

**Chapter 21**

**CODE OF ETHICS**

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[HISTROY: Adopted by the Board of Trustees of the Village of Saltaire September 2, 2006 as L.L. No. 5, 2006]

**§21-1. Enactment**

Pursuant to Section 10 of the Home Rule Law and Section 806 of the General Municipal Law of the State of New York, the Incorporated Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law # 5 of 2006, a Local Law of the Village of Saltaire.

**§21-2. Title**

This Local Law shall be entitled “Village of Saltaire Code of Ethics.”

**§21-3. Effective Date**

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Saltaire.

**§21-4. Purpose**

The purpose of this Local Law is to create a chapter of the Village Code of the Village of Saltaire which shall contain a Code of Ethics for the Village officers and employees. The intent of the Local Law is to adopt a Code of Ethics for the Village in conformity with the requirements of the General Municipal Law.

**§21-5. General Provisions**

- A. There shall be a new chapter, Chapter 21 of the Village Code of the Village of Saltaire regarding a Code of Ethics which shall read as follows: “Chapter 21 of the Village of Chapter The Code of Ethics of the Village of Saltaire
- B. The Board of Trustees hereby adopts and enacts a Code of Ethics of the Village of Saltaire.
- C. The Code of Ethics of the Village of Saltaire is stated in the following provisions of this Chapter which shall be followed by all Village officers and employees as stated below.
- D. The following provisions shall be followed by all officers and employees serving in, employed by or representing the Village of Saltaire.

**§21-6. Definitions**

The following terms used in this local law have the meanings ascribed to them in 6NYCRR Part 505 promulgated by the New York State Department of Environmental Conservation, unless the context clearly requires otherwise.

**APPEAR** -- The term appear shall mean to appear in a professional or agency capacity for another person or party before any Board or Agency of the Village.

**EMPLOYEE** -- The term employee shall mean any person working for the Village for wages or salary which are subject to the withholding of taxes or any independent contractor who is given employee status for the purpose of this local law by a resolution duly adopted by the Board of Trustees.

MEMBER OF HOUSEHOLD -- The term member of household shall mean any person who on a regular basis resides or occupies a house in the Village of Saltaire owned or occupied by an officer or employee, excluding a person other than a relative of such officer or employee who occupies such house pursuant to a bona fide written lease.

OFFICER -- The term officer shall mean the Mayor, and or a Trustee, and any member of the Board of Zoning Appeals, Planning Board, or other duly appointed or elected member of a Board as provided for in the Village Code or other law of the State of New York, and any duly appointed Commissioner, Treasurer, Clerk or Inspector, and such other officers, including deputies, as the Board of Trustees shall appoint or determine.

RELATIVE -- The term relative shall mean any person who is a spouse, brother, sister, parent or step-parent, child or step-child, grandchild, grandparent or step-grandparent, or the spouse of any of the foregoing, of an officer or employee.

**§21-7. General Prohibition**

An officer or employee of the Village of Saltaire shall not use his or her official position or office, or take or fail to take any action, including an opportunity he or she knows or as reason to know, is otherwise available to or sought by the Village, in a manner which he or she knows or has reason to know may result in a financial or other personal benefit or for any of the following persons:

- (a). The officer or employee;
- (b). His or her outside employer or business;
- (c). A member of his or her household;
- (d). A customer, client or other business associate of the officer or employee; or
- (e). A relative of the officer or employee.

**§21-8. Recusal**

An officer or employee shall promptly recuse himself or herself from acting on a matter before the Village when acting on the matter, or failing to act on the matter, may financially or otherwise personally benefit any of the persons listed in subdivision 2. of this section, and shall give notice of the reason for the recusal in accordance with subdivision 12. of this section.

**§21-9. Gifts**

An officer or employee shall not solicit a gift having a value of \$75. or more, whether in the form of money, service or 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 influence him or her, in the performance of his or her official duties or was intended as a reward for any specific action on his or her part from any person who is seeking a financial or other personal benefit from the Village, nor shall an officer or employee accept such a gift from any person who the officer or employee knows or has reason to know has received a financial or other personal benefit from the Village within the prior twelve (12) months.

#### **§21-10. Representation**

An officer or employee shall not represent any person in any matter that such person has before the Village nor represent any person in any matter against the interests of the Village, except on his or her own behalf or on behalf of a member of his or her household.

#### **§21-11. Appearance**

An officer or employee shall not appear before any agency of the Village, except on his or her own behalf or on behalf of a member of his or her household or on behalf of the Village.

#### **§21-12. Confidential Information**

An officer or employee and a former officer or employee shall not disclose any confidential information with respect property, affairs or government of the Village learned in the course of his or her service or employment with the Village, except to the extent required as part of his or her service or employment, and shall not use such information to further his or hers or any other person's or entity's financial or other personal interests.

#### **§21-21. Political Solicitation**

An officer or employee shall not knowingly request or knowingly authorize anyone else to request any subordinate of the officer or employee to participate in an election campaign or contribute to a candidate for election to a Village office.

#### **§21-14. Revolving Door**

An officer or employee shall not appear or practice before the Village, except on his or her own behalf, or on behalf of a member of his or her household or on behalf of the Village, and shall not receive compensation or other personal benefits from third parties for working on any matter

before the Village, for a period of one year after the termination of his or her Village service or employment.

#### **§21-15. Avoidance of Conflicts**

An officer or employee shall not knowingly acquire, solicit, negotiate for or accept any interest, employment or other thing of value which would put him or her in violation of or create the appearance of a violation of this Code of Ethics.

#### **§21-16. Inducement of Others**

An officer or employee shall not induce or aid another officer or employee to violate any of the provisions of this Code of Ethics.

#### **§21-17. Transactional Disclosure**

Whenever an officer or employee is required to recuse himself or herself under this Code of Ethics or as otherwise required by law, he or she shall promptly inform his or her superior, if any, and shall promptly file with the Village Clerk a signed statement disclosing the nature and extent of the prohibited action, or, if a member of a board, shall state that information upon the public record of the board, and shall immediately refrain from participating further in the matter.

#### **§21-18. General Exception**

This Chapter shall not be construed to prohibit an officer or employee from accepting or receiving any financial or other personal benefit that is generally provided for or made available to residents or other persons in the Village, nor to prohibit receiving payment of lawful compensation and related expenses.

#### **§21-19. Severability**

In the event that this local law or any portion of it is determined to be invalid or void then the remainder of the local law shall remain in full force and effect.