

OAK RIDGE CHARTER COMMISSION

CODE OF ETHICS

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1.1. Applicability. This code of ethics applies to the elected members of the Oak Ridge Charter Commission and any employees they may have from time to time, whether compensated or not, including any separate committees or other instrumentality appointed or created by the Commission.

1.2. Definition of "personal interest"

(1) For purposes of Sections 3 and 4, "personal interest" means:

(a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or

(b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).

(2) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

(3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

SECTION 3: Disclosure of personal interest by official with vote. An official with the responsibility to vote on a measure shall disclose during the meeting at which The vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself from voting.

SECTION 4: Disclosure of personal interest in nonvoting matters. An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter.

SECTION 5: Acceptance of gratuities, etc. An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

(1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

(2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business.

SECTION 6: Use of information

(1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

(2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity.

SECTION 7: Use of property An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself.

SECTION 8: Use of position or authority.

(1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the Charter Commission.

2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the charter, general law, or ordinance or policy of the Charter Commission.

SECTION 9: Ethic complaints. The Chairperson of the Charter Commission, with the approval of a majority of the members shall appoint a three person Ethics Panel to hear and investigate any allegations of breach of ethics of any member of the commission.

(2) The Ethics Panel will be comprised of three community individuals of good reputation and character who agree to act on any ethics allegation and to render a fair and impartial finding.

(3) The interpretation that a reasonable person in the circumstances would apply shall

be used in interpreting and enforcing this code of ethics.

SECTION 10: Violations. An elected official or appointed member of a separate board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to censure by the governing body.

Approved May 8, 2009

Charles J. Agler, Chairman

Virginia M. Jones, Secretary