

The following is a "Model Code of Ethics" suggested by the NYS Association of Towns. This Code of Ethics can be found by visiting the NYS Association of Towns at <http://www.nytowns.org/>. The Code, itself, is here: <http://www.nytowns.org/news/CODE%20OF%20ETHICS%20-%20Magazine.htm>

## Model Code of Ethics

### SAMPLE CODE OF ETHICS FOR MUNICIPALITIES

#### **Outline of Provisions**

1. **Conflicts of Interest** •

No officer or employee shall use his or her official position to provide a financial or other private benefit to the official, relatives (define), customers, clients, an employer, or campaign contributor etc. For a fuller description of this, see NYS Gen. Municipal Law, Sec.805-a-1-(c)&(d)

2. **Appearance of Impropriety** •

An officer or employee must avoid circumstances that compromise his ability to make decisions solely in the public interest or create an appearance of impropriety.

3. **Recusal**

An officer or employee must recuse himself when faced with the above conflicts

**Recusal Defined**

→ Recusal means that the official may not deliberate, vote or participate in any way in such matter.

→ The official should disclose his or her conflict and remove him or herself from the board.

- Although these provisions are included in most codes of ethics, they require consideration of specific facts and circumstances. This is the role of a board of ethics, which can engage in fact-finding and make a determination.

4. **Town Property**

No employee shall use town-owned property or assets for personal purposes or profit or to benefit a private party. Use of town property or assets is restricted to the conduct of official business and for the benefit of all residents.

5. **Nepotism**

Spouses and other family members may not serve in positions creating a conflict of interests, the

appearance of a conflict or consolidation of power in one board, i.e. spouses on town board.

6. **Gifts**

An official may not solicit or receive any gift, whether financial or in any other form, from any person who is doing or seeking to do business of any kind with the town; has done business with the town during a defined period; is engaged in activities that are regulated or controlled by the town; or from a lobbyist representing a person before a town agency. Generally, an official may not receive or solicit any such gift, creating the appearance that his official duties may be influenced or that his responsibility to make impartial decisions solely in the public interest is compromised.

7. **Private Employment**

An employee shall not solicit, negotiate for or commit to accept private employment from any person doing business with or having any matter pending with the town.

8. **Representation**

An official shall comply with section 805-a of the General Municipal Law, which prohibits officials, under stated conditions, from representing others before the municipality.

9. **Confidential Information**

An official may not disclose confidential information or use it to further his own private interests

10. **Subordinates**

No official shall solicit political contributions from subordinates.

11. **Revolving Door**

No official who has left municipal service, for a period of \_\_\_ years after departure, shall appear before or receive compensation in a matter before his former agency. He is permanently barred from appearing or receiving compensation regarding a matter he was personally involved in as a town official.

12. **Incompatible Positions – Judicial Standards**

An official is prohibited from:

- a. Holding positions when one is subordinate to the other
- b. Holding positions when the duties of the positions conflict

13. **Board of Ethics**

Specify procedure for seeking advisory opinions of the board of ethics.

14. **Training**

A requirement that municipal officials annually receive training concerning the requirements of the code of ethics and the procedure for seeking an opinion or investigation by the board of ethics.