

**AN ORDINANCE TO REPEAL SECTION 2-72 THROUGH 2-76 OF THE ROMULUS CODE OF ORDINANCES AND REPLACE IT WITH THE FOLLOWING CODE OF ETHICS FOR CITY OFFICIALS, CITY EMPLOYEES, BOARDS AND COMMISSIONERS**

The City of Romulus ordains:

Section 1. Section 2.72 through 2.76 of the Romulus Code of Ordinances are hereby repealed.

Section 2. The following Code of Ethics for the City officials, City Employees, Boards and Commissioners is hereby adopted as follows:

(a) Preamble

- (1) The citizens of Romulus are entitled to have fair, ethical and accountable local government that has earned the public's full confidence for integrity.
- (2) Furthermore, the effective functioning of democratic government requires that City officials, City employees, boards and commissioners, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; City officials, City employees, boards and commissioners must be independent, impartial and fair in their judgment and actions; public office must be used for the public good, not for personal gain; and public deliberations and processes must be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
- (3) To this end, the City of Romulus adopts this Code of Ethics for the City of Romulus City officials, City employees, boards and commissioners, both elected and appointed to assure public confidence in the integrity of local government and its effective and fair operation.

(b) Code of Ethics

- (1) Acts in the public interest. Recognizing that stewardship of the public interest must be their primary concern, City officials, City employees, boards and commissioners, both elected and appointed will work for the common good of the people of Romulus and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the City of Romulus.
- (2) Compliance with law. City officials, City employees, boards and commissioners, both elected and appointed shall comply with the laws of the Federal Government,

the State of Michigan, and the City of Romulus in the performance of their public duties. These laws include, but are not limited to: the United States and Michigan constitutions; Federal and State statutes; City Ordinances; the Romulus City Charter; laws pertaining to conflicts of interest, contracts with public entities, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

(3) Communication. City officials and City employees shall publicly share substantive information that is relevant to a matter under consideration by the City Council, which they may have received from sources outside of the public decision-making process.

(4) Gifts, favors, and loans.

A. A City official, City employee, board and commissioner shall refrain from financial and business dealings that would tend to reflect adversely on the official impartiality, interfere with the performance of their public duties or exploit their official position. A City official, City employee, board and commissioner should not receive any services, goods or opportunity for personal gain that is not available to the public in general.

B. A City official, City employee, board and commissioner and any family member claimed as a dependent of the City official or cohabitating with, City employee, board or commissioner shall refrain from soliciting or accepting any gifts, loans, or favors except that a City official, City employee, board or commissioner and a family member claimed as a dependent or a cohabiter of the City official, City employee, board or commissioner may:

1. Accept a gift or honorarium, not exceeding a value of one hundred dollars (\$100.00), for services rendered in the performance of their public duties or other activity devoted to the improvement of cities, communities and the lives of citizens.
2. Accept ordinary social hospitality; a gift, bequest, favor or loan from a relative; a wedding or engagement gift; a loan in the regular course of business from a reputable and traditional lending institution on the same terms as generally available to the public; and a scholarship, grant or fellowship awarded on the same terms as applied to other applicants.
3. Accept any other gift, favor or loan only if the donor is not a person or entity whose interests have come or are likely to come before the City Council.
4. Solicit and accept campaign contributions as regulated by the state of Michigan campaign finance laws.

- (5) Confidential information. City officials, City employees, boards and commissioners shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose nor divulge to an unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
- (6) Use of public resources. Public resources, including City staff time, equipment, supplies, and facilities, not available to the public in general shall only be used for the benefit of the public and not for a City official, City employee, board or commissioner's personal or private use.
- (7) Representation of private interests. In keeping with their role as stewards of the public interest, a City official, City employee, board or commissioner shall not appear on behalf of the private interests or third parties, including their spouses and family members within the third degree of consanguinity to the City official, City employee, board, commissioner or their spouse, before the City Council or any board, committee, commission, or proceeding of the City.
- (10) Personal Interests. City officials, City employees, boards or commissioners shall not engage in any act or business transaction which may cause him or her or his or her immediate family or business, that he or she is associated with, to derive a personal profit or gain directly or indirectly as a result of his or her official position or authority to profit from a business transaction or act in an official capacity on matters in which he or she has a private financial interest clearly separate from that of the general public.
- (11) Advocacy. City officials, City employees, boards and commissioners shall represent the official policies or positions of the City to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, City officials, City employees, boards and commissioners shall neither state nor imply that they represent the opinions or positions of the City Council or the City of Romulus.
- (12) Policy role of members.
- A. City officials, City employees, boards and commissioners shall respect and adhere to the structure of Romulus City government as outlined by the Romulus City Charter. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, subordinate boards, committees and commissions, and City staff.

- B. City officials, City employees, boards and commissioners therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement City Council policy decisions.

(13) Independence of boards and commissions. Because of the value of the independent advice of subordinate boards, committees, and commissions to the public decision-making process, members of the City Council shall, except when the Councilmember is a member of the public body, limit their participation in the proceedings of such subordinate public bodies to the communication of requested information and providing factual information relevant to the discussion at hand and shall not otherwise attempt to unduly influence the deliberations or outcomes of the proceedings.

(14) Positive workplace environment.

- A. City officials, City employees, boards and commissioners shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City.
- B. Because City official, City employee, board, and commissioner member actions and comments contribute to the environment in which all City employees must work, in order to create and promote a positive work environment under no circumstances shall a City Council member, either in public or private, intimidate, humiliate, or otherwise abuse a City employee.

(15) Compliance and enforcement.

- A. This Code of Ethics for City of Romulus officials, City employees, boards and commissioners expresses standards of ethical conduct expected for City officials, City employees, boards and commissioners. City officials, City employees, boards and commissioners themselves have the primary responsibility to assure that they understand and meet the ethical standards expressed in this code of ethics and that the public can continue to have full confidence in the integrity of government.
- B. Depending upon the employment status of the City official, City employee, board or commissioner or group concerned, and the nature of the action requested, all matters concerning the Conflict of Interest and Ethical Code shall be directed to either i) the Mayor, the City Council and the City Attorney for elected and appointed officials, or ii) to the Mayor and the City Attorney for full and part-time employees. In matters concerning the Mayor or City Attorney, the Mayor pro tem will assume the controlling authority position, for purposes of overseeing any action voted on by City Council, in place of the affected official. When requested, these authorities shall take appropriate action upon any

complaint, request for information, or otherwise resolve matters concerning Conflict of Interest and the Ethical Code policy of the City. The appropriate action to be taken in any individual case shall be determined by a majority City Council vote which may include, but is not limited to, recommending appropriate disciplinary action, including recommendation to the Governor of the State of Michigan for removal from office, removal from appointed position or employment in accordance with the City Charter, the City Code, state law, or the regulations or policies of the City, or the requirements of any collectively bargained agreement.

- C. In addition, the City Council shall annually review the Code of Ethics for City of Romulus officials, City employees, boards and commissioners. The review may include, but is not limited to, recommendations for revisions, additions, deletions, or other action City Council shall deem appropriate from year to year.

(16)Implementation.

- A. As an expression of the standards of conduct for City officials, City employees, boards and commissioners expected by the public, this Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when City officials, City employees, boards and commissioners are thoroughly familiar with it and embrace its provisions.
- B. For this reason, ethical standards shall be included in the regular orientations for newly elected or appointed City officials, City employees, boards and commissioners. Newly elected or appointed City officials, newly hired City employees, new members of boards and commissioners entering office shall sign a statement affirming that they have read and understand the Code of Ethics.

Section 3. Saving Clause. Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding pending in any court or administrative body, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any Act or Ordinance hereby repealed by this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.


Section 4. Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 5. Conflicting Ordinances. All prior existing ordinances adopted by the City of Romulus inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 6. Penalties. Any person who violates the provisions of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$500.00 and/or by imprisonment of not more than ninety (90) days or both.

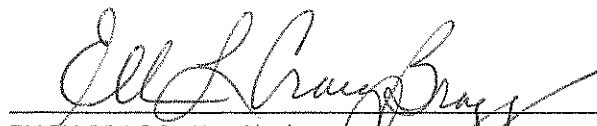
Section 7. Readings. This Ordinance shall be given a first reading on Monday  
March 10, 2014, shall be enacted on Monday, March 24, 2014  
and shall be published on or before April 17, 2014 and  
shall be effective April 17, 2014.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Romulus this  
24th day of March, 2014.


  
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LEROY BURCROFF, Mayor

  
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ELLEN BRAGG, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting held in the City Council Room in said City on the 24th day of March, 2014.

  
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ELLEN BRAGG, City Clerk

I further certify that the foregoing was published in Romulus Roman, a newspaper of general circulation in the City of Romulus, on the 17th day of April, 2014.

  
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ELLEN BRAGG, City Clerk

Within forty-five (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Council protesting against such ordinance continuing in effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election at which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

(c) Statement of Acknowledgment.

Model of Excellence

Name: \_\_\_\_\_

Public Official, City Employee, Board Member or Commissioner Statement:

As a public official, City Employee, Board Member or Commissioner of the City of Romulus, I acknowledge receipt of a copy of the Code of Ethics of the City of Romulus and agree to uphold the Code of Ethics adopted by the City Council and conduct myself by the following model of excellence. I will:

Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;

Help create an atmosphere of respect and civility where individual members, City staff, and the public are free to express their ideas and work to their full potential;

Respect the dignity and privacy of individuals and organizations;

Respect and maintain the nature of confidential and privileged information and opinions acquired as a result of my position;

Conduct my public affairs with honesty, integrity, fairness and respect for others;

Avoid and discourage conduct that is divisive or harmful to the best interests of the City of Romulus; and

Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.

I affirm that I have read and fully understand the Code of Ethics for City of Romulus Public Officials.

\_\_\_\_\_  
Signature/Date

\_\_\_\_\_  
Name/Office