



## City of Rocky Mount Administrative Policy

### Policy: Code of Ethics for Elected Officials Of the City of Rocky Mount

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Section:	Executive/Governing Board	Policy No. XI.4
Prepared By:	Jean M. Bailey, City Clerk	
Approved By:	City Council	
Effective Date:	12-14-10	Page: 1 of 3
Supersedes:		

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#### SECTION 1. Purpose

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Mayor and members of the City Council and to provide guidance in determining what conduct is appropriate in particular cases. This Code should not be considered a substitute for the law or for a Council member's best judgment and the provisions herein should be considered minimum standards and examples. Everyone covered by this policy shall strive to bring the perception and actual honesty to all endeavors related to City matters which may influence the public's perception of City government.

#### Section 2. Commitment to Code of Ethics

Prior to taking office, every elected official of the City of Rocky Mount shall certify that he or she has read the Code of Ethics and will comply with the provisions.

#### SECTION 3. Obedience of the Law

The Mayor and members of the City Council shall support the Constitution of the United States and the Constitution of the State of North Carolina and shall obey all laws enacted pursuant thereto, including the ordinances and policies of the City of Rocky Mount and shall be guided by the spirit, as well as the letter of the law in whatever they do.

#### **Section 4. Integrity and Independence of Office**

Public confidence and trust in government is of utmost importance, therefore, the Mayor and members of the City Council shall observe and demonstrate the highest standards of personal integrity, conduct, truthfulness, honesty and fortitude in their public activities. Their activities must not only be, but also have the appearance of being above and beyond reproach.

While it is understood that the Mayor and members of the City Council may have legitimate private business, professional and vocational interests, conflicts with their responsibility to the public should be avoided. Members must exercise their best judgment in determining when a conflict of interest or ethical compromise exists.

Members shall not permit family, social or other relationships to unduly influence their conduct or judgment and shall not lend the prestige of the office they hold to advance the private interests of others, nor themselves; neither shall they convey or permit others to convey the impression that because of the office they hold, they are in a position to provide favors. Members shall not grant special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

#### **Section 5. Responsibilities of Office**

The Mayor and Council members shall faithfully perform the duties of their offices and recognize that they are part of a larger group and should not act or give the impression of acting individually. They must be aware that unless specifically charged with representing the City or the Council they are not authorized to act on behalf of the City and should not offer opinions or positions as if they were the spokespersons for the City unless the Council has taken official action as a body to grant such authority. They should respect their office, treat each other and the public with respect, and honor the opinions of each other even when they disagree.

The Mayor and members of the City Council should not make requests of City employees, including the City Manager and City Clerk, for an action, forbearance or other thing of value which would be of personal benefit.

#### **Section 6. Financial Interest/Gifts and Favors**

The Mayor and members of the City Council shall:

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- 1) Ask to be recused from voting on matters involving their own financial interest or official conduct and shall not participate in deliberations on such matters;
- 2) Shall not solicit or receive any gift or reward in exchange for recommending, influencing or attempting to influence the award of any contract with the City and

- shall reject any gift or favor from a current, past or potential contractor of the City;
- 3) Shall not use knowledge gained in their official capacities to acquire a financial interest in any property, transaction or enterprise or to otherwise gain a financial benefit and shall not help anyone else in doing so;
  - 4) Shall refrain from voting upon any quasi-judicial matter coming before them if prior to hearing the evidence of the case they have formed a fixed opinion; have had undisclosed *ex parte* communications regarding the substance of the matter; have a close familial, business or other associational relationship with any of the parties; or have a financial interest in the outcome of the matter.

#### **Section 7. Compliance with Open Meetings Law**

The Mayor and members of the City Council shall conduct the affairs of the city in an open and public manner. They shall comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to maintain the public trust and confidence. They shall be cognizant of the need for discretion in deliberations and the effect lack of discretion could have on the City, City employees and resources of the City.

#### **Section 8. Disclosure**

The Mayor and any member of the City Council who has a personal interest in any official act or action before the City Council shall publicly disclose on the record the nature and extent of such interest and shall withdraw from any consideration of the matter if excused pursuant to NCGS 160A-75.

#### **Section 9.**

- (a) All resolutions or clauses of resolutions in conflict herewith are hereby repealed.
- (b) This resolution shall be in full force and effect upon adoption.