

(Please Use this Form for Filing your 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.

~~County~~
~~City~~ ofNUNDA.....
~~Town~~
~~Village~~

Local Law No.1..... of the year 19 91.....

A local law providing for Rules of Ethical Conduct of the Officers and Employees of the...
(insert title)
Town of Nunda, Livingston County

Be it enacted by theTown Board..... of the
(Name of Legislative Body)

~~County~~
~~City~~ ofNunda..... as follows:
~~Town~~
~~Village~~

Section 1. General Provisions

Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board of the Town of Nunda 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 obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this Article to promulgate these rules of ethical conduct for the officers and employees of the Town of Nunda. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Nunda. The rules of ethical conduct of this Article, as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. Definitions

As used in this Article, the following words shall have the meanings indicated:
Interest means a pecuniary or material benefit accruing to: A municipal officer of employee; his spouse, minor children or dependents; a firm, partnership or association of which such officer

(If additional space is needed, please attach sheets of the same size as this and number each)

or employee is a member or employee; a corporation of which such officer or employee is an officer, director or employee; and a corporation, any stock of which is accrued or controlled directly or indirectly by such officer or employee; unless the context otherwise requires.

Municipal officer or employee means an officer or employee of the Town of Nunda 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.

"He" referred to in this local law shall include a person of any sex.

Section 3. Standards of Conduct

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

a. He shall not, directly or indirectly, solicit any gifts, or accept or receive any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or premise or any other form from any person, firm or corporation which to his knowledge is interested, directly or indirectly, in any manner whatsoever in business dealings with the town, nor shall he accept any gift under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance, of his official duties or was intended as a reward for any official duties or was intended as a reward for any official action on his part.

b. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.

c. He shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any officer, member or employee.

d. He shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in any relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees, based upon the reasonable value of the services rendered.

e. To the extent that he knows thereof, a member of the Town Board and any officer or employee of the Town of Nunda, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board, or who has an interest in any action of the legislative body, or who participates in the discussion or gives official opinion of any official board, agency, officer or employee on any matters being considered by any such official board, agency, officer or employee, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation or in any action of the legislative body or shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such matters being considered by any official board, agency, officer or employee, as the case may be.

f. He shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction, which creates a conflict with his official duties.

g. He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services creates a conflict with or impairs the proper discharge of his official duties.

h. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Nunda in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

i. No officer or employee shall request or permit the use of town owned vehicles, equipment, materials or property for personal convenience or profit of himself or any other person; except, however, when such property, vehicles, equipment, material or services are available to the public generally or which are provided as a matter of town policy for the use of officers or employees in the conduct of their official business.

j. No appointed officer or appointed employee shall orally, by letter or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription or contribution to any political party or candidate from any town employee or officer, nor shall he be a party to such solicitation of others.

k. It is unlawful for town employees in uniform or on duty to solicit any person to vote at any political caucus, primary or election for any candidate or to challenge any voter, or in any matter to attempt to influence any voter at any political caucus, primary or at any election.

Section 4. Claims against the Town

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

Section 5. Ethics Board

No separate Ethics Board shall be established by the Town. All possible violations of this Code of Ethics shall be reviewed and determined by the Town Board.

Section 6. Distribution of the Code of Ethics

The Town Supervisor shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the town within fourteen (14) days after the effective date of this Charter. Each

officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of this office or employment.

Section 7. Penalties for Offenses

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law. Any such violator of any of the provisions of this Article shall be guilty of a violation and may be punished by a fine not exceeding one hundred dollars (\$100.00); if any violator is suspended or removed from office or employment, the fine shall not be invoked.

Section 8. Effective Date

This law shall become effective immediately upon proper filing.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 .91.
~~County~~
City of was duly passed by the Board of the Town of
Village (Name of Legislative Body)

on May .13. 19 91. in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body)
Village
on 19 not disapproved
and was approved by the Elective Chief Executive Officer*
repassed after disapproval
and was deemed duly adopted on 19, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body)
Village
on 19 not disapproved
and was approved by the Elective Chief Executive Officer*
repassed after disapproval
on 19 Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive
thereon at the special election held on 19, in accordance with the applicable
general provisions of law.
annual

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body)
Village
on 19 not disapproved
and was approved by the Elective Chief Executive Officer*
repassed after disapproval
on 19 Such local law was subject to a permissive referendum and
no valid petition requesting such referendum was filed as of 19
in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the City of having been submitted to referendum pursuant to the provisions of §36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19....., pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative. (If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Date: May 15, 1991

HeLen Truax

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

HeLen Truax

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ..LIVINGSTON.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Theron A. Foote

Signature

Theron A. Foote

Town Attorney

Title

Date: May 15, 1991

~~County~~
~~City~~
Town
~~Village~~

of ... Nunda