

**§ 1-705 ACCEPTANCE OF GRATUITIES AND THE LIKE.**

(A) 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 or she would be expected to perform, or refrain from performing, in the regular course of his or her duties; or

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

(B) Notwithstanding any provision or interpretation of this section to the contrary, an official or employee may accept, directly or indirectly, money, gifts, gratuities or other consideration in amounts not to exceed \$100 per instance, but only so long as the acceptance of the gift, money, gratuity or consideration is not in exchange for the performance of an act, or the refraining from the performance of an act, that he or she would be expected to perform, or refrain from performing, in the regular course of his or her duties. Gifts, gratuities, money and consideration in amounts of \$100 or less per instance are hereby deemed to be too nominal to be interpreted reasonably as an attempt to influence, as contemplated in division (A)(2) above; an interpretation is hereby deemed to be unreasonable with regard to gifts, money, gratuity and consideration in an amount of \$100 or less per instance, and the same shall not be interpreted as an attempt to influence, and shall be treated as an exception to division (A)(2) above.

(Ord. 1131, passed 6-12-2007)

**§ 1-706 USE OF INFORMATION.**

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

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

(Ord. 1131, passed 6-12-2007)

**§ 1-707 USE OF MUNICIPAL TIME, FACILITIES AND THE LIKE.**

(A) 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 or herself.

(B) An official or employee may not use or authorize the use of municipal time, facilities, equipment or supplies for private gain or advantage to any private person or entity, except as authorized

by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality.

(Ord. 1131, passed 6-12-2007)

#### **§ 1-708 USE OF POSITION OR AUTHORITY.**

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

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

(Ord. 1131, passed 6-12-2007)

#### **§ 1-709 OUTSIDE EMPLOYMENT.**

An official or employee may not accept or continue any outside employment without written authorization from the department head.

(Ord. 1131, passed 6-12-2007)

#### **§ 1-710 ETHICS COMPLAINTS.**

(A) The City Attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the City Attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

(B) (1) Except as otherwise provided in this division (B), the City Attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his or her own initiative when he or she acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the Attorney's judgment, constitutes a violation of this code of ethics.

(2) The City Attorney may request the City Council to hire another attorney, individual or entity to act as ethics officer when he or she has or will have a conflict on interests in a particular matter.

(3) When a complaint of a violation of any provision of this chapter is lodged against a member of the City Council, the City Council shall either determine that the complaint has merit, determine that the complaint does not have merit or determine that the complaint has sufficient merit to warrant further investigation. If the Council determines that a complaint warrants further investigation, it shall authorize an investigation by the City Attorney or another individual or entity chosen by the City Council.