

**Chapter 8A**  
**CODE OF CONDUCT**  
**City Officers and Employees**

**8A.1.00.00 Definitions**

For purposes of this chapter, the terms as used herein shall have the following meanings.

**8A.1.01.00 City officer** – Any person elected to hold office and any appointed department head, including (but not limited to) city manager, treasurer, clerk, police chief, fire chief, attorney and those appointed to the various city commissions.

**8A.1.02.00 City Employee** – Any person hired by the city to carry out a service but who does not have independent discretionary authority and/or the right or duty to establish public policy.

**8A.2.00.00 Supervision and Discipline**

**8A.2.01.00 Prohibitions**

**2.01.01** No city officer shall criticize a city employee outside of the formal disciplinary process.

**2.01.02** No city officer shall degrade, disparage, denigrate, insult or ridicule a city employee or city official.

**2.01.03** Except for the purpose of inquiry or for obtaining or furnishing information, no council member or mayor shall, directly or indirectly, interfere with, deal with or give any orders to any city officer, administrative official or employee either publicly or privately.

**2.01.04** No city officer shall act on behalf of his/her commission, board, council or other city agency without the express authority of such agency.

**8A.2.02.00 Procedure**

**2.02.01** The administrative chain of command will be followed at all times.

**2.02.02** Any violation of this section shall be reviewed and enforced by the officer's immediate superior or by the agency on which the officer serves.

**8A.2.03.00 Penalty**

Any officer who violates the provisions of this section shall be responsible for a Grace C civil infraction.

**8A.3.00.00 Attendance at meetings**

**8A.3.01.00 Notification of absence**

**3.01.01** All elected and appointed officers will notify the City Clerk at least 6 hours in advance of their inability to attend a meeting. No explanation shall be required.

**3.01.02** However, an elected or appointed officer who fails to supply prior notice (either oral or written) shall provide a written explanation to the clerk within 7 days of the meeting.

**3.01.03** All such tardy notifications shall be reviewed by the personnel committee.

**3.01.04** Medical emergencies shall be automatically accepted, all others shall be reviewed for sufficiency.

**8A.3.02.00 Failure to Notify**

Failure to provide such prior notice more than 3 times in a 12 month period is basis for:

**3.02.01** Elected officers – Grade A civil infraction for the fourth and subsequent violations.

**3.02.02** Appointed officers – Grade A civil infraction for the fourth and subsequent violations and removal from office.

**8A.3.03.00 Enforcement**

Any violation fo this section shall be reviewed and enforced by the officer’s immedciate superior or bythe agency on which the officer serves.

**8A.4.00.00 Ethical standards**

**8A.4.01.00 Prohibitions** A city officer or employee may not:

**4.01.01** Derive personal financial benefit from confidential information which the officer or employee has obtained by reason of their position or authority;

**4.01.02** Divulge any confidential information acquired in the course of holding office or employment to any unauthorized person;

**4.01.03** Use city personnel, property, services or funds under the officer’s or employee’s offical care and control for personal gain or benefit;

**4.01.04** Solicit or accept a gift or loan of money, goods, services or other thing of value which would tend to influence the manner in which the officer or employee performs offical duties;

**4.01.05** Use his/her offical position or authority to profit from a business tranaction;

**4.01.06** Accept of employment or render services for a private or public interest when that employment or sercie is incompatible or in conflict with the discharge of the officer’s or employee’s offical duties and responsibilities;

**4.01.07** Participate in the fixing of rates, issuance of permits or certificates, or any other regulation or supervision relating to a business in which the officer or employee has a financial or personal interest.

**4.01.08** Make any false or misleading statement, certificate, mark, record or report with respect to any matter in the course of applying for or holding office or employment;

**8A.4.02.00 Dual status**

An elected city officer may not hold any other elected public office or any other City office ore employment during their elected term of office.

**8A.4.03.00 Post term employment**

Upon termination of their elected office, a council member or mayor may be appointed to a compensated board or commission of the City, but may not become an employee of the City for a period of one year.

**8A.4.04.00 Enforcement**

Unless otherwise provided, any person who shall violate the provisions of this Section shall be responsible for a \$1,000 civil fine in addition to any criminal penalties.

**8A.5.00.00 Conflict Disclosure**

**8A.5.01.00** Any officer or employee who has any other conflict between a personal interest and the public interest as defined by state law or this ordinance shall fully disclose the nature of the conflict. The disclosure must be made before or concurrently with performance of their duty.

**5.01.01** If the officer or employee is a member of a decision making or advisory body, they must make disclosure to the chairperson and other members of the body on the official record.

**5.01.02** Otherwise a disclosure would be appropriately addressed by an appointed officer or employee to their supervisor; or by an elected officer to the general public.

**8A.5.02.00 Enforcement**

Violation of this section shall subject the city officer or employee to \$1,000 fine in addition to criminal prosecution under state law.

**8A.6.00.00 General Penalty**

Unless otherwise provided, any violation of the provisions of this Article shall be a Grade C civil infraction.