

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

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Town

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of ISCHUA

Local Law No. 1 of the year 2000

"A local law ESTABLISHING A CODE OF ETHICS FOR OFFICERS AND EMPLOYEES OF THE TOWN OF ISCHUA, GATTARAUGUS COUNTY, NEW YORK"

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

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Town

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of ISCHUA as follows:

Section 1. Pursuant to the provisions of Section 806 of the General Municipal Law of the State of New York, the Town Board of the Town of Ischua recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be attained and if public confidence is to be maintained in our unit of local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the Town of Ischua. These rules shall serve as a guide for official conduct of the officials and employees of said town. The rules of ethical conduct of this local law, as adopted, shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law of the State of New York or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. DEFINITIONS

A. "Municipal Officer or Employee" means an officer or employee of the Town of Ischua, 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 engineer or assistant chief engineer.

B. "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

Section 3. STANDARDS OF CONDUCT

Every officer or employee of the Town of Ischua shall be subject to and abide by the following standards of conduct:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A. Gifts. No officer or employee shall, directly or indirectly, solicit any gift or accept or receive any valuable gift, whether in the form of money, service, loan, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her, or could reasonably be expected to do so, in the performance of his or her official duties or was intended as a reward for any official act.

B. Confidential information. No officer or employee shall disclose confidential information concerning the property, government or affairs of the town, nor shall he or she use, allow or make possible the use of such information to advance the private, financial, economic or other interest of himself, herself or others.

C. Representation before one's own agency. No 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 board or agency of which he or she is an officer, member or employee or any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee.

D. Representation before any agency for a contingent fee. No 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 board or agency of this town, whereby the compensation is dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing of fees based upon the reasonable value of the services rendered.

E. Disclosure of interest in legislation. To the extent that he or she knows thereof, a member of the town board or any officer or employee of the Town of Ischua, whether paid or unpaid, who participates in the discussion or gives official notice to the town board on any legislation before said board shall disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.

F. Investments in conflict with official duties. No officer or employee shall invest or hold any investment, directly or indirectly in any financial, business, commercial or other transaction which creates a conflict with his or her official duties.

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G. Private employment. No 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 or her official duties.

H. Future employment. No officer or employee, after the termination of service of employment with the town, shall appear before any board or agency of the Town of Ischua, in relation to any case, proceeding or application in which he or she personally participated during the period of service or employment or which was under his or her consideration.

Section 4. Whenever duly called upon to do so any officer or employee shall provide all information to and give evidence and testify in any investigation, hearing or inquiry authorized by the town board concerning his or her office, official acts and conduct, and matters relating thereto and those of the agency or board in which he or she is or had been employed.

Section 5. Nothing herein contained shall be deemed to bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the town on behalf of the officer or employee or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 6. The Supervisor of the Town of Ischua shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the town within thirty (30) days after the adoption of this local law. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

Section 7. Board of Ethics. There is hereby created and established a Board of Ethics consisting of five (5) members who shall be appointed by the town board, a majority of whom shall not be officers or employees of the Town of Ischua; but at least one(1) of such members shall be an elected or appointed officer of said town and all members shall reside in the Town of Ischua and shall serve, without compensation, at the pleasure of the town board.

Section 8. Penalties. In addition to any penalties contained in any other provision of law, and person who shall violate any provisions of this code may be disciplined, fined, suspended or removed from office or employment, as the case may be,

in the manner provided by law. Contracts entered into by or with the town wherein an officer or employee willfully violates the interest prohibited by Article 18 of the General Municipal Law, shall be unenforceable against the town. Any person who has been convicted by a court of competent jurisdiction for willfully and knowingly violating any of the provisions of this code shall by reason of such conviction be guilty of a misdemeanor and shall be ineligible to hold public office in the town.

Section 9. This local law shall take effect upon the filing thereof in the office of the Secretary of State.