



City of Kelowna
 1435 Water Street
 Kelowna, BC V1Y 1J4
 250 469-8500
 kelowna.ca

Council Policy

Conflict of Interest

APPROVED April 19, 2004

RESOLUTION: R375/10/04/26
 REPLACING: R365//04/04/19
 DATE OF LAST REVIEW: April 2010

1. In accordance with the Community Charter, it is the personal responsibility of each member of Council to be aware in good faith of his or her conflicts of interest and to make the decision to declare them and to conduct him or herself in accordance with that legislation. When a member of Council is deemed to be in a conflict of interest, they will participate in the matter only to the extent of stating their reason for being in a conflict, and then withdraw from the meeting without further commentary.
2. If a question as to a possible conflict of interest of a member of Council is raised to the City Manager by someone other than that particular member of Council, the City Manager shall notify the member in writing as soon as possible, not including the name of the person raising the question.
3. The City Manager shall consult with the member in question and the City Manager shall determine whether it is in the City's best interest to seek legal advice as to the possible conflict of interest from the City's legal service provider.
4. In any event, the member in question may at any time obtain his or her own legal advice as to the possible conflict of interest from his or her own legal advisor.
5. If legal advice is sought by the City Manager from the City's legal service provider as to a possible conflict of interest, the cost of such advice shall be paid for by the City.
6. If legal advice is sought by a member of Council from his or her own legal advisor as to a possible conflict of interest, the cost of such advice shall be paid for by the member.
7. If legal advice is sought by the City Manager from the City's legal service provider as to a possible conflict of interest, the solicitor-client privilege pertaining to that advice is the City's.
8. If legal advice is sought by a member of Council from his or her own legal advisor as to a possible conflict of interest, the solicitor-client privilege pertaining to that advice is the member's.

REASON FOR POLICY

For clarification purposes.

LEGISLATIVE AUTHORITY

Community Charter (Sec. 100)

PROCEDURE FOR IMPLEMENTATION

As outlined in policy.