

Councillor Accountability Framework: ABmunis Discussion Guide Feedback

Bill 28: Municipal Affairs and Housing Statutes Amendment Act was introduced on April 2, 2026, and received Royal Assent on May 14, 2026. The amendments include provisions establishing the new Councillor Accountability Framework, reflecting the Government of Alberta’s expectation that elected officials act professionally, make decisions in the public interest, and are accountable for their conduct.

Municipal Affairs hosted limited invitation only engagement sessions with administrators on July 13 and 16, 2026, and with elected officials on July 14 and 17, 2026. Participants included representatives from Alberta Municipalities (ABmunis), the Rural Municipalities of Alberta (RMA), the Local Government Administration Association of Alberta (LGAA), the Alberta Rural Municipal Administrators’ Association (ARMAA), the Association of Summer Villages of Alberta (ASVA), the Alberta Mid-size Cities Mayors’ Caucus (MCMC), and the cities of Edmonton and Calgary.

Discussion Guide Questions	ABmunis Position/Recommendation
Briefly, from your perspective, what is the most important outcome of a councillor accountability framework?	• Principle of independent investigators ○ It is critical that the selected investigators included on the Minister-approved roster are truly independent. There must be no interference from the municipality or province when investigating and making recommendations and they must be non-partisan. • Municipal autonomy ○ Municipalities know their communities and corporate structures best; the framework should recognize this. • Accountability ○ The framework should include strong accountability mechanisms for municipalities, councils, sanctioned individuals, and investigators. • Transparency ○ The framework and its processes should be easy to understand and not require legal interpretation. Given the public interest in

	framework violations, investigation findings should be publicly shared. At minimum this should include an overview of the alleged contravention, investigative findings, and recommended sanctions. • Clarification on Roles and Responsibilities ○ Successful implementation of the Councillor Accountability Framework will depend as much on clearly defined administrative processes as on the legislation itself. Clear, consistent, and practical processes, along with certainty regarding roles, responsibilities, procedural requirements, and governance practices will be critical to ensure consistency, efficiency, and fairness across Alberta municipalities. ABmunis recommends careful consideration in drafting resources and templates. • Procedural Fairness ○ Given the potential consequences associated with complaints and sanctions, municipalities have emphasized the importance of a process that is fair, transparent, legally defensible, and respectful of reputational considerations throughout the investigation and decision-making process.
Stage 1: Complaint Process	
The following categories are in scope for a councillor accountability complaint (in addition to egregious and threatening behaviour, and pecuniary interest which will be discussed separately): • Misuse of municipal assets • Misuse of confidential information • Improper use of influence What details or definitions should be considered for these categories in the regulation?	• Misuse of Municipal Assets – The framework should clearly prohibit elected officials and committee members from using municipal assets or services for personal gain, including to political parties, and during election campaigns, to promote ethical standards, stewardship, and public trust. This provision ensures fairness and provides a mechanism for enforcement should such misuse occur. • Misuse of Confidential Information - The current privacy legislation primarily holds municipalities accountable for breaches of confidential information, rather than individual elected officials, creating a gap in personal accountability. A framework should establish clear principles and

	mechanisms for holding individuals responsible for maintaining confidentiality. • Improper use of influence – The framework should prohibit elected officials from exploiting their position for personal gain. Any definition should include principles of following the established governance structure, including respecting the legislated role of the Chief Administrative Officer (CAO) and administration, and avoiding situations where direction has been provided to staff through meetings other than council meetings, during events, and so on. Elected officials must respect that administration is responsible for making recommendations to council that reflect professional expertise and they must be free from influence from any elected official or group of elected officials. The act of providing direction to administration outside of the governance structure could be seen as circumventing the regulatory process. When discussing improper use of influence, care should be taken to acknowledge that the <i>Municipal Government Act</i> establishes a process to request information through the CAO. Although elected officials should not be hesitant to communicate, the framework should reinforce the proper mechanisms available to council. Rules around improper influence reinforce accountability and integrity in municipal decision-making by aligning with existing conflict of interest laws for provincial elected officials. • Some municipalities have raised that the behaviours currently captured by the framework may be too narrow and may not adequately address conduct that can significantly impact governance effectiveness, council dynamics, and council-administration relationships.
How should egregious or threatening behaviour be defined for the regulation? For reference, please consider the table below.	• Existing definitions in Occupational Health and Safety (OHS) legislation is sufficient to establish parameters. • Egregious and threatening behaviour should include instances of violence or harassment as defined in OHS legislation. The definitions and examples below are robust and there is no reason to reinvent definitions between how we expect workers in all industries across Alberta to be treated versus how we expect elected officials to behave while fulfilling their duties.

	• OHS defines “Violence” as the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence: ○ physical attacks or aggression (hitting, shoving, pushing, or kicking, throwing an object, kicking and object someone is standing on). ○ Threatening behaviour (shaking a fist in someone’s face, wielding a weapon, trying to hit someone, trying to run down someone using a vehicle or equipment, destroying property, or throwing objects). ○ Verbal or written threats (verbally threatening to attack, leaving threatening notes or sending threatening emails to express an intent to inflict harm). ○ Domestic violence. ○ Sexual violence. • “Harassment” is any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying, or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker’s health and safety, and includes: ○ conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression, and sexual orientation, and ○ a sexual solicitation or advance but excludes any reasonable conduct of an employer or supervisor in respect of management of workers or a work site. • In addition to the above, ABmunis recommends the following also be considered as a part of “egregious behaviour”: ○ Respecting the decision-making process – A healthy democracy relies on constructive and respectful debate. Councillors should continue to be free to disagree, ask difficult questions, raise concerns on behalf of their constituents, and vote against the
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	majority. However, the framework should address instances where a councillor actively releases information contrary to or against the decision of council. ○ Misinformation/disinformation – The framework should address the deliberate and demonstrable spread of misinformation and disinformation by elected officials. Similar to respecting the decision-making process, attempts to deliberately spread misinformation and disinformation regarding the municipality, decisions made by council, or related process can lead to serious governance issues, conflict between the municipality and the public, and an erosion of trust between administration and council, and council and the public. ○ Use of technology in closed sessions – elected officials should respect the process for closed sessions. They must not use recording devices and must ensure it can be verified there are no other individuals present when a councillor is attending remotely (this can be done by requiring cameras be turned on unless otherwise permitted by the rest of council). ● The Councillor Accountability Framework should clarify when the framework applies to elected officials. ABmunis cautions that applying a framework only when an elected officials is carrying out council-related business will be difficult to define and enforce as many elected officials are never considered “off the job” in their communities. ● There is also a gap related to the acceptance and disclosure of gifts. ABmunis supports municipalities establishing their own policies related to the acceptance and disclosure of gifts. However, these policies lack effective enforcement mechanisms for holding elected officials accountable. This is especially true given section 145(9) and the prohibition of council making a bylaw or a resolution that addresses the behaviour or conduct of councillors or members of council committees who are not councillors. In contrast to the provincial level, where the <i>Conflict of Interest Act</i> provides clear guidance and oversight, a similar accountability structure does not exist municipally, risking transparency and public trust.
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	• ABmunis encourages clarification from the Ministry in either the Councillor Accountability Framework or resources developed by the Minister, that explicitly states that complaints made through the Councillor Accountability Framework and / or with the RCMP that may result in proceedings through the Court of Kings Bench must proceed independently of each other.
Should there be a fee for submitting councillor accountability complaints during the preliminary review process? a)If 'yes,' what should the fee be? b)If 'no', why not?	• ABmunis continues to be concerned about the cumulative impact of costs on municipalities. • Regulations related to costs, including establishing fees for complaints, and standard fee structures for preliminary reviews and investigations, will be critical to ensure that the framework is not only accessible to municipalities, but also reducing unintended financial strain. There must be a balance when establishing a fee so that it does not create a barrier to access while also providing a deterrent to frivolous claims. • Consideration should be given to establishing fees to file a complaint. • ABmunis recommends that a municipality would hold the fee until the preliminary review has concluded. If the review finds that the complaint was frivolous or vexatious or falls outside of the scope of the accountability framework, the municipality would retain the fee. • If the review determines the complaint falls within the framework, the fee is refunded to the complainant. • The intention is not to deter complaints but rather to recognize the costs that municipalities will be responsible for when a complaint is received and ensuring there is accountability for the person filing the complaint. • To reflect differences among municipalities in Alberta, the following may be considered: ○ The framework could set a minimum and maximum fee, while allowing each municipality to choose a fee by bylaw or resolution that fits its needs, as long as the fee does not exceed the maximum.

	○ Alternatively, the framework could set out that each municipality is responsible for establishing a fee or fee structure by bylaw, with the decision of what is appropriate being left to each municipality, further respecting municipal autonomy. • Some members have raised that there should be no requirement for a fee to file a complaint. However, depending on the results of the preliminary review, specifically if the investigator has determined the complaint to be frivolous or vexatious, the complainant would be responsible for the full costs of the preliminary review. ○ This approach could deter complaints as the costs of preliminary reviews are likely to far outweigh any established fee for filing. • The framework should clearly restrict that any fee must be paid personally by an elected official, while explicitly prohibiting the ability to use municipal assets, including their elected official budget, crowd-sourcing, or campaign contributions. • Additional considerations need to be made for situations where a councillor hires a lawyer to help submit a complaint or defend themselves during the preliminary review or investigation process. We recommend monitoring the framework. In theory a more structured process should prevent councillors from significant legal fees to defend themselves against unfounded complaints.
During the preliminary review process, should there be timelines for: a) Selecting an investigator? b) Submitting the preliminary review report?	• Timelines should be established for selecting an investigator and submitting the preliminary review to prevent inaction • Timelines to select an investigator could be as simple as “at the next council meeting or within 30 days of receiving the complaint, whichever is later.” • Relating to the preliminary review, it is difficult to determine what is reasonable as different types of complaints may require different timelines. ○ Option 1: Require the completion of the preliminary review no later than 45 days after council has passed a resolution appointing an

	investigator. If additional time is required, the investigator may request additional time from council (ie: 30 days). If further extensions are required, they must be applied for and considered by the Minister of Municipal Affairs. ○ Option 2: Allow the municipality to set the timeline for reporting by the investigator. This recognizes the needs of each municipality, as well as potential complexity of a complaint. ○ Option 3: Establish a timeline as described in Option 1 but all extensions may only be considered and granted by the Minister. Outstanding Question to Municipal Affairs: ● Is the intention for the Minister to abide by the same timelines as established for council if the Minister exercises their authority under s. 146.03 (2) to initiate an investigation?
Should there be publication requirements for a preliminary report? a) If 'yes,' what should the requirements be? b) If 'no,' why not?	● Legislation requires the preliminary report to be filed with Council and the Minister, and to advise if the investigation has concluded. ● There is no legislative requirement to make the preliminary report public. In comparison, the Investigation Report is required to be filed in a closed session of council and made public as outlined by the framework (s. 146.07). ● Given the resolution to appoint an investigator must be made in public, some version of the preliminary report should be published. Appropriate restrictions could be considered in the framework to protect identifiable information and the identities of the elected officials involved, reducing the potential for the complaints and reviews to be politicized or weaponized. ● Potential options for a publicly available report could include: ○ Requiring the municipality to redact the report in alignment with requirements under the <i>Access to Information Act</i>. ○ Require the investigator to draft a version of the report that is appropriate for public consumption, aligning with requirements of the <i>Access to Information Act</i>, for example a high-level executive

	summary. The full preliminary review would remain protected with only the executive summary being released.
Who should be responsible for the custody and retention of records related to preliminary reviews?	Given the records relate to the municipality, it is practical for the municipality to be responsible for the custody and retention of the records.
How long should preliminary review records be retained?	- Options for retention include: - Ability for municipalities to set the retention in accordance with their records retention policies and any requirements of the <i>Municipal Government Act</i> related to items forming the public record. - The duration of the council term. - A length of time (i.e.: 30, 60, 90, 120 days) following the conclusion of the investigation or the filing of the preliminary review, if the investigator has determined a full investigation is not proceeding. - The framework should consider having an exemption to any records retention in the event of legal challenge or court proceeding.
Is there anything else you would like to add about the preliminary review process?	- The framework should clarify who is responsible for receiving the complaint (ie: CAO), actioning the complaint, and any details related to how the complaint is presented on the agenda (ie: avoiding any identification of who filed the complaint, substance of the complaint, etc.). - A gap exists in the legislation where administration cannot personally bring complaints against an elected official and must rely on another elected official doing so on their behalf. Given the legislation allows the Minister to initiate an investigation, we recommend the ministry develop a process for administration to lodge a complaint through the ministry. We recognize that this may be procedural rather than regulatory process. - Consideration needs to be afforded to political staffers who are not administration but may have complaints that align with the framework, this is especially true in large municipalities where elected official staff are not considered under the typical employee/employer structure of the municipality.

	• Municipal Affairs should consider guidance documents related to how municipalities may draft policies pertaining to public complaints as well as the messaging that will be available to ensure transparency to the public. • Consideration must be made for anonymous complaints and maintaining confidentiality, particularly through a trauma-informed lens. It is not necessary for council to know the details of the complaint before appointing an investigator for confidentiality of the councillors and complainants. • The framework should consider a process to manage or address “serial filers”. This could potentially be addressed through municipalities being afforded the opportunity to set a filing fee that increases if complaints from a single elected official are found to be frivolous or vexatious. • Bill 28 analysis included several outstanding questions related to complaints and investigations, including: • Are municipalities required to establish a policy for the purposes of outlining the form in which a complaint is considered “acceptable by council”? If so, what is the timeline for councils to establish their policies after the implementation of any regulation?
Stage 1: Complaint Process – Pecuniary Interest	
Do you have any operational concerns about the process described in the map? a) If ‘yes,’ what concerns do you have? b) If ‘yes,’ do you have any suggestions for how to solve or mitigate these concerns?	• As it relates to complaints of pecuniary interest, requiring complaints to be filed within one year is too long due to its seriousness. • Complaints should be filed within a finite amount of time to mitigate potential delays (ie: 30 - 90 days from the date that the council or councillor becomes aware of the potential contravention). This recognizes the impact that a complaint, depending on the severity, can have on council, potentially affecting the governance of the municipality, as well as impacting public confidence in council.
Should there be a timeline for a councillor who is subject to a councillor accountability complaint, investigation, or finding to resign voluntarily?	• This question is unclear if it is referring to before, during or after a complaint has been filed, and specific to only complaints related to pecuniary interest. • The legislation is clear that an investigation stops if the person subject to a complaint resigns. This section of the Act is problematic and could be used

	by elected officials to purposefully stop an investigation only to run again in the by-election (s. 146.03). • The legislation is also clear that if an investigator finds reasonable grounds to believe an elected official may have violated pecuniary interest rules, and be subject to disqualification, the investigator must immediately stop their investigation (s. 146.06). • There is a practical benefit to provide a timeline for an individual subject to of a complaint related to pecuniary interest to resign voluntarily prior to council filing an application for disqualification to the court. • ABmunis recommends that caution be taken when creating a timeline that could be seen as council delaying or failing to act. ○ 30 days provides sufficient time for the subject of the complaint to act and for council to prepare for the court filing, if necessary. ○ ABmunis continues to raise serious concerns if a person resigns to stop an investigation but then runs in the by-election. There is no accountability or transparency regarding the complaint given this won't mean the complaint or potential contravention has been dealt with or won't be an issue into the future. • Amendments to the <i>Municipal Government Act</i> and the <i>Local Authorities Election Act</i> should be considered to prevent an individual who has resigned during an investigation from running in the election held immediately after the investigation concluded. • Legislative amendments should also be considered to require an investigation to continue despite a resignation, with the resulting investigation report continuing to be submitted to council. This ensures accountability and transparency.
Is there anything else you would like to add about the pecuniary interest complaint process?	• ABmunis continues to question why only pecuniary interest was included in the framework when there are several other grounds for disqualification (ie, ceasing to be eligible for nomination under the <i>Local Authorities Election Act</i>). • There were several outstanding questions raised in the Bill 28 Analysis:

	○ Are municipalities permitted to establish a process for receiving complaints from the public that could then inform whether a councillor may wish to proceed with a complaint under the framework? ○ Will the regulations include a mechanism to manage multiple complaints on the same issue or allow for multiple councillors to be named as complainants on the complaint? ○ Does council formally accept a complaint, if in the acceptable format, by resolution or is it submitted in closed session? Investigator reports are first submitted in closed session, but similar processes are unclear related to complaints.
Stage 2: Investigation and Sanctions	
What are appropriate sanctions for violating the councillor accountability framework?	• Possible sanctions include written reprimands, required apologies, publication of reprimands or apologies, mandatory training, suspension or removal from leadership roles or committees, and reducing or suspending remuneration related to duties – these align with previous Code of Conduct Regulations. ○ Municipalities have raised that not all training is created equal and clarification on who determines what the mandatory training is and who vets the training, should be considered. • Sanctions should be accompanied by a timeframe to complete, otherwise it is reasonable to expect that some sanctions will never be acted on rendering the entirety of the framework ineffective. • Sanctions related to mandatory training should be accompanied by clear expectations of who is responsible for the cost of the training (ie: the municipality or the elected official personally). • To ensure accountability, consideration should be given to an escalation process. For example, council has passed a resolution requiring a person subject to a complaint to issue a letter of apology. The councillor does not do so. Council should have the ability to then pass an escalating sanction. Further, if a person subject to the complaint continues to refuse a council

	sanction, there should be a mechanism to allow for Minister intervention to impose an escalation sanction. • Other Canadian jurisdictions impose additional sanctions, such as fines or, in cases of non-compliance, suspension of a person's authority to exercise any power, duty, or responsibility until they comply. • As it relates to fines, this could be seen as a serious escalation as municipalities could consider any unpaid fines as being indebted to the municipality. If these types of fines can be considered there are implications for an individual to be eligible to run for election under the <i>Local Authorities Election Act</i>. • The framework should set a list of sanctions that municipalities could choose from to set options through policy or bylaw that are applicable to the municipality. We recommend that it be up to the investigator to apply sanctions to specific circumstances. ○ Municipalities could not select sanctions that are not provided for in the framework. ○ This approach reflects that sanctions that may be applicable to larger municipalities do not carry the same weight in smaller municipalities (ie: suspension of pay) and vice versa. ○ This approach depoliticizes the sanction process.
What should the timeline be for: a) Initiating full investigation? b) Submitting investigation report? c) Passing resolution to accept the investigator's report? d) Making a decision to apply/not apply sanctions?	• Similar to fees, the regulation could establish a maximum timeline but municipalities could set a faster standard by bylaw – supports principle of municipal autonomy. • In the spirit of accountability, the following could be considered: ○ Initiating a full investigation - After receiving the preliminary review, council must consider the matter at the next council meeting or within 30 days, whichever is later. There may be instances that council may have to hold a special meeting as they do not meet every two weeks or monthly. However, this timeline promotes the complaints and investigations being addressed in a timely manner to prevent further governance issues and erosion of public trust.

	○ Resolution to accept the investigators report - After receiving the investigation report, council must consider the recommendations and determine to apply or not to apply at the next council meeting or within 30 days, whichever is later. ▪ This recognizes that the report is provided in a closed meeting of council and provides members of council the opportunity to review prior to accepting the report or the recommended sanction(s). ● As mentioned above, is this question also contemplating a timeline for investigations that are initiated by the Minister? If so, the regulation should be specific between investigations initiated by complaint to council versus investigations initiated by the Minister.
Are the powers of the investigator in the Act sufficient? Why or why not? a) If 'insufficient,' what do you feel is missing?	● Overall powers outlined in section 146.03(3) are clear and concise. ● There may be opportunity within the framework to: ○ Clarify a timeline to respond to an inquiry made either (a) orally or in writing of any person, or by (b) demanding the production for examination of records or documents. This may be important if establishing a timeline for an investigator to submit an investigation. Without the investigator having the authority to establish a timeline to respond, a person could delay to the point of the investigator having insufficient information for the report but having no choice but to proceed with submitting the report to council. ○ Clarifying who is responsible for copies made under subsection (c). For example, is it the municipalities responsibility to assist the investigator if copies are requested and by extension, the costs of the copies? ○ Clarification if the investigator must first provide notice when accessing municipal land and facilities. This could be especially helpful to ensure that appropriate resources are available to the investigator.

	- The above clarity may help to determine what constitutes a failure to comply under section 146.04 related to obstructing an investigation. This clarity may support identifying if an offence has occurred and need to be referred to the appropriate police service under the <i>Provincial Offences Procedures Act</i>. - Consideration should be made for protections and powers of investigators to align with those granted under the <i>Public Inquiries Act</i>.
What qualification should investigators/appeal commissioners have? a) Is there a specific occupation or profession that should be eligible to be a commissioner based on education, role requirements, or professional experience?	- Municipal experience is preferred– recognizes the complexities of municipal governments and the roles and responsibilities of administration and council. - Consideration of those with legal backgrounds, previous investigative experience, previous experience in independent offices of the legislation (i.e.: office of the ethics commissioner, ombudsman, or public interest commissioner).
What criteria should be considered when reviewing applications for these roles?	- Same as above – experience in municipal government, legal, investigation, or other non-partisan experience. - It is critical that investigators are truly impartial and non-partisan. This could extend to having no provincial or municipal political party affiliation and to have not ran for any provincial or municipal political party in the previous 10 years. - Affiliation includes being a member of any constituency association or member of the executive for any provincial or municipal political party but does not preclude someone from having a political party membership.
Should there be a term limit for these roles? a) If 'yes,' how long should the term be?	Some municipalities have raised that term limits could create challenges in creating and maintaining roster of qualified investigators. If it is determined that term limits are appropriate, the regulation should contemplate a reappointment process based on continued suitability. Further, the number of times an investigator may be appointed should not be limited, provided they continue to meet eligibility requirement.
Should there be publication requirements for an investigation report?	Section 146.07 (3) requires a report to be submitted to council in a meeting closed to the public, but subsection (4) requires council to make the report

a) If 'yes,' what should the requirements be? b) If 'no,' why not?	publicly available in accordance with the framework. The wording of subsection (4) implies that there would be a publication at some point. • If council has accepted the investigation report it should be made public in the spirit of accountability and transparency. • ABmunis recommends reviewing the requirements of publicly available investigative findings from independent offices of the legislature (Office of the Chief Electoral Officer, Office of the Public Interest Commissioner/Alberta Ombudsman, Office of the Information and Privacy Commissioner, etc.), as well as other oversight bodies (Alberta Serious Incident Response Team, Police Review Commissions, etc.), given that these offices and bodies have standards in place for what and how investigation findings are released. • It would be reasonable to require the publication within a time limit (for example, 7 days from council receiving the report). • Consideration should be taken to redact personal information in accordance with the <i>Access to Information Act</i> and <i>Protection of Privacy Act</i>.
Who should be responsible for the custody and retention of records related to investigation reports?	• Same comment as preliminary review reports. • Given the records relate to the municipality, it is practical for the municipality to be responsible for the custody and retention of the records.
How long should investigation report records be retained?	• Same comment as preliminary review reports. • Options include: ○ Ability for municipalities to set the retention in accordance with their records retention policies. ○ The duration of the council term. ○ A length of time (i.e.: 30, 60, 90, 120 days) following the conclusion of the appeal period or after a report related to an appeal has been delivered.
Is there anything else you would like to add about the investigation and sanction process?	• Section 146.03 requires council to appoint an investigator and pay the costs of the investigation. Will the framework establish a rate for investigators? If not, investigators could charge any rate they choose, leading to

	municipalities selecting an investigator with the lowest rate, further leading to a small number of investigators being inundated with complaints. • It has also been recommended that the legislation be amended to require council to accept and impose the sanction(s) as recommended by the investigator, rather than have the ability to alter the sanction or impose no sanction at all. • Regulations should clarify what happens to an investigation that is ongoing if a complainant wishes to withdraw the complaint or if the complaint has been resolved to the satisfaction of council. It is unclear whether or not investigations must continue regardless of any circumstances that might result in the complainant no longer wishing to pursue a complaint under the framework. • The framework should consider creating a standard for reports to ensure consistency from investigators, this applies to both preliminary and investigation reports. • The framework must specifically address repeated investigations related to the same topic/event and specifically prohibit a secondary investigation outside of the appeal process. • An evaluation process for investigators should be established.
Stage 3: Appeal Process	
Should there be a fee for a councillor to file an appeal? a) If 'yes,' what should the fee be? What should the timeline be for: a) Submitting a complaint regarding the outcome of the investigation and sanctioning process? b) Filing an appeal? c) Appointing an appeal commissioner?	• Yes, however, the fee should not be prohibitive for councillors in accessing an appeal and should not exceed a filing fee with the Court of Kings Bench. The principle of a filing fee aligns with ABmunis position with a fee to accompany the filing of complaints. • Timelines ○ Submitting a complaint to the municipality– within 30 – 90 days of the alleged contravention or the date that that it becomes known that an alleged contravention occurred.

d) Conducting appeal hearing? e) Submitting recommendations to the Minister on appeal? f) Minister decisions/order on recommendations? g) Publishing required documents?	○ Investigation and sanction process – unclear if this is related to the investigation and sanctions for the appeal or during the initial investigation? ▪ The investigation process will depend on the severity and complexity of the investigation. Perhaps establishing a maximum (i.e.: 60 days) with a requirement for a council resolution to extend, up to an additional 60 days? ○ Filing an appeal - within 30 days of council accepting the investigators report. ○ Appointing an Appeal Commissioner – Minister required to appoint – uncertain of what is realistic, 30 or 60 days. ○ Conducting an Appeal Hearing – 30 days ○ Submitting Recommendations to the Minister – should align with any timeline established for the investigation with the option for Ministerial extension. ○ Minister decision/order on recommendations - uncertain of what is realistic for ministerial approvals. ○ Publishing required documents – should avoid delays – within 14 days of Minister's decision.
Who should be responsible for the custody and retention of records related to appeals?	● Same comment as preliminary review reports and investigations. ● Given the records relate to the municipality, it is practical for the municipality to be responsible for the custody and retention of the records.
How long should records related to appeals be retained?	● Decisions under the framework are still subject to judicial appeals. The retention of records, at a minimum, should be kept until the timeline to file an appeal through the Court of Kings Bench has expired.
Is there anything else you would like to add about appeals process?	N/A
Final Thoughts	

Is there anything else you would like to add about appeals process?	• The framework does not currently address complaints or investigations during the election cycle. Some municipalities have flagged that given the nomination period begins January 1st of the election year, it is reasonable to consider a black-out period for complaints, preliminary reviews, and investigations beginning August 1 of the election year. ○ Some municipalities have suggested that consideration could also be made to increase the fee to file a complaint during an election period given the risk that complaints could be weaponized for the purposes of creating a negative narrative during the election campaign. • Political parties and their involvement in the process are not currently contemplated and special consideration should be made for how political parties could weaponize the framework. Including to file complaints and create a narrative during election campaigns. • As mentioned above, legislative changes should be considered to require council to impose a sanction as recommended by the investigator rather than leaving the decision to council. • The legislation does not include an informal process to resolve an alleged contravention prior to or after a complaint as been filed. Although this will not always be the case, there are instances where a contravention has occurred and the elected official is unaware or where council is able to take steps to informally resolve and issue. to the Framework should allow for the elected official to take steps to resolve the alleged contravention prior to council appointing a investigator and proceeding to the preliminary review, ultimately reducing the financial strain on municipalities. • A gap that continues to exist relates to the inability to extend the framework to council created committees. There are documented instances, including in this most recent council term, of council committees having issues that would fit with the councillor accountability framework but having no tools to address the concerns given restrictions of section 145(9) of the <i>Municipal Government Act</i>. We recommend legislative change to expand the
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	framework to include council created committees or legislative changes that allow council to create policies or bylaws for council created committees that address similar contraventions as those outlined in the framework. • Considerations for legislative amendments will need to be considered related to the <i>Local Authorities Election Act</i>, and specifically, the <i>Local Authorities Election Act Forms Regulation, Form 4 – Nomination Paper and Candidate’s Acceptance</i> to replace “I will read and abide by the municipality’s code of conduct if elected” with direct reference to the Councillor Accountability Framework. • Some municipalities have raised concerns regarding the potential for mounting legal costs in instances where an elected official does not resign voluntarily, disagrees with an appeal decision, disregards sanctions, and pursues legal action against the municipality. These unbudgeted legal costs run the risk of exceeding municipalities annual expense budgets. In extraordinary circumstances, this may even be the motivating factor for a councillor to initiate legal proceedings. It has been shared by some municipalities that in extraordinary circumstances where anticipated legal expenses exceed 20% of a municipality’s expense budget, funding be made available to cover those legal costs from the Government of Alberta.
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