

BYLAW NO. 821/10
Disclosure Bylaw
of the

TOWN OF BASSANO
in the Province of Alberta

Town of Bassano Council enacts:

PURPOSE

1. The purpose of this Bylaw is to encourage open government by allowing for public review of Campaign Contributions and Campaign Expenses of all Candidates for the office of the Councillor in the Town of Bassano and for the disclosure of Gifts and other information by Councillors.

DEFINITIONS

2. In this Bylaw:

“Campaign Contribution” means any money, real property, or service (from someone other than the Candidate) that is provided to or for the benefit of a Candidate or the Candidate’s election campaign without fair market value compensation from that Candidate, but does not include any voluntary service performed by an individual for a Candidate, provided no compensation is made for that service from any source;

“Campaign Expense” means any expense over the amount of \$50 incurred by or on behalf of the Candidate in respect of the Candidate’s election campaign;

“Candidate” means a person who runs for election as a Councillor pursuant to the Local Authorities Election Act or any replacement legislation, and whose nomination is filed with the Returning Officer, but does not include any person who is subsequently found to be ineligible as a Candidate;

“Councillor” means a member of Town Council, including the Mayor and any individual who was a member of Town Council for any portion of the year preceding an election;

- “Disclosure Statement”** means the Councillor’s statement under section 5 of this Bylaw;
- “Election Statement”** means the Candidate’s statement under section 3 of this Bylaw;
- “Family”** means the Councillor’s Partner, children, parents, and the Partner’s parents and children;
- “Gift”** means a payment, advance, forbearance, or deposit of money, or any thing of value received, unless something of equal or greater value is received by the donor, but does not include:
- (a) a Campaign Contribution otherwise reported as required by this Bylaw;
 - (b) gifts provided to Councillors by the Town;
 - (c) food, beverages, mementoes or gifts, or other benefits which are provided to a Councillor as suitable incidents of protocol, including but not limited to:
 - (i) those received as a result of performing his or her duties as Council’s appointee to any body or from a body to which Council appoints any of its members;
 - (ii) those received at a function honouring the Councillor or which the Councillor attends in his or her capacity either as a Councillor or as Council’s appointee to any body;
 - (iii) those provided by federal, provincial, local governments, or subdivisions thereof, or by a provincial or national municipal association, or by a foreign government within a foreign country;
 - (d) services provided without compensation by individuals volunteering their time;



- (e) a gift from a Councillor's Family member, relative, fiancée, or personal friend and which is not given or received in the capacity of Councillor;
- (f) an inheritance;
- (g) communications to the offices of a Councillor including subscriptions to newspapers and periodicals; or
- (h) passes or tickets for parking, or for entertainment or sporting events.

"Honorarium"

means a gratuitous or voluntary payment for services rendered by a Councillor, for which services no remuneration could be demanded or collected at law.

"Partner"

means a legal spouse and includes a party to a relationship between two people who are living together on a bona fide domestic basis, but does not include a spouse who is living apart from the other spouse if the spouses have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.

"Statement"

means any statement required by this Bylaw, including Election Statements, Disclosure Statements, Surplus Statements and any information that section 6 requires about changes to any other Statement.

"Surplus Statement"

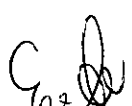
means a Statement under section 4 of this Bylaw.

"Town"

means the Town of Bassano;

"Trust Account"

means a deposit account (at a bank, treasury branch, credit union or trust corporation) which is only used for the deposit of money under section 4 and interest paid on that money.



ELECTION STATEMENTS

3. (1) On or before 4:30 p.m. on the last working day in January following a general municipal election (or on the 100th day following a by-election) each Candidate for that election must file with the Chief Administrative Officer an Election Statement in the form shown in Schedule "A" containing the following information:
 - (a) a list of all Campaign Contributions, as follows:
 - (i) an itemized list of all contributions in an amount or value exceeding \$100.00;
 - (ii) an itemized list of all contributions from the same contributor which in the aggregate exceed the amount or value of \$100.00 and the name and address of the contributor;
 - (iii) an itemized list of each anonymous contribution received which exceeds the amount or value of \$100.00; and
 - (iv) a total of all Campaign Contributions made individually in the amount of \$100.00 or less.
 - (b) an itemized list of all Campaign Expenses as required by Schedule "A", except any Campaign Contributions or Campaign Expenses that were listed on any previously filed Election Statement.
- (2) On or before 4:30 p.m. on the first working day of December in the election year for which the contribution was made, all anonymous contributions received by the Candidate which individually exceed the amount or value of \$100.00:
 - (a) if the Candidate can establish the contributor's identity, must be returned by the Candidate to the contributor, or
 - b) if the candidate cannot establish the contributor's identity, must be paid to the Town of Bassano and delivered to the Chief Administrative Officer for deposit into the Town's General Revenue Fund.



TRUST ACCOUNTS

4. Any surplus of total campaign contributions (including contributions in the amount of \$100.00 or less) over Campaign Expenses must be held in a Trust Account to be spent for the Candidate's expenses in a future Town by-election or general municipal election. If the Candidate does not use the surplus for election expenses before the next general municipal election:
 - (a) within sixty days after that election the Candidate must pay the amount held in the Trust Account to a registered Canadian charitable organization as defined in the Income Tax Act (Canada); and
 - (b) on or before 4:30 p.m. on the last working day in January following the general municipal election (or on the 100th day following a by-election), the Candidate must file a Surplus Statement with the Chief Administrative Officer indicating the date, amount and recipient or recipients of the surplus.

DISCLOSURE STATEMENTS

5. On or before 4:30 p.m. on the last working day of January in each year, each Councillor must file with the Chief Administrative Officer a completed Disclosure Statement in the form shown in Schedule B containing the following information:
 - (a) the name of each member of the Councillor's Family;
 - (b) any corporation, partnership, firm, government, organization, club, service or person in respect of which the Councillor has a pecuniary interest as referred to in section 170 of the Municipal Government Act;
 - (c) a list of each Honorarium and Gift received by the Councillor in the preceding calendar year (if the Councillor's term was shorter, for the Councillor's entire term), including its fair market value and the contributor's name, but excluding:
 - (i) Gifts or Honoraria which individually or which in the aggregate from the same contributor, have an amount or value of \$100.00 or less; and
 - (ii) any Honorarium provided by reason of being appointed by Council as its representative to any body, or provided by federal, provincial



or local governments, or subdivisions thereof, or by a provincial or national municipal association, or by a foreign government, and

- (iii) any Honorarium received from an entity described in section 5(b), if the entity is disclosed by the Councillor under that section;
- (d) the legal description of all land within or immediately adjacent to Town boundaries in which the Councillor or a member of the Councillor's Family have a direct or indirect interest; and
- (e) all contracts involving the Town to which the Councillor, or a member of the Councillor's Family, is a party, including contracts in which the Councillor may be indirectly involved as a result of a partnership or other interest in any business or corporation, or as an agent for any corporation, partnership or person.

AMENDMENTS TO STATEMENTS

- 6. When there is any change in, or addition to, the information to be provided by the Candidate or Councillor under sections 3 or 5, the Candidate or Councillor must inform the Chief Administrative Officer in writing of the change or addition in a form acceptable to the Chief Administrative Officer, identifying the changes from the Statement filed, no later than 4:30 p.m. 30 days after the change or addition occurred.

CHIEF ADMINISTRATIVE OFFICER'S DUTIES

- 7. (1) Within 30 days after expiry of the time for filing Disclosure Statements and Election Statements the Chief Administrative Officer must prepare and submit a report to Town Council indicating:
 - (a) the Election Statements and Disclosure Statements that have been filed,
 - (b) whether any supplementary statements (Surplus Statements or statements of changes or additions) have been filed, and
 - (c) the name of any person who failed to file Election Statements and Disclosure Statements as required by this Bylaw.



- (2) The Chief Administrative Officer must keep a register of all Election Statements and Disclosure Statements filed, including notification of alterations or additions received, for 10 years after the date of filing.

PUBLIC DOCUMENTS

8. The Disclosure Statements, Election Statements, Surplus Statements and the report made by the Chief Administrative Officer become public documents only after the report has been submitted to Council.

PENALTIES

9. Any Candidate or Councillor who contravenes a provision of this Bylaw is guilty of an offence and must forfeit and pay a penalty as set out in Schedule "C" of this Bylaw. Each week or part of a week that a Statement remains unfiled after it is due is a separate offence.

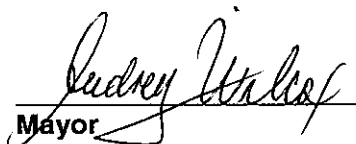
MISCELLANEOUS

10. (1) Nothing in this Bylaw relieves a Councillor from observing the provisions of the Municipal Government Act relating to the disclosure of pecuniary interest.
- (2) If a deadline for filing a Statement under this Bylaw occurs on a Saturday, Sunday or a Town holiday then the deadline will be the next Town's working day.

Read a first time this 26th day of July, 2010.

Read a second time this 26th day of July, 2010.

Read a third time and finally passed this 26th day of July, 2010.


Mayor


C.A.O.

SCHEDULE A - ELECTION STATEMENT DECLARATION FORM

Office: Mayor _____
 Councillor _____

Candidate's Name Printed _____

SUMMARY OF CAMPAIGN CONTRIBUTIONS

*1. Contributions exceeding \$100.00 (see Attachment)	\$ _____	
*2. Contributions of \$100.00 or less	\$ _____	
3. Line 3 SUBTOTAL		\$ _____
Less:		
4. Anonymous contributions over \$100.00 returned (contributor's identity established)	\$ _____	
5. Other Contributions returned to contributors	\$ _____	
6. Anonymous contributions paid to Town's General Revenue Fund	\$ _____	
7. Line 7 SUBTOTAL		\$ _____
NET CONTRIBUTIONS (Line 3 minus Line 7)		\$ _____
8. Other Income (e.g. surplus from previous campaign, attach details)		\$ _____
TOTAL CAMPAIGN CONTRIBUTIONS (Net Contributions and Other Income)		\$ _____

* include net income from fund raising events

SUMMARY OF CAMPAIGN EXPENSES

9. Salaries	\$ _____	
10. Rent	\$ _____	
11. Office supplies	\$ _____	
12. Printing	\$ _____	
13. Advertising	\$ _____	
14. Hosting	\$ _____	
15. Transportation	\$ _____	
16. Other	\$ _____	
TOTAL CAMPAIGN EXPENSES		\$ _____

CAMPAIGN PERIOD SURPLUS OR DEFICIT

TOTAL CAMPAIGN CONTRIBUTIONS	\$ _____
TOTAL CAMPAIGN EXPENSES	\$ _____
CAMPAIGN SURPLUS (DEFICIT)	\$ _____

Surplus funds are to be held in a Trust Account or donated to charity under the Disclosure Bylaw

CERTIFICATE of the CANDIDATE and FINANCIAL OFFICER OR CAMPAIGN MANAGER

This is to certify that to the best of my knowledge, this Election Statement and the Attachments accurately reflect the financial transactions of the above named Registered Candidate.

_____ Candidate	_____ Date	_____ Financial Officer or Campaign Manager (if other than Candidate)	_____ Date
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Printed Name and Address

TO BE FILED WITH THE OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER ON OR BEFORE THE LAST WORKING DAY IN JANUARY AFTER A GENERAL ELECTION YEAR OR 100 DAYS AFTER A BY-ELECTION

Terms used are defined by Bylaw No. 821/10, the Disclosure Bylaw

The personal information requested on this form is being collected under the authority of s. 118 of the Local Authorities Election Act. The information will be used only to fulfill the requirements of Bylaw 821/10, The Disclosure Bylaw. Contact the Chief Administrative Officer, Town Office at 502 2nd Ave, Bassano, AB, phone: 403-641-3788 if you have questions about the use of information collected on this form.

SCHEDULE B – DISCLOSURE STATEMENT FOR THE YEAR ENDING DECEMBER 31, _____

Name of Mayor/Councillor: _____

FAMILY MEMBERS

The full names of my Family members:

Father: _____

Mother: _____

Partner: _____

Partner's Mother: _____

Children: _____

Partner's Father: _____

Partner's Children: _____

RELATED ENTITIES

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

NAME	RELATIONSHIP
_____	_____
_____	_____
_____	_____

GIFTS AND HONORARIA

I have received the following Gifts and Honoraria which to the best of my information and knowledge, have a fair market value of over \$100 dollars:

DESCRIPTION	SOURCES	VALUE
_____	_____	_____
_____	_____	_____
_____	_____	_____

LAND HOLDINGS

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

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

CONTRACTS

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

CONTRACT DATE	CONTRACTOR'S NAME AND ADDRESS
_____	_____
_____	_____
_____	_____

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

Councillor _____

Date _____

TO BE FILED WITH THE OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER ON OR BEFORE THE LAST WORKING DAY IN JANUARY EACH YEAR

Terms used are defined by Bylaw No. 821/10, the Disclosure Bylaw.

The personal information requested on this form is being collected under the authority of s. 170 and 171 of the Municipal Government Act and s. 32© of the Freedom of Information and Protection of Privacy Act. The information will be used only to fulfill the requirements of Bylaw 10407, The Disclosure Bylaw. Contact the Chief Administrative Officer, Town Office at 502 2nd Ave, Bassano, AB , phone: 403-641-3788 if you have questions about the use of information collected on this form.

Schedule "C"

Schedule of Fines

Offence	Fine
1. Filing an incomplete or inaccurate Statement	\$250.00
2. Failing to file a Statement	\$100.00 per offence