

PROVINCE OF QUÉBEC
CITY OF POINTE-CLAIRE

BY-LAW NUMBER PC-3000

BY-LAW RESPECTING THE ADOPTION OF A
CODE OF ETHICS AND GOOD CONDUCT OF
THE ELECTED OFFICERS OF THE CITY OF
POINTE-CLAIRE

In force on March 13, 2026

AT THE REGULAR SITTING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE, HELD AT CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUÉBEC, ON TUESDAY, MARCH 10, 2026, AT 7:00 P.M.

PRESENT: Councillor Claudine Demers, Councillor Ludovic Matthews, Councillor Kelly Thorstad-Cullen, Councillor Andrew Swidzinski, Councillor Cynthia Homan, Councillor Bruno Tremblay, Councillor Eric Stork, as well as Councillor Mike Potvin, chaired by Mayor John Belvedere forming quorum of council.

AMONGST OTHER BUSINESS TRANSACTED AT SAID SITTING, WAS THE FOLLOWING:

BY-LAW NUMBER: PC-3000

RESOLUTION NUMBER: 2026-111

PROPOSED BY COUNCILLOR STORK

SECONDED BY COUNCILLOR MATTHEWS

AND UNANIMOUSLY RESOLVED:

WHEREAS the formalities contemplated by the *Municipal Ethics and Good Conduct Act* have been duly complied with; and

WHEREAS notice of motion was given and a draft by-law was presented at the regular municipal council sitting held on February 3, 2026.

SECTION 1: TITLE

The title of the present code is: Code of Ethics and Good Conduct of the elected officers of the City of Pointe-Claire.

SECTION 2: SCOPE

The present Code applies to every member of council of the City of Pointe-Claire.

SECTION 3: PURPOSE OF THIS CODE

The purpose of this Code is to:

- 1) Prioritize the values that guide the decisions of members of municipal council and contribute to a better understanding of the municipality's values.
- 2) Establish standards of conduct that promote the integration of these values into the decision-making process of elected officers and, more generally, into their conduct in this capacity.
- 3) Prevent ethical conflicts and, if they arise, help resolve them effectively and judiciously.
- 4) Ensure that control measures are applied in the event of breach of conduct.

SECTION 4: STATEMENT REGARDING ETHICAL VALUES

The following values serve as a guide for decision-making and, in general, for the conduct of the members of municipal council in their capacity as elected officers, particularly when situations arise that are not explicitly provided for in this Code or by the municipality's various policies.

1) Integrity

All members of council recognize and value integrity, ethics and transparency as essential conditions for maintaining the bond of trust between the population and its elected officers.

2) Prudence in the pursuit of the public interest

All members of council assume their responsibilities in relation to their public interest mission. In fulfilling this mission, they act with professionalism, vigilance, and discernment.

3) Respect and civility toward other members of council, municipal employees and citizens

Mutual respect and civility are the foundation of every elected officer's interactions with colleagues, citizens, employees and partners of the City. Any form of harassment is prohibited.

4) Loyalty towards the municipality

Members of council perform their duties and look after the interests of the City with loyalty.

5) Pursuit of fairness

All members of council treat everyone fairly and, to the extent possible, interpret laws and regulations in keeping with their spirit.

6) Honour inherent to the role of member of council

All members of council shall uphold the honour inherent to their role, which presupposes the consistent practice of the values set forth in this Code.

7) Pursuit of excellence

The City of Pointe-Claire defines an inspiring vision and mobilizes all its resources to achieve its mission. It strives for excellence by setting high standards and seeking continuous improvement in both its processes and the services it offers to citizens, thereby establishing itself as a leader. Responsible resource management, efficiency and effectiveness, competence, creativity and innovation are necessary to meet the standards of excellence that citizens expect.

8) Quality of service

Placing citizens at the heart of its priorities, the City of Pointe-Claire tailors its services and activities to their needs and expectations, while respecting the principles of fairness and legitimacy.

SECTION 5: RULES OF CONDUCT

5.1 Scope

The rules set out in this section shall guide the conduct of an elected officer as a member of the council or a committee:

- a) Of the City of Pointe-Claire, or
- b) Of any other body when sitting in their capacity as a member of municipal council.

5.2 Purpose

The objectives of these rules are, in particular, to prevent and prohibit:

- 1) Any situation where the personal interest of a member of council may influence their independent judgment in the performance of their duties.
- 2) Favouritism, embezzlement, breach of trust, or other misconduct.

5.3 Conflict of interest

5.3.1 No member of council shall act, attempt to act, or fail to act in such a way as to promote, in the performance of his or her duties, his or her personal interests or, in an abusive manner, those of any other person.

5.3.2 No member of council shall use his or her position to influence or attempt to influence another person's decision in order to promote his or her personal interest or, in an abusive manner, those of any other person.

A member shall not be deemed to be in contravention of this section where he or she benefits from the exceptions provided for in the fifth and sixth paragraphs of subsection 5.3.8.

5.3.3 No member of council may contravene to Sections 304 and 361 of the *Act respecting elections and referendums in municipalities (chapter E-2.2)*.

5.3.4 No member of council may solicit, induce, accept, or receive, for himself or herself or for another person, any advantage whatsoever in exchange for taking a position on a matter that may be brought before a council or a committee on which the member of council sits.

5.3.5 No member of council shall accept any gift, mark of hospitality or other benefit, regardless of 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 or that may compromise their integrity.

5.3.6 Any gift, mark of hospitality or other benefit received by a member of council that is not purely private in nature or provided for in subsection 5.3.5 must, when its value exceeds \$200, be disclosed in writing by that member to the City Clerk within thirty days of receipt. This disclosure statement must contain an accurate description of the gift, mark of hospitality or benefit received, and specify the name of the donor, as well as the date and circumstances of its receipt. The City Clerk shall keep a public register of these disclosure statements.

5.3.7 A member of council must not knowingly have a direct or indirect interest in a contract with the municipality, or a body referred to in section 5.1.

A member is deemed not to have such an interest in the cases referred to in section 305 of the *Act respecting elections and referendums in municipalities (chapter E-2.2)*.

5.3.8 A member of council who is present at a sitting when a matter in which he or she has a direct or indirect pecuniary interest is to be considered must disclose the general nature of that interest before deliberations on the matter begin and must abstain from participating in those deliberations and from voting or attempting to influence the vote on that matter.

The first paragraph also applies to a sitting of any council or committee of the municipality or of a municipal body of which the member of council is a member.

In the event where the sitting is not public, the member must, in addition to obligations imposed by the first paragraph, leave the sitting after disclosing the general nature of his or her interest, for the entire duration of the deliberations and voting on the matter.

Where the matter is considered at a sitting at which the member is not present, the member must disclose the general nature of his or her interest at the first sitting at which he or she is present after becoming aware of the fact.

This subsection does not apply in cases where the member of council's interest consists of remunerations, allowances, reimbursement of expenses, social benefits or other terms and conditions of employment attached to his or her duties within the municipality or municipal body.

Nor does it apply where the interest is so minimal that the member cannot reasonably be influenced by it.

5.3.9 No member of council may announce, at a political fundraising event, the completion of a project, the conclusion of a contract, or the awarding of a grant by the municipality, unless a final decision on the matter, contract or grant has already been made by the competent authority of the municipality.

5.4 Use of municipal resources

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

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

5.5 Use or disclosure of confidential information

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

5.6 After term of office

Within twelve (12) months after the expiry of his or her term, a member of council is prohibited from serving as a director or officer or senior executive of a legal person or hold employment or any other position so as to obtain for himself or herself or another person undue benefit from his or her prior office as council member.

5.7 Breach of trust and embezzlement

Members of council are prohibited from misappropriating municipal property for their own use or for the use of a third party.

5.8 Respect and dignity

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

5.8.2 No member of council shall engage in conduct that undermines the honour and dignity of the office of elected officer.

5.8.3 Interference

A member of the municipal council may not interfere in the day-to-day administration of the municipality. Interference includes giving instructions to municipal employees other than during a decision-making process in a public meeting of the municipal council based on a directive from city management or communicating with municipal employees to obtain information that is not generally available to the public other than through a procedure established by the municipality.

It is understood that a member of council who is a member of a committee formed by the municipal council, or who is mandated by the municipal council to represent the municipality in a particular matter, may nevertheless be required to collaborate with city management and municipal employees. Such collaboration is limited to the mandate assigned to the member by the municipal council.

Under no circumstances may this section be applied or interpreted in such a way as to limit the mayor's right of supervision, investigation, and control vested in him by law.

SECTION 6: ENFORCEMENT

6.1 Any violation of a rule or rules of this Code by a member of the municipal council may result in the imposition of the following sanctions by the *Commission municipale du Québec*:

- 1) A reprimand;
- 2) The participation in a professional development program on municipal ethics and good conduct, at the council member's expense, within the time prescribed by the *Commission municipale du Québec*;
- 3) The delivery to the municipality, within 30 days after the decision of the *Commission municipale du Québec*:
 - a) of any, or the value of any, gift or hospitality or benefit received; or
 - b) of any profit made in violation of a rule set out in this Code;
- 4) The reimbursement of the remuneration, allowances or other sums received as member of council, committee or commission of the municipality or member of a body set forth in section 5.1, for the period determined by the *Commission*;
- 5) a penalty not exceeding \$4,000, to be paid to the municipality;
- 6) The suspension of the council member for a period of up to 90 days; such a suspension may continue after the expiry of the member's term if he or she is re-elected in an election during the suspension and the latter has not expired on the day the member's new term begins.

When suspended, a member of council may not perform any duty related to the office of mayor or councillor and, in particular, may not sit on any council, committee or commission of the municipality or on any other body in his or her capacity as council member, nor may the council member receive any remuneration, allowance or other sum from the municipality or such a body.

6.2 Where the sanction consists in undergoing a professional development program on ethics and good conduct, the council member must, within 30 days after participating in such a program, report his or her participation to the Commission and to the City Clerk of the municipality, who in turn reports it to the council.

The Commission may suspend a member of council who, without a serious reason, failed to participate in the program within the prescribed time. Subparagraph 4 of the first paragraph and the second paragraph of section 31 of the *Municipal Ethics and Good Conduct Act* apply to such a suspension, except that its duration is indeterminate and ends only following a decision of the Commission stating that the council member has participated in the program.

ARTICLE 7: REPEAL OF THE PREVIOUS CODE

The present by-law shall replace and repeal, for all legal purposes, By-law PC-2935 of the City of Pointe-Claire as well as any and all its amendments.

ARTICLE 8: COMING INTO FORCE

This by-law shall come into force in accordance with the law.

(S) John Belvedere

John Belvedere, Mayor

(S) Caroline Thibault

Caroline Thibault, City Clerk