

**VILLAGE OF ROSCOMMON
ORDINANCE NO. 84
ETHICS ORDINANCE**

THE VILLAGE OF ROSCOMMON ORDAINS:

To establish a code of Ethics for all village officials and employees to provide consistent guidelines in order to eliminate conflicts of interest in public office, improve standards of public service and promote and strengthen the faith and confidence of the citizens of the Village of Roscommon in their government.

SECTION 1. FAIR AND EQUAL TREATMENT

No village official or employee shall request or permit the use of village owned vehicles, equipment, materials or property for personal convenience or the private advantage of self or of any other person. Use is to be restricted to such services as are available to the general public except as authorized in their official village duties. No village official or employee shall grant or be granted any special consideration, treatment or advantage beyond that which is available to every village citizen.

SECTION 2. CONFLICT OF INTEREST

No village official or employee shall engage in any act which is in conflict with the performance of their official village duties. A village official or employee shall be deemed to have a conflict of interest if they directly or indirectly:

1. Receives or has any financial interest in any purchase, sale or lease to or by the village of any service or property;
2. Is beneficially interested in any contract, sale, lease, option or purchase that may be made by, through, or under the supervision of the official or employee;
3. Accepts or seeks for others any employment, service, information, compensation, gift or thing of value other than those granted to other village employees, officials or the general public;
4. Engages in or accepts compensation, employment or renders services for any person or a government entity other than the village when such employment or service is incompatible, in conflict with, impairs or interferes with the performance of their official duties;
5. Discloses or uses for the personal benefit of the official, employee or their immediate family any information acquired in the course of official duties which is not available as a matter of public knowledge or public record;
6. Participates in the negotiation, execution of contracts, granting of subsidies, issuance of permits or other regulation relating to any business entity in which they have a financial or personal interest;
7. All public servants who would have a financial interest either directly or indirectly in contracts or sales with the Village of Roscommon must disclose their interest to the Village in compliance with Act 317 of 1968, MCL 15.321 et seq. The personal

disclosure statement shall disclose the existence of the financial interest of the public servant either directly or indirectly in any contract or sale with the Village of Roscommon.

SECTION 3. PROHIBITED CONDUCT

All employees and officials are prohibited from engaging in the following conduct:
Divulging confidential information to any person not authorized to obtain such information.
Representing their individual opinion as that of the village.
Misusing village resources, property, funds or assets for personal gain or benefit.
Accepting any gift or other things of value from any person doing business or seeking to do business with the village, except as permitted by this ordinance.
Giving improper preferential treatment to any person or organization.

SECTION 4. EXCEPTIONS

This ordinance is not intended to cover and shall not prohibit a village official or employee from accepting minor gifts and other items valued at \$25 or less when the gift is extended during the course of village business and no return promise is made by the recipient.

SECTION 5. ABILITY TO ENFORCE ETHICS ORDINANCE

All matters concerning the Ethics Ordinance shall be directed in one of two ways depending upon the employment status of the person or group involved. The request may be made by any village official or employee.

1. Requests to investigate or take action to enforce the Ethics Ordinance regarding elected and appointed officials shall go to the President, Village Council and the Village Attorney. (Should the request involve a member of the council, that member shall not be a part of the investigation.)
2. Requests to investigate or take action to enforce the Ethics Ordinance regarding employees of the village shall go to the Village Manager or the Village Attorney. (Should the request involve the Village Manager, the President shall name a replacement to serve on the investigation.)

If in the process of the investigation it is determined that the employee or official intentionally and willfully violated this Ethics Ordinance the investigators shall be entitled to proceed as it deems necessary and appropriate with disciplinary action including (for elected officials) censure, or petition for dismissal (for employees) reprimand or discharge.

Any person who violates, disobeys, omits, neglects or refuses to comply with any provision of this ordinance shall be punished, upon conviction, by a fine of not more than \$100.00, and costs of prosecution, or by imprisonment for a period not exceeding ninety (90) days, or both fine and imprisonment, at the discretion of the court.

SECTION 6. DELIVERY OF COPIES OF ETHICS ORDINANCE

The Clerk shall deliver a copy of this ordinance to each employee and official as soon as practicable after the enactment of this ordinance, and to new employees and officials at the time of employment or taking office. The Clerk shall also request that each person sign and return an acknowledgment of receipt of a copy of this ordinance.

Ethics Ordinance Acknowledgement:

All employees and officials of the Village of Roscommon shall abide by these standards of ethics, as adapted by the Village of Roscommon.

I, _____ acknowledge that I have received a copy of the Village of Roscommon Ethics Ordinance on ____ / ____ / ____.

This Ordinance shall become effective thirty (30) days after publication.

Adopted: June 25, 2012

Published: July 5, 2012

Effective: August 4, 2012