets with a maximum of 16 square feet per bordering street; (Bylaw No. 2024-42)

- (d) be supported by pins or anchors that penetrate deeper than 6 inches into the ground without first obtaining a utility locate from BC One Call;
- (e) be located within 1 metre of a fire hydrant;
- (f) Be unsightly or dilapidated;
- (g) Be placed so as to interfere with traffic sightlines at street intersections or with the safety of vehicles, pedestrians or cyclists;
- (h) Be placed so as to obstruct, simulate or detract from any traffic control device;
- (i) Be attached in any way to a City or publicly owned fence, tree, bush, planter, waste or recycling receptacle, newspaper box, mail box, sign post, bridge or overpass structure (including private railway/bridge overpass), or any city infrastructure;
- (j) Be erected within 100 metres of a polling station on the day of an advance poll or General Voting Day;
- (k) Unless authorized in writing by the City, no political sign shall display a logo, trademark or official mark in whole or in part owned or licensed by the City.

5. Candidate Responsibility

- (a) It is the responsibility of each candidate and elector organization who place election signs in the City to ensure compliance with this bylaw.
- (b) It is the responsibility of each candidate and elector organization to ensure there is no damage to City property or infrastructure, and if there is damage, the candidate or elector organization will be responsible for the cost of repairs.

6. Enforcement

Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.

7. Severability

If any section, subsection, clause or phrase of this bylaw is held to be invalid for any reason by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

8. General

Schedule A – Sign Locations Appendices 1 – 13 attached hereto form part of this bylaw.

9. Repeal

“Political Signage Regulations Bylaw No. 2018-32” and all amendments thereto are hereby repealed upon adoption of this bylaw.

READ A FIRST time this	7 day of	June, 2022
READ A SECOND time this	7 day of	June, 2022
READ A THIRD time this	7 day of	June, 2022
ADOPTED this	21 day of	June, 2022

John Vassilaki, Mayor

Angie Collison, Corporate Officer

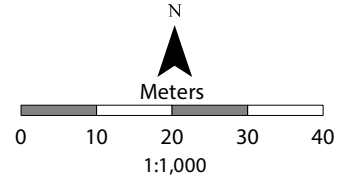


Schedule A - Sign Locations

Political Signage Bylaw No. 2022-28

Appendix 1

Vancouver Hill/Front Street Roundabout



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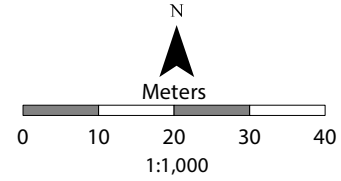


Schedule A - Sign Locations

Political Signage Bylaw No. 2022-28

Appendix 2

North City



Terms of Use : The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.



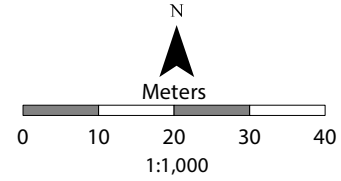


Schedule A - Sign Locations

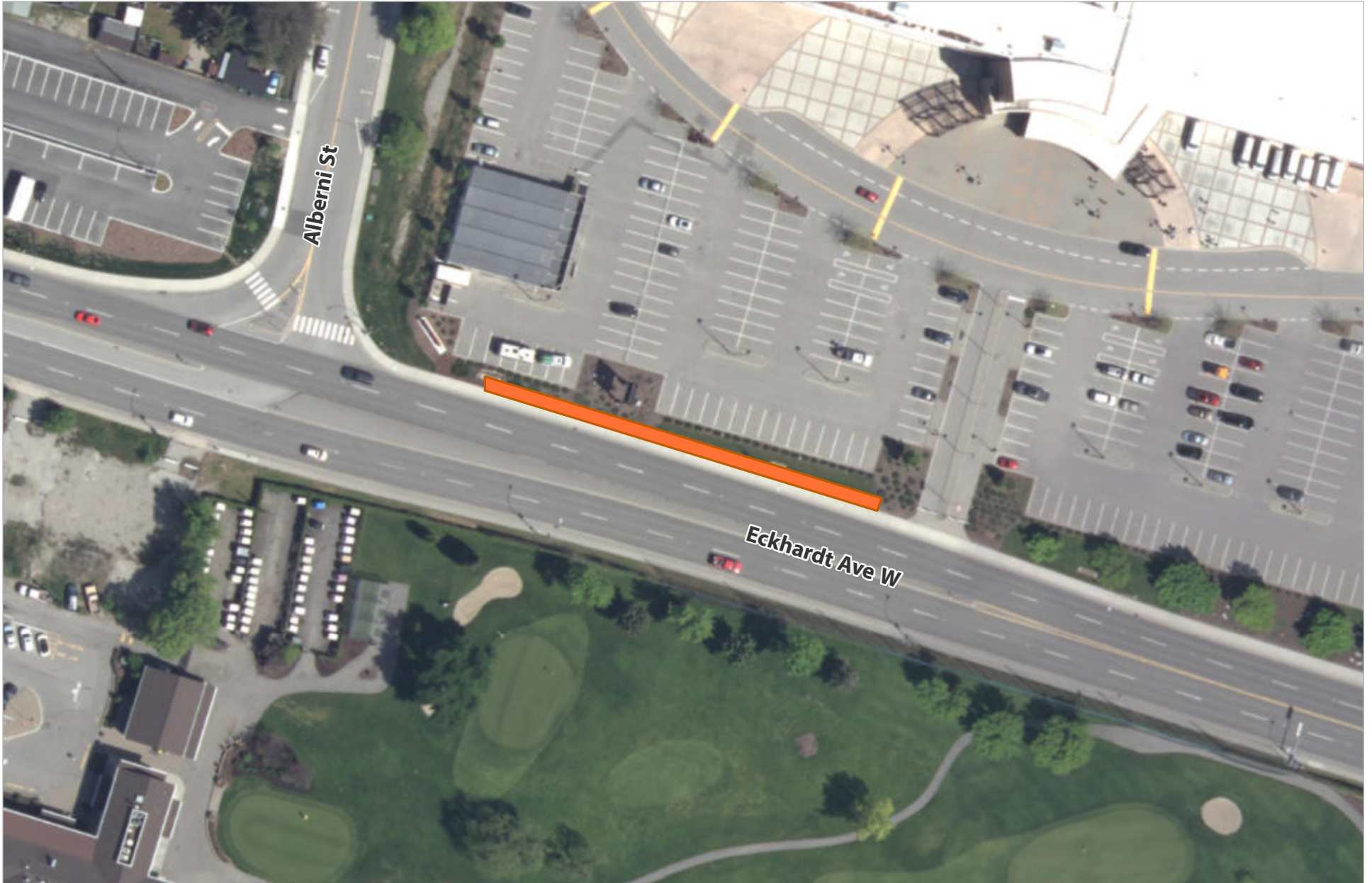
Political Signage Bylaw No. 2022-28

Appendix 3

South Okanagan Events Centre Site



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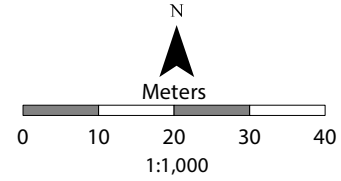


Schedule A - Sign Locations

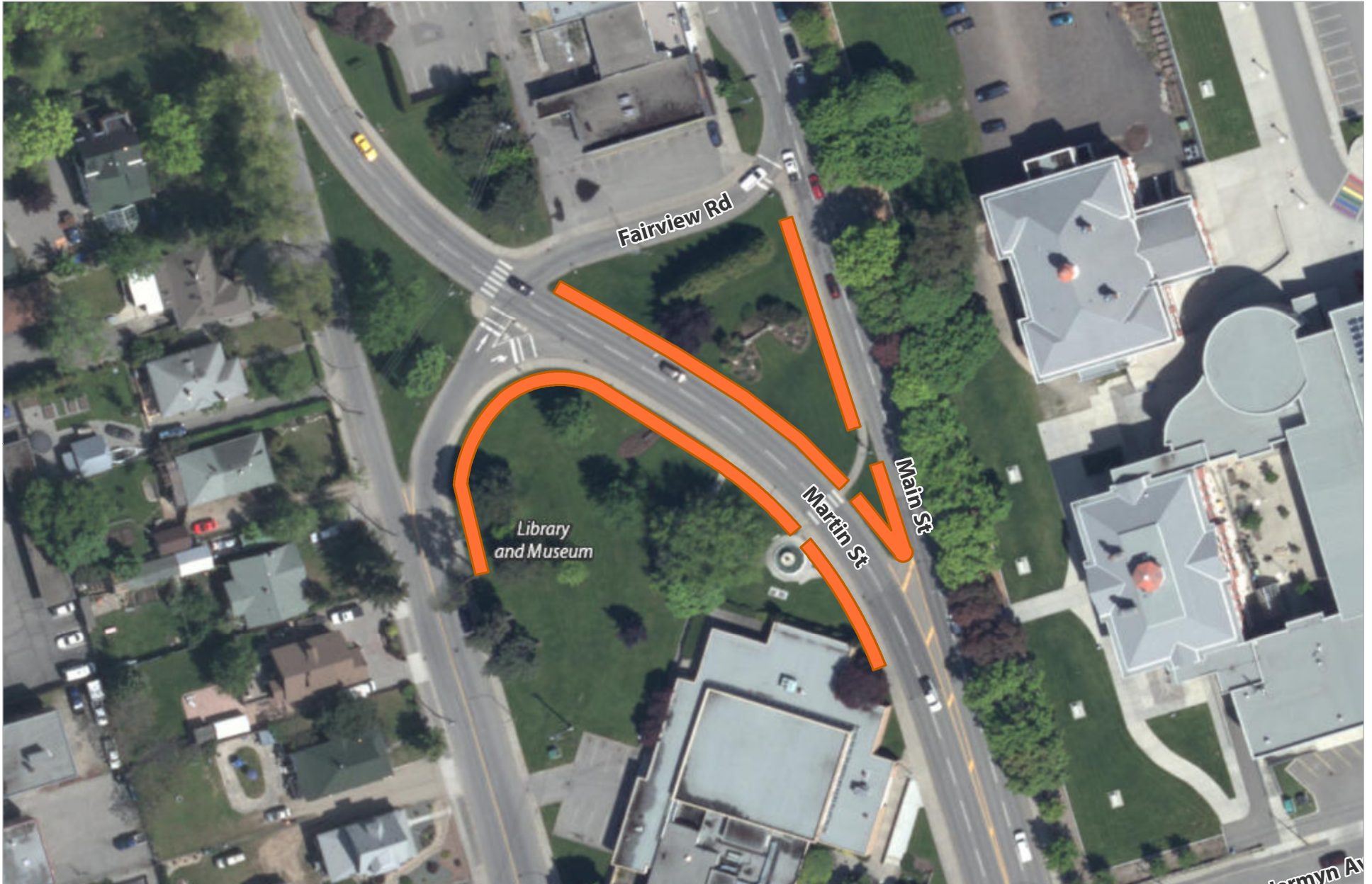
Political Signage Bylaw No. 2022-28

Appendix 4

Main and Martin Street - Penticton Library and Museum



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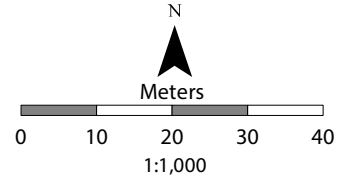


Schedule A - Sign Locations

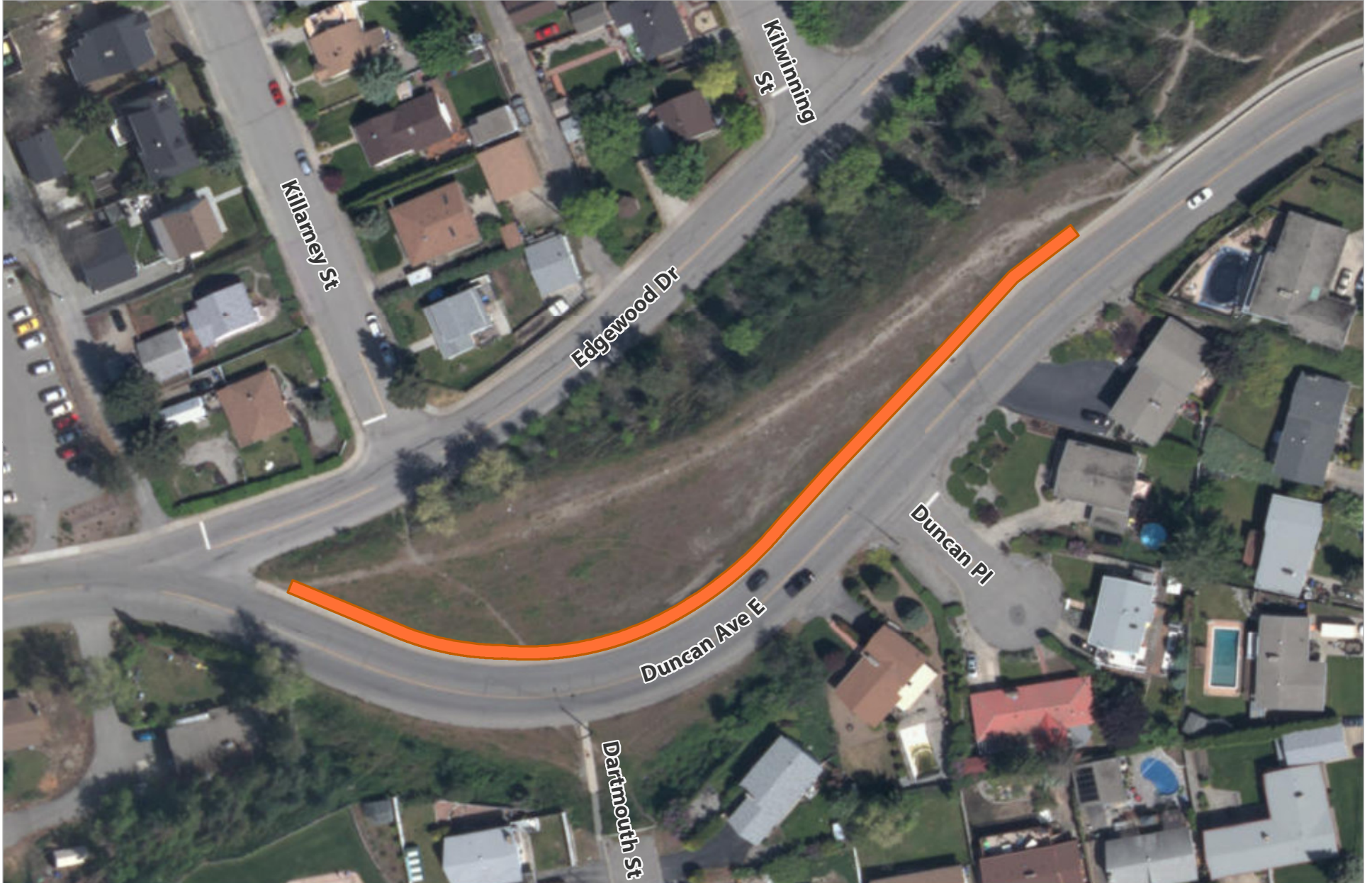
Political Signage Bylaw No. 2022-28

Appendix 5

Duncan Avenue East-Duncan Hill



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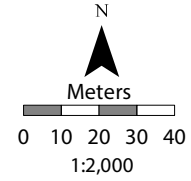


Schedule A - Sign Locations

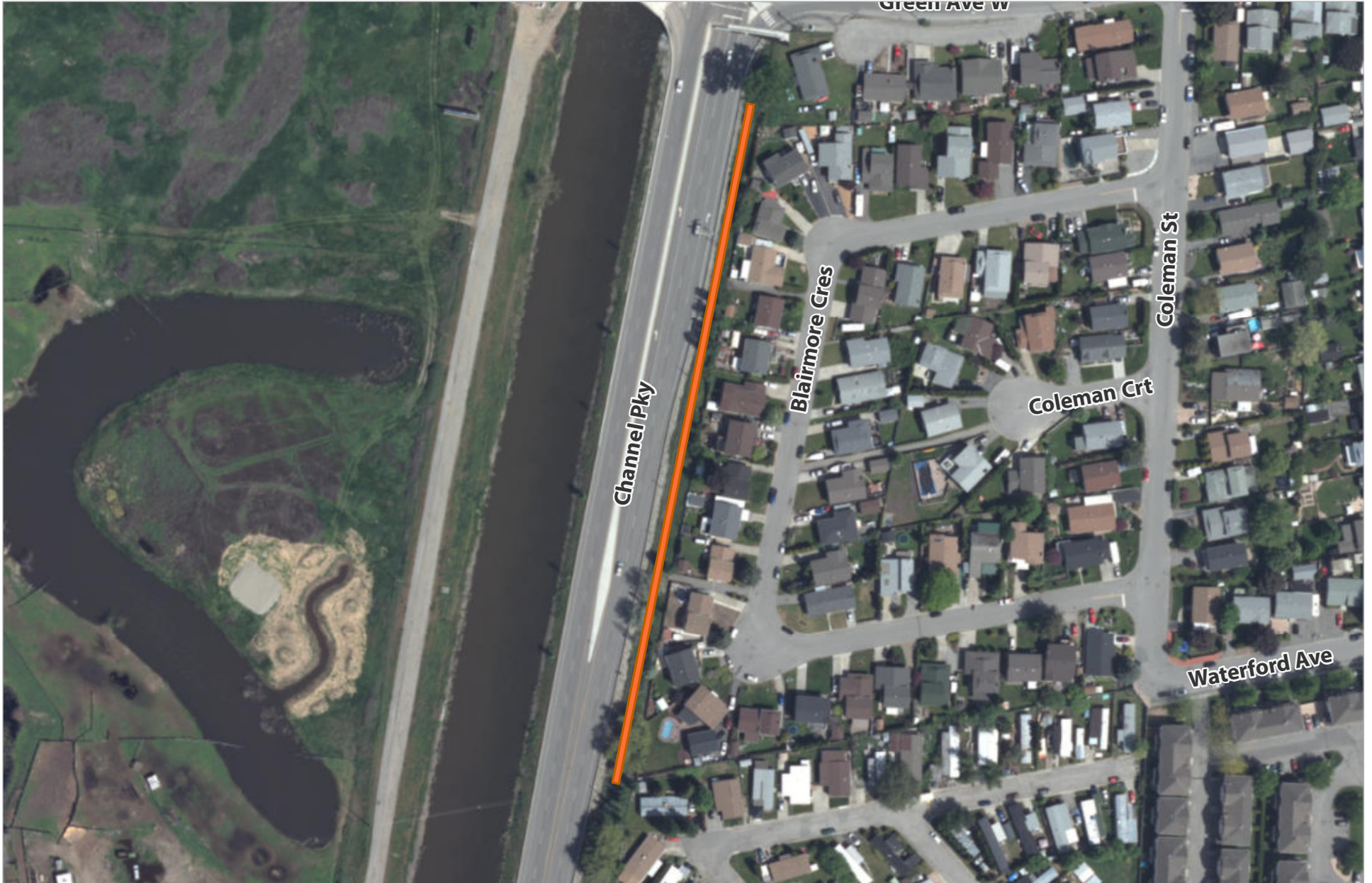
Political Signage Bylaw No. 2022-28

Appendix 6

Channel Parkway



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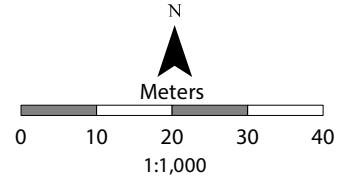


Schedule A - Sign Locations

Political Signage Bylaw No. 2022-28

Appendix 7

Sudbury Beach



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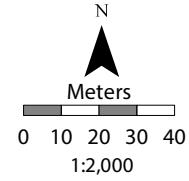


Schedule A - Sign Locations

Political Signage Bylaw No. 2022-28

Appendix 8

Skaha Park



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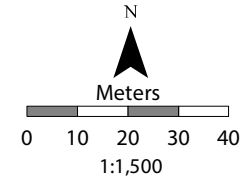


Schedule A - Sign Locations

Political Signage Bylaw No. 2022-28

Appendix 9

Riverside Park



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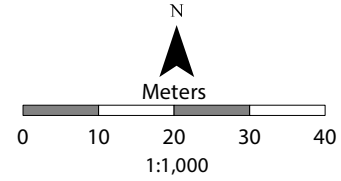


Schedule A - Sign Locations

Political Signage Bylaw No. 2022-28

Appendix 10

1099 Main Street



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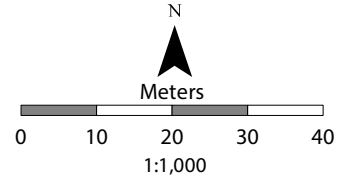


Schedule A - Sign Locations

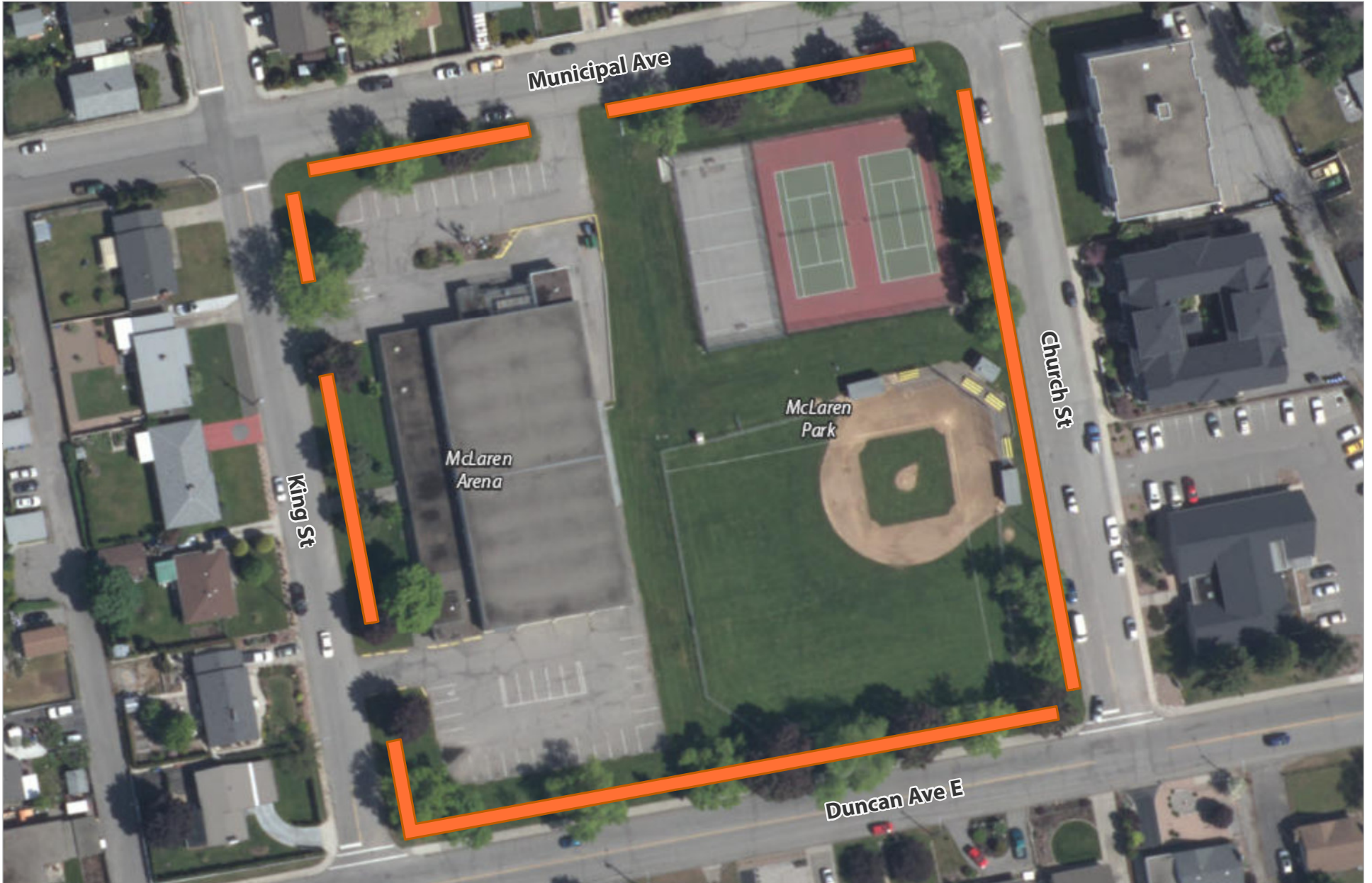
Political Signage Bylaw No. 2022-28

Appendix 11

McLaren Arena



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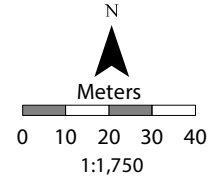


Schedule A - Sign Locations

Political Signage Bylaw No. 2022-28

Appendix 12

City Yards

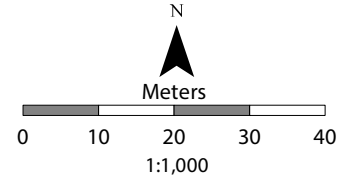


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Schedule A - Sign Locations
Political Signage Bylaw No. 2022-28
Appendix 13
Robinson Park/Penticton Senior's Centre



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Regional District of Okanagan-Similkameen
Elected Official Code of Conduct Policy

<u>POLICY:</u>	Elected Official Code of Conduct
<u>AUTHORITY:</u>	Board Resolution dated September 7, 2023
<u>AMENDED:</u>	Board Resolution dated December 5, 2024 ¹

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PART ONE – ETHICAL CONDUCT

Division 1 – Interpretation and Application

Policy Statement

- 1 (1) This Code of Conduct policy is intended to guide elected officials in conducting their business with transparency and civility and in accordance with the guiding principles of integrity, accountability, leadership, respect, openness, and collaboration.¹

(2) This policy is intended not to stifle Members or to limit their ability to fully perform the governmental and advocacy functions that their position entails, with all the vigour, flair and freedom that is typical of a well-functioning democratic institution, but instead to guide Members to undertake those functions in a manner that accords with sound ethical principles.

(3) This policy is not intended to be used to prevent or limit speech that is political in nature or to address minor interpersonal conflicts between Members. Examples of interpersonal conflicts that may be covered by this policy include egregious conduct that would constitute discrimination, hate speech, violence, or other similar types of conduct.¹

(4) This policy does not cover every possible situation that a Member, Committee Member, Governing Body or committee may face. It is therefore important that Members make every effort to align their actions with the spirit and intent of this Code of Conduct.

Scope

- 2 (1) This policy, after its adoption by each local government, applies to the Governing Body of the following jurisdictions:
 - (a) the Regional District of Okanagan-Similkameen; and
 - (b) participating member municipalities.

(2) This policy applies to all Members, inclusive of their actions in their capacity as members of various boards, committees, and other discretionary appointments.

(3) The provisions of this policy apply without limitation to a Member's use of social media accounts.¹

(4) Further to Sections 2(2) and (3), this policy does not apply to a Member's conduct in their personal life, except to the extent that such conduct reasonably undermines public confidence in local governance.¹

Definitions

3 (1) In this policy:

“Campaign Period” means the period between the last day of the nomination period for local government elected officials and the election day;

“Complainant” means a person who has submitted a complaint;¹

“FIPPA” means the *Freedom of Information and Protection of Privacy Act* (British Columbia);

“Governing Body” means the Council or Board of Directors of a local government that has adopted this policy;

“Member” means the Mayor and Councillors of a local government or the Chair and Board members of the Regional District of Okanagan-Similkameen;

“Respondent” means a Member whose conduct is the subject of a complaint;¹

“Solicitor” means an independent third party appointed by the Regional District who has the necessary professional skills, knowledge and experience to perform intake, preliminary assessment, and formally investigate a complaint;¹

“Staff” means an officer or employee of a local government, but does not include contractors; and

“Volunteer” means a person engaged by the local government who, without compensation, offers their time, skills or services to the local government.

Interpretation

4 (1) This policy is to be interpreted broadly and in a manner that is consistent with the *Community Charter and Local Government Act*.

(2) The foundational principles in section 5 are to inform the interpretation of the substantive provisions of this policy and are not stand-alone bases for complaints.

(3) Nothing in this policy is intended to preclude Members, prior to the filing of a complaint, from speaking to each other in order to resolve matters which may otherwise be captured by this policy.

Foundational Principles

5 Responsible conduct is essential to providing good governance. Members recognize that responsible conduct is based upon the foundational principles of integrity, accountability, leadership, respect, openness and collaboration:

- (a) Integrity: Members are keepers of the public trust and must uphold the highest standards of ethical behaviour. Members are expected to act lawfully, be free from undue influence and make decisions that benefit the community.
- (b) Accountability: Members are trusted to act competently, diligently and responsibly. They must be held accountable for their actions and decisions.
- (c) Leadership: Members must demonstrate and promote the key principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in the local government.
- (d) Respect: Members must conduct public business efficiently, with decorum and with proper attention to the local government's diversity. They must treat each other and others with respect at all times.
- (e) Openness: Members must conduct their duties in an open and transparent manner, except where this conflicts with their duties to protect confidential information.
- (f) Collaboration: The social fabric of communities and the wellbeing of residents depends on solid and sustainable community partnerships. Members shall seek to collaborate whenever possible and appropriate.

Leave of Absence¹

- 6** (1) Members who have publicly declared that they are running for elected office outside of a local government election should consider requesting a leave of absence from their Governing Body in order to avoid conflicts of interest or perceived conflicts of interest. Any issued equipment will be returned while on leave of absence.
- (2) Where a Member has publicly declared that they are running for nomination or is a nominee for elected office outside of a local government election, the Governing Body should consider a motion to prevent the Member from:
- (a) acting as Deputy Mayor. Such a motion should state that the Mayor will appoint another Member as Deputy Mayor until after general voting day of that election, or the end of the Deputy Mayor's scheduled term, whichever is sooner.
 - (b) acting as Chair or Vice Chair. The Board should consider electing a new Chair or Vice Chair in accordance with the Board Procedure Bylaw.
- (3) Where a Member has publicly declared that they are running for nomination or is a nominee for elected office outside of a local government election, the Governing Body should consider a motion to:

(a) remove the Member from external committees, task forces, and agencies of the Governing Body; and

(b) prevent the Member from representing the Governing Body at conventions and conferences.

The Mayor or Chair may appoint another Member to represent the Governing Body until after general voting day of that election.

Division 2 – Conduct Regulations

Comply with all Laws

7 Members shall comply with all applicable federal, provincial and municipal laws in the performance of their public duties, including but not limited to:

- (a) the *Local Government Act*;
- (b) the *Community Charter*;
- (c) FIPPA;
- (d) the *Financial Disclosure Act*; and
- (e) all bylaws and policies of the local government.

General Conduct

8 (1) Members shall not engage with others, including the public, Staff, Volunteers, and other Members, in a manner that is bullying, abusive, derogatory, or intimidating.

(2) Members shall not use their office to attempt to gain personal or financial benefits for themselves, their family members, their friends, or business interests.

Handling of Personal and Confidential Information

9 (1) Members shall collect, use and disclose personal information in accordance with FIPPA and the policies and guidelines as established by the local government, including:

- (a) the local government's Records Management Policy; and
- (b) the local government's Freedom of Information and Protection of Privacy Bylaw, if applicable.

(2) Members shall keep information and records prohibited from release under section 117 of the *Community Charter* in strict confidence.

(3) Without limiting the generality of subsection (2), Members shall not disclose:

- (a) information or records concerning the property, personnel, legal affairs, or other information of the local government distributed for the purposes of, or considered in, a closed meeting;
 - (b) resolutions or Staff report contents from a closed meeting of the Governing Body unless and until a Governing Body decision has been made for the information to become public; or
 - (c) details on the Governing Body's closed meeting deliberations or how individual Members voted on a question in a closed meeting.
- (4) Members shall not use confidential information to advance, directly or indirectly, their own personal, financial, or other private interests.

Conflict of Interest

- 10** (1) Members shall not participate in discussion of a matter, or vote on a question in respect of that matter, if the Member has a conflict of interest.
- (2) In respect of each matter before the Governing Body or Committee, Members shall:
- (a) assess whether they have a conflict of interest; and
 - (b) determine whether it is necessary to seek independent legal advice at their own cost, except where the CAO approves the cost, with respect to any situation that may result in a conflict of interest.
- (3) If a Member believes that they have a conflict of interest in respect of a matter in a Governing Body or committee meeting, the Member shall:
- (a) prior to the matter's consideration, notify the Mayor or Chair of the meeting that they have a conflict of interest, stating in general terms why they consider that to be the case;
 - (b) leave any meeting if the matter is discussed and not return until the discussion has ended or voting has been concluded;
 - (c) refrain from discussing the matter with any other Member publicly or privately; and
 - (d) refrain from attempting in any way to influence the voting on any question in respect of the matter.

Interactions with Staff, Volunteers, and Other Members

- 11** (1) Members shall:

- (a) direct questions and inquiries regarding departmental issues to the CAO; and
- (b) refrain from contacting Staff directly, unless the communication is minor and for the purpose of seeking administrative clarity.

(2) Members shall not:

- (a) interfere with, hinder or obstruct Staff, Volunteers, or other Members in the exercise or performance of their roles, responsibilities, powers, duties or functions;
- (b) impair the ability of officers or Staff to implement the Governing Body's policy decisions;
- (c) request or require Staff to:
 - i. undertake personal or private work for or on behalf of a Member; or
 - ii. engage in political activities, or subject them to reprisal of any kind for refusing to engage in such activities;
- (d) induce, request encourage, aid, or permit Staff, directly or indirectly, to do something which, if done by the Member, would be a breach of this policy;
- (e) issue instructions to or otherwise communicate with any of the local government's contractors, tenderers, consultants or other service providers unless expressly authorized to do so by the CAO or a resolution of the Governing Body; or
- (f) communicate, except in a meeting, with a tenderer or proponent regarding the subject matter of the procurement.

Conduct of Meetings

12 (1) Members shall conduct themselves with decorum at meetings. This includes:

- (a) complying with all conduct provisions set out in the local government's Procedure Bylaw;
- (b) adequately preparing for meetings;
- (c) using respectful language;
- (d) not using offensive gestures or signs;

- (e) listening courteously and attentively to all discussions before the Governing Body, and focusing on the business at hand;
- (f) not making comments not germane to the business of the Governing Body;
- (g) not interrupting other speakers, except to raise a point of order;
- (h) not leaving the meeting or making any disturbance while a vote is being taken and until a vote is declared; and
- (i) not otherwise interfering with the orderly conduct of a meeting.

Interactions with the Public and Media

- 13** (1) In an effort to promote respect and integrity for the Governing Body's decision-making, Members shall not misrepresent the decisions of the Governing Body or Committee, even if they disagree with the majority decision.
- (2) Members shall refrain from making any disparaging comments about other Members.
- (3) When presenting their individual opinions and positions, Members shall explicitly state that it is their own personal view and that they do not represent the Governing Body, the Committee, or the local government in those views.

Gifts

- 14** (1) Members shall not accept a gift or personal benefit, except in accordance with section 105 of the *Community Charter*.
- (2) Members shall disclose a gift or personal benefit, received in accordance with section 105 of the *Community Charter*, as per section 106 of the *Community Charter*.

Use of Public Resources

- 15** (1) Members shall not use any local government property or assets, or any other public resources such as Staff time, equipment, technology, supplies, facilities or other property, for private gain, personal purposes or election-related purposes.
- (2) Members shall not undertake municipal election campaign related activities at the local government's office or on other premises owned by the local government during regular working hours, unless such activities are organized by the local government.
- (3) A Member shall not participate in any local government events requiring them to perform official ceremonial duties during the Campaign Period, unless authorized by a resolution of the Governing Body.

(4) During the Campaign Period, a Member shall not:

- (a) deliver local government funded campaign materials;
- (b) conduct open houses funded by the local government;
- (c) distribute mass e-mails from the Member's local government email address, unless the communication arises from an emergency or the communication is authorized by the CAO; or
- (d) use devices issued by the local government for campaign-related purposes.

PART TWO – INVESTIGATION, COMPLIANCE & ENFORCEMENT

Division 1 – Implementation and Preliminary Steps

Implementation

16 (1) As an expression of the standards of conduct for Members, this policy is intended to be self-enforcing.

(2) This policy becomes most effective when Members are thoroughly familiar with it and embrace its provisions. For this reason, this policy shall be provided as information to candidates for a Governing Body or Committee.

Preliminary Steps – Informal Resolution Process for Members¹

17 (1) If a Member believes that they have observed another Member engaging in conduct that would breach this policy, they must attempt to resolve the complaint directly with the other individual prior to submitting a complaint under section 18.¹

(2) If unsuccessful, the Complainant must provide a written statement to the Corporate Officer, including any written materials showing that an attempt was made to resolve the complaint with the Respondent, and the results thereof, in conjunction with submitting a complaint.¹

Division 2 – Complaint Intake

Complaint Procedure

18 (1) Subject to section 17, a Member, Staff member or Volunteer may submit a complaint to the Corporate Officer, who will forward the complaint to the Solicitor and copy the CAO. The Corporate Officer will not act in a mediator role.¹

(2) A complaint must be in writing, must be submitted within 60 days of the alleged breach, and must include, with sufficient detail:

- (a) the name of the complainant;
 - (b) the name of the respondent Member(s);
 - (c) the conduct that the complainant alleges was in breach of the Code;
 - (d) the date of the alleged conduct;
 - (e) the parts of the Code the alleged conduct breached;
 - (f) the basis for the complainant's knowledge of the conduct; and
 - (g) if a complaint is submitted by a Member, whether the Member attempted to resolve the complaint informally under section 17.
- (3) A complaint may be accepted notwithstanding that it does not comply with all of the requirements of subsection (2), if the Solicitor determines that there has been substantial compliance or if the circumstances otherwise warrant acceptance.¹
- (4) Notwithstanding subsection (3), a complaint submitted outside the time limits set out in subsection (2) must be rejected, except that the Solicitor may grant an extension of no more than 30 further days if the circumstances of the complaint are sufficiently serious.¹
- (5) In a local government election year, complaints submitted from the first day of the nomination period to the general voting day must be accepted and held in abeyance until after the new Governing Body has taken office. At that time, complaints shall only proceed if they relate to a Member who was re-elected in that election year. For certainty, if the Member who is the subject of the complaint is not re-elected, the complaint must be rejected.¹

Preliminary Assessment

- 19** (1) On receipt of a complaint from the Corporate Officer, the Solicitor shall conduct a preliminary assessment. If the Solicitor determines that any of the following circumstances apply, they must notify the complainant and respondent Member in writing that the complaint will be closed, stating the reasons for the closure:¹
- (a) the complaint is not with respect to a breach of this policy;
 - (b) the complaint is frivolous, vexatious, or not made in good faith;

- (c) the complaint would be more appropriately addressed through another process;
 - (d) the complaint was not in compliance with section 18, and the respondent Member will be prejudiced by the complainant's failure to comply;
 - (e) the complaint concerns the same subject matter as a previous complaint that has already been accepted under this section, and it is not necessary to expand that original complaint or add the new complainant;
 - (f) the complainant wishes to withdraw the complaint, and it would be appropriate to allow the complaint to be withdrawn;
 - (g) the complaint was submitted by a Member, and the Member ought to have first attempted to resolve the complaint informally under section 17; or
 - (h) there are no possible grounds on which to conclude that a violation of this policy has occurred.
- (2) In completing the preliminary assessment, the Solicitor may request further information from the complainant before determining whether there are sufficient grounds to believe that a breach of this policy may have occurred.¹
- (3) Once a complaint is accepted under subsection (1), the Solicitor must then determine whether the complaint requires a formal investigation or whether the complaint may be resolved informally.¹
- (4) If the Solicitor receives multiple complaints concerning the same matter, the Solicitor must proceed with the first complaint accepted, but may expand the complaint and/or add complainants for the purpose of seeking resolution of the complaint.

Criminal Conduct

- 20** (1) If, at any stage in the complaint procedure, the Solicitor determines that there are reasonable grounds to believe that there has been a contravention of the *Criminal Code*, or learns that there is an ongoing police investigation into the conduct that gave rise to the complaint, then they must immediately refer the matter to the appropriate authorities and suspend any investigation into the complaint until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to the Governing Body, the complainant, and the respondent Member.¹
- (2) For certainty, a complaint must be suspended while the respondent is on a mandatory leave of absence under section 109.3(1) of the *Community Charter*, and may be re-

commenced only once the mandatory leave of absence ends pursuant to section 109.3(1)(b) of the *Community Charter*.

Disqualification Proceedings

21 (1) If, at any stage in the complaint procedure, the Solicitor determines that:¹

- (a) the subject-matter of the complaint is being addressed in a disqualification proceeding commenced under section 111 of the *Community Charter*; or
- (b) the complainant could commence a disqualification proceeding under section 111 of the *Community Charter* in relation to the matter that is the subject of the complaint

the complaint must immediately be suspended until the proceeding under subsection (a) has concluded or the time-period within which the complainant could commence a proceeding under subsection (b) has expired.

(2) The Solicitor that has suspended a complaint under subsection (1) may, if¹

- (a) the Member who is subject to the complaint has not been disqualified from office by the British Columbia Supreme Court; and
- (b) it would be in the public interest to do so,

re-commence the complaint upon the conclusion of a disqualification proceeding or the time-period within which a disqualification proceeding could be filed has expired.

Division 3 – Formal Resolution Procedures & Investigations¹

Facilitated Resolution Process¹

22 (1) Where the Solicitor has determined that the complaint may be resolved informally, the Solicitor may, at their discretion, either attempt to resolve the complaint directly, or refer the complaint to:

- (a) the Mayor or Chair, if the complaint is made by a Member, unless the complaint is against the Mayor or Chair in which case the complaint will be referred to the Acting Mayor or Acting Chair; or
- (b) the CAO, if the complaint is made by a Staff member.

(2) Where the Solicitor has referred the complaint in subsection (1), the Mayor, Chair, or CAO, as the case may be, may agree to assist in resolving the complaint directly, or may appoint a third party to assist in resolving the complaint at their discretion.¹

- (3) When determining whether the complaint may be resolved informally, the Solicitor may consider culturally appropriate or transformative or restorative justice approaches, and may engage a third-party mediator or facilitator to assist for this purpose.
- (4) The person assisting in the informal resolution of a complaint shall assess the suitability for settlement or resolution on an ongoing basis and may decline to assist at any point.
- (5) The complainant or respondent Member may decline to participate in an informal resolution at any time.
- (6) If the complaint is resolved informally by someone other than the Solicitor, the person assisting in resolving the complaint must notify the Solicitor in writing of the terms of the resolution, upon receipt of which, the Solicitor must close the complaint.
- (7) If the person assisting in the informal resolution of a complaint declines to assist, the complainant or respondent Member declines to participate, or 30 days has passed since the determination in section 19(3) was made by the Solicitor to resolve the complaint informally, then the complaint shall be referred in accordance with section 23.

Formal Investigation¹

- 23** (1) If the Solicitor determines that the complaint requires a formal investigation under section 19(3), or in the event that informal resolution is unsuccessful, they shall proceed to a formal investigation and notify the Complainant and Respondent of the formal investigation.¹
- (2) The Solicitor shall, at all times during an investigation, have all of the same powers to dismiss a complaint on a preliminary basis as set out in section 19.
- (3) A Solicitor, once retained, may only be dismissed for cause.

Formal Resolution

- 24** (1) Once retained, the Solicitor shall deliver the complaint to the respondent Member, along with a request that the respondent provide a written response to the complaint, together with any submissions that the respondent chooses to make, within 10 days, subject to the Solicitor's discretion to reasonably extend the timeline.
- (2) The Solicitor may, at their discretion, deliver the respondent Member's written response and submissions to the complainant and request a reply in writing within 10 days, subject to the Solicitor's discretion to reasonably extend the timeline.
- (3) The Solicitor may:
- (a) speak to anyone relevant to the complaint;

- (b) request disclosure of documents relevant to the complaint, including closed meeting minutes; and
 - (c) access any record in the custody or control of the local government, within the meaning of FIPPA, with the exception of records subject to solicitor-client privilege.
- (4) The Solicitor has discretion to conduct the investigation as they see fit, but must ensure that the investigation complies with the rules of procedural fairness and natural justice required in the circumstances of the complaint.

Confidentiality

- 25** (1) The Solicitor must make all reasonable efforts to process and investigate complaints in a confidential manner.¹
- (2) The Solicitor and every person acting under the Solicitor's instructions must preserve confidentiality with respect to all matters that come into the Solicitor's knowledge in the course of any investigation or complaint, except as otherwise required by law.
- (3) Members must make all reasonable efforts to keep complaints under this policy, at any stage, confidential, except as otherwise provided in this policy.
- (4) The number of written complaints submitted to the Corporate Officer may be reported out by the Governing Body.¹

Adjudication and Reporting

- 26** (1) The Solicitor must conclude the investigation and make a determination regarding the alleged breach within 90 days of referral under section 23, unless the Solicitor determines that doing so is not practicable, in which case the Solicitor must notify the complainant and respondent Member of the delay and provide a revised decision date. The revised decision date may be extended by periods of up to 30 days at a time on provision of written notice to the complainant and respondent Member.
- (2) If, after reviewing all the material information, the Solicitor determines that the Member did not violate this Policy, then the Solicitor shall:
- (a) prepare a written investigation report providing reasons for their determination, which shall include a determination of whether the complaint was submitted frivolously, vexatiously, or in bad faith;
 - (b) deliver a summary of the investigation report to the complainant; and

- (c) deliver a copy of the investigation report to the respondent Member and to the Governing Body.
- (3) If, after reviewing all the material information, the Solicitor determines that the Member did violate this Policy, then the Solicitor shall:
- (a) prepare a written investigation report providing reasons for their determination, which must include:
 - i. a summary of the factual findings of the Solicitor;
 - ii. an application of this policy, and any other applicable law, to the facts;
 - iii. a recommendation of the appropriate sanction, subject to subsection (iv); and
 - iv. if applicable, a determination of whether the respondent Member took all reasonable steps to avoid the breach or whether the breach was trivial, inadvertent, or due to an error in judgment made in good faith, in which case the Solicitor may recommend that no sanction be imposed;
 - (b) notify the complainant that the investigation is complete and inform them that the investigation report, or a summary thereof, will be subsequently released by the Governing Body in accordance with section 28(4);
 - (c) deliver a copy of the investigation report to the respondent Member; and
 - (d) 48 hours after the delivery of the investigation report to the respondent Member, deliver a copy of the investigation report to the Governing Body.
- (4) The Solicitor may choose to distribute the investigation report to the Governing Body under this section through the Corporate Officer.

Obstruction

- 27** (1) No Member, Staff member or Volunteer shall interfere with or otherwise obstruct the Solicitor in relation to the administration of this policy or the investigation of a complaint. Without limitation, the following shall constitute obstruction:¹
- (a) uttering of threats or reprisal against any person involved in the complaint;
 - (b) destruction of relevant records or documents; and
 - (c) refusal to cooperate with the Solicitor.

- (2) A person who is found to have obstructed the Solicitor will be subject to appropriate disciplinary action, which may include, but is not limited to:¹
- (a) sanctions and remedies described in section 29;
 - (b) termination of employment for just cause; or
 - (c) prohibition against filing a complaint under this policy for a specified and reasonable period of time.

Division 4 – Governing Body Decision

Final Determination

- 28** (1) The Governing Body must, within 30 days of the Solicitor’s delivery of the investigation report, or a longer period if approved by a 2/3 vote of the Governing Body, decide on the appropriate measures, if any, that are warranted by a breach of this policy.
- (2) Prior to making any decision regarding the findings and recommendations set out in the investigation report, the respondent Member must be provided with an opportunity, in person and in writing, to comment to the Governing Body on the Solicitor’s determinations and recommendations.
- (3) An investigation report will be considered in an open meeting unless there is a valid reason to close the meeting under section 90 of the *Community Charter*.¹
- (4) Within 30 days of receiving the investigation report under section 26, the Governing Body must, subject to the local government’s obligations under FIPPA, release to the public the investigation report, or a summary thereof, along with a summary of the Governing Body’s decision if applicable.

Remedies

- 29** (1) Remedies that may be imposed by the Governing Body for a violation of this policy include the following:
- (a) a letter of reprimand from the Governing Body, addressed to the respondent Member;
 - (b) a request from the Governing Body that the respondent Member issue a letter of apology;
 - (c) the publication of the letters contemplated in subsections (a) and (b), along with the respondent Member’s response, if any;

- (d) directions to the CAO regarding the method of providing documents that contain confidential information to the respondent Member;
- (e) a recommendation that the respondent Member:
 - i. attend specific training or counselling;
 - ii. complete a specified number of volunteer hours; or
 - iii. make a charitable donation of a specified or unspecified amount to a particular charity;
- (f) limitations on access to certain local government facilities;
- (g) prohibition from representing the local government at events and/or attending conferences;
- (h) suspension or removal of the respondent Member from the Acting Mayor or Acting Chair rotation;
- (i) public censure of the respondent Member;
- (j) removal of the Member's appointment to the committee; or
- (k) any other sanction recommended by the Solicitor, so long as that sanction is within the authority of the Governing Body.

(2) The Governing Body must consider the following factors when determining whether to impose a sanction on a Member:

- (a) the degree and nature of the conduct;
- (b) whether the contravention was a single or repeated act;
- (c) whether the Member knowingly contravened this policy;
- (d) whether the Member took steps to mitigate or remedy the contravention;
- (e) the Member's history of other contraventions; and
- (f) if applicable, the Solicitor's finding that the respondent Member took all reasonable steps to avoid the breach, or that the breach was trivial or done inadvertently or because of an error in judgment.

Division 5 – Post- Decision Matters

Remuneration

30 (1) Where the Solicitor finds that a Member:

(a) breached this policy; or

(b) submitted a complaint that was frivolous, vexatious, or made in bad faith,

the remuneration to which that Member would otherwise have been entitled shall be reduced in accordance with the local government's remuneration bylaw or policy, as amended from time to time.

(2) Notwithstanding subsection (1), the remuneration of a Member shall not be reduced if the Solicitor makes a finding that:

(a) the Member took all reasonable steps to prevent the breach;

(b) the breach was trivial or inadvertent; or

(c) the breach was because of an error in judgment made in good faith.

Reimbursement of Costs

31 (1) A Member may make a request to the Governing Body for reimbursement of the costs of legal advice and representation in responding to the formal complaint process outlined in this policy. If appropriate, after considering all of the circumstances, the Governing Body may resolve to reimburse legal fees reasonably incurred by a Member, provided that all of the following are met:

(a) the Member has not previously been found to have breached this policy; and

(b) the amount claimed does not exceed \$10,000.

Frivolous and Vexatious Complaints

32 (1) Any individual covered by this policy who makes a complaint that is subsequently found to have been made in a deliberately frivolous, vexatious or malicious manner, or otherwise made in bad faith, will be subject to appropriate disciplinary action, which may include, but is not limited to:

(a) in the case of Members, sanctions and remedies as described in this policy;

(b) in the case of Staff, disciplinary action or termination of employment for just cause, as applicable; and

(c) in the case of any complainant, prohibition from filing complaints under this policy for a specified period of time.

Elected Official Code of Conduct Complaint Form¹

To be completed by a Member, Staff or Volunteer and submitted to the Corporate Officer within 60 days of the alleged breach.

1. Name of Complainant: _____
2. Contact information for Complainant: _____

3. Name of Respondent: _____
4. Contact information for Respondent: _____

5. Date of the alleged conduct: _____
6. Conduct that the Complainant alleges was in breach of the Code:

7. Parts of the Code the alleged conduct breached: _____
8. The basis for the Complainant's knowledge of the conduct:

9. If this form is submitted by a Member, include written evidence that an attempt was made and when to resolve the issue directly with the Respondent: Attached Y/N

**This information is being collected by the Governing Body under the *Freedom of Information and Protection of Privacy Act*. Your personal information will be collected for the purpose of investigating an alleged breach of the Code of Conduct. The form is confidential and will only be shared in accordance with the Elected Official Code of Conduct Policy. The Governing Body may report out the number of complaints forms received. If you have any questions about the collection of this personal information, please contact the Corporate Officer.