

Chapter 13

ETHICS, CODE OF

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[HISTORY: Adopted by the Board of Trustees of the Village of Caledonia 10-6-1981 by L.L. No. 2-1981 as Ch. 9 of the 1981 Code. Amendments noted where applicable.]

§ 13-1. Title.

This chapter shall be known and may be cited as the "Code of Ethics, Village of Caledonia."

§ 13-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

INTEREST — A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this chapter, a municipal officer or employee shall be deemed to have an interest in the contract of his spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves; a firm, partnership or association of which such officer or employee is a member or employee; a corporation of which such officer or employee is an officer, director or employee; and a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.¹

MUNICIPAL OFFICER OR EMPLOYEE — An officer or employee of the Village of Caledonia, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a "municipal officer or employee" solely by reason of being a volunteer fireman or civil defense volunteer, except a Chief and the Assistant Chief.

§ 13-3. Applicability.

Every municipal officer and employee shall be subject to and abide by the standards of conduct set forth herein.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

§ 13-4. Standards of conduct.

The following standards of conduct shall apply to every municipal officer and employee:

- A. Gifts. No municipal officer or employee shall, directly or indirectly, solicit any gift or accept or receive any gift having a value of twenty-five dollars (\$25.) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.
- B. Confidential information. No municipal officer or employee shall disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.
- C. Representation before one's own agency. No municipal officer or employee shall receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or before any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.
- D. Representation before any agency for a contingent fee. No municipal officer or employee shall receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of this municipality whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- E. Disclosure of interest in legislation. To the extent that he knows thereof, a member of the Village Board and any officer or employee of the Village of Caledonia, whether paid or unpaid, who participates in the discussion or gives official opinion to the Village Board on any legislation before the Village Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.
- F. Investments in conflict with official duties. No municipal officer or employee shall invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction which creates a conflict with his official duties.
- G. Private employment. No municipal officer or employee shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.
- H. Future employment. No municipal officer or employee shall, after the termination of service or employment with such municipality, appear before any board or agency of the Village of Caledonia in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

§ 13-5. Exceptions.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Village of Caledonia or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

§ 13-6. Distribution of copies.²

The Mayor of the Village of Caledonia shall cause a copy of this chapter to be distributed to every municipal officer and employee of the village within ten (10) days after the effective date thereof. Every officer and employee elected or appointed thereafter shall be furnished a copy prior to entering upon the duties of his office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code, nor the enforcement provisions thereof.

§ 13-7. Violators subject to fine, suspension or removal.

In addition to any penalty contained in any other provision of law hereby made applicable, any person who shall knowingly and intentionally violate any of the provisions of this chapter may be fined, suspended or removed from office in the manner provided by law therefor.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.