



THE MUNICIPALITY OF
CHESTER

Office of the Warden
The Municipality of Chester
151 King St, PO Box 369
Chester, NS B0J 1J0

Phone: (902) 275-3554
Fax: (902) 275-4771
www.chester.ca

f /ChesterMunicipality
t @chestermun

January 17, 2024

Minister John Lohr
Department of Municipal Affairs and Housing
14th Floor North, Maritime Centre
1505 Barrington Street
P.O. Box 216
Halifax NS B3J 2M4

Dear Minister Lohr:

On behalf of the Municipality of the District of Chester, I am writing to seek further clarification regarding Clause 14(2) of the Model Code of Conduct for Municipalities, which states:

A Council member must not give special consideration, treatment or advantage to an organization or group due to the Council member, or person closely connected to the Council member, being involved with the organization or group.

This clause raises questions regarding the permissible extent of involvement or membership that Council members may have with local organizations or groups, as well as the practical implications for their role in municipal decision-making.

Based on our current understanding a Council member must declare a conflict of interest and recuse themselves from deliberation and decision-making if they are involved with or a member of an organization or group that could benefit from Council decisions. Alternatively, they could choose to refrain from involvement or membership with such organizations or groups altogether to avoid potential conflicts of interest.

While we have adopted the Code of Conduct as required by the legislation, our concerns with the implication of this clause remain. We feel it is imperative that we express our objection to the restriction. The implications of this requirement are significant, particularly in small communities where Council members often play vital roles in local organizations, whether as volunteers or active members. These connections are often integral to maintaining close ties with the community and supporting its growth and development. The perceived restriction on membership or involvement with local organizations could discourage Council members from maintaining valuable community connections.

Additionally, we strongly disagree with the notion that Council members should be unable to participate in discussions related to community groups to which they belong. These discussions are often critical in representing community interests and ensuring informed

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decision-making. Excluding Council members from such discussions could inadvertently limit their ability to fulfill their duties effectively and to advocate for the needs of their communities.

The requirement to declare a conflict of interest and recuse oneself from deliberations was seen as potentially limiting elected officials' ability to represent community interests effectively.

While the principles of transparency, fairness, and avoiding improper influence are essential, we respectfully request further clarification on the definition of "involvement" and the scope of recusal required under the clause to ensure proper interpretation and application of Clause 14(2).

We appreciate the province's commitment to ensuring accountability and integrity among elected officials and fully support the principles underlying the Code of Conduct. However, greater clarity on this clause will help ensure its consistent application and prevent unintended barriers to community engagement by elected officials.

We kindly request your response at your earliest convenience.

Thank you for your attention to this matter. We look forward to your guidance and further clarification.

Sincerely,



Allen Webber
Warden

CC NS Municipal Units (via email)
MLA Danielle Barkhouse