

ORDINANCE #348**MUNICIPALITIES REQUIRED TO ADOPT ETHICS**

BE IT ORDAINED by the Board of Commissioners of the City of Lakewood as follows:

SECTION 1. APPLICABILITY. This chapter is the code of ethics for personnel of the City of Lakewood. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words "municipal and municipality" include these separate entities.

SECTION 2. DEFINITION OF "PERSONAL INTEREST."

(1) For purpose of Sections 3 and 4, "personal interest" means:

- (a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or
- (b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or
- (c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).
- (d) (2) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

(3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

SECTION 3. DISCLOSURE OF PERSONAL INTEREST BY OFFICIAL WITH

VOTE. An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official vote on the measure. In addition, the official may recuse himself from voting on the measure.

SECTION 4. DISCLOSURE OF PERSONAL INTEREST IN NONVOTING

MATTERS. An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter.

SECTION 5. ACCEPTANCE OF GRATUITIES, ETC. 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 would be expected to perform, or refrain from performing, in the regular course of his duties; or
- (2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business.

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SECTION 11. VIOLATIONS. An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality's charter or other applicable law and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action.

SECTION 12. EFFECTIVE DATE. This ordinance shall take effect at the earliest date allowed by law.

FIRST READING: February 1, 2007

SECOND READING: March 1, 2007

APPROVED:



Mayor



City Recorder