

Town of Paris, Maine
ETHICS POLICY
For Town Officers, Employees and Appointees

1. **INTRODUCTION: PURPOSE**

It is of critical importance that the public have confidence in the integrity of its municipal government and that town officers and

employees have an opportunity to respond on those occasions in which a conflict of interest appears, or is thought to exist. This Policy establishes rules and a standard of conduct by which town officers and employees may be educated about potential ethical issues, and the violation of which may justify the removal or discharge of officers or employees who violate the ethical standards of conduct established by this Policy.

Thus, the fundamental purpose of this Policy is to establish enforceable ethical standards of conduct for town officers and employees with the hope that the Policy will assist all officers and employees as to identify and avoid conflicts of interest. To that end, every town official and employee as defined in this policy should aspire:

2. to act in the best interests of the town when executing that person's duties as a town officer or employee;
3. to disclose any personal, pecuniary or other self-interest in any matter coming before that person for action as a town officer or employee;
4. to remove him/herself from consideration of or action on any matter which places that person in a prohibited conflict of interest;
5. to be independent, impartial, and mindful of being ultimately

responsible to fellow townspeople for all actions taken as a town official or employee.

6. **DEFINITIONS**

As used in this Policy, the following terms shall have the meanings stated:

Conflict of Interest: The actual or apparent existence of a personal or pecuniary interest, or both, which would be deemed by an objective and reasonable third person to have the capacity to influence an officer or employee in the exercise of that person's public duty.

Employee: Any person employed by the town in any capacity on a full-time or part-time basis.

Family Relationship: Any person who is related to the official or employee as a spouse, parent, grandparent, child, grandchild, sibling, or similar relation to the official's or employee's spouse. This includes all persons who are members of the same household as the official or employee in question, regardless of whether they are related by blood or by marriage.

Officer: Any person who holds an elected or appointed office of the Town of Paris that is established under State law, by vote of Town Meeting, or by vote or action of the Board of Selectmen or by any other board, commission, committee, or agency of the town, including any subcommittee or advisory committee thereto.

Personal Interest: An interest arising from the existence of a family relationship by blood or by marriage, close business relationships, political or personal associations, or residence in the same household, without regard to whether a pecuniary interest is also present.

Pecuniary Interest: Any advantage in the form of money, property, goods, services, commercial interest, or any other thing the primary

significance of which is economic gain; pecuniary interest does not include broad economic effects applicable to the general public such as the economic benefits arising from tax reductions or an increase in general prosperity.

Quasi-judicial Action: Any action where the public body has a duty to notify the parties, hear the parties, and can only decide the particular matter after weighing and considering such evidence and arguments as the parties choose to lay before the public body.

7. **CONFLICTS OF INTEREST PROHIBITED**

8. Generally

No town officer or employee shall participate in any matter in which that person has a personal or pecuniary interest which may directly or indirectly influence that person's decision-making. Where such a personal or pecuniary interest exists, the officer or employee has a duty to recuse him/herself completely from all further participation in the matter in question. The recused person shall immediately leave the room where the matter is under consideration, or shall be seated in the audience with other members of the public who are present. The recused person shall not participate in discussions about the pending matter unless that person first clearly states for the record that any comments or opinions are offered in that person's capacity as a general member of the public. No recused person shall deliberate or vote on the matter in question.

9. Matters Covered

The duty to avoid conflicts of interest and to recuse oneself when such a conflict exists attaches to any officer or employee acting in an executive, quasi-judicial, administrative or legislative capacity, and whether acting singly or as a member of a town board, commission, committee, agency, or other public body.

10. Specific Prohibitions

No officer or employee shall:

11. participate in any hearing, debate, discussion or vote, or in any manner otherwise attempt to influence the outcome of a matter in which he or she has a personal or pecuniary interest;
12. utilize information obtained in such capacity for his or her own personal benefit or that of his or her clients or the clients of the organization with which the public official is associated;
13. appear on behalf of a client before any governmental body of which the public official is a member or whose members have been appointed by the governmental body of which the public official is a member;
14. accept anything of value from any person or organization when the public officer or employee knows or reasonably should know that the offer is for the purpose of influencing the public officer's or employee's actions or decisions;
15. use his or her official position to influence or to attempt to influence any governmental body to act in favor of the officer or employee, or in favor of clients, or clients of the organization with which the officer or employee is associated;
16. allow other individuals in the organization with which the officer or employee is associated to appear on behalf of the clients before the governmental body of which the officer or employee is a member, or any governmental body whose members have been appointed by the body of which the officer or employee is a member, unless the officer or employee publicly disqualifies himself or herself and

refrains from participation in the matter.

17. Duty to Disclose

No officer or employee shall participate in the conduct of business on behalf of the town or enter into discussion or deliberation of any matter without first, publicly and on the record, disclosing business dealings, family relationships, personal friendships and social relationships, and any other personal or pecuniary interest which may influence the impartiality of the officer or employee regarding the matter under consideration.

18. Use of Town Property

No officer or employee of the Town of Paris shall use or enjoy town property, services, or labor for his or her personal benefit, or make available any of the same to others unless such use or enjoyment is available to members of the public upon request on equal terms.

19. Use of Confidential Information

No officer or employee of the Town of Paris shall use any confidential information acquired by virtue of that individual's position for personal benefit, or for the benefit of any other person or business. This does not apply to information which is readily available to the general public.

No officer or employee of the Town of Paris shall violate the privacy of others by disclosing confidential information acquired in the course of official duties without authorization that would allow or require such disclosure.

20. Acceptance of Gifts

No officer or employee of the Town of Paris shall accept a gift, or allow acceptance of such gift by a family member, from any individual, group, or corporation which has or is likely to have a

matter pending before the officer or employee, or before any town board, committee, commission, or agency on which the officer or employee serves. This provision of the Policy is not meant to apply to gifts traditionally exchanged between family members at holidays or birthdays, for example.

21. Duty to Cooperate

All officers and employees of the Town of Paris shall cooperate with any investigative authority regarding any complaint or inquiry alleging violation of this Policy.

22. Fair and Equal Treatment

Acting in their official capacity, all officers and employees of the Town of Paris shall give each and every person fair and equal treatment. No officer or employee shall in the course of official duties give or deny any person special consideration, advantage, because of the person's public status, position, sex, race, religion, creed, sexual orientation, national origin or age unless otherwise permitted or required under applicable law.

23. **EXCLUSIONS**

The provisions of this Policy are not intended and shall not be interpreted to prohibit, interfere with, or regulate the following circumstances or transactions:

24. the right to participate fully in any annual or special town meeting by any officer or employee who is a resident of the Town of Paris;
25. acceptance of donations for the expressed purpose of financing a political campaign, provided such contributions are reported in accordance with all local, state and federal laws which pertain to such donations;

26. participation in a matter which relates to a person or business from which an officer or employee has merely purchased goods or services, if the individual in question has no other conflict of interest relating to that person or business;
27. the actions of police officers, fire fighters and other emergency personnel when responding to emergencies in accordance with the rules and regulations of their departments; and
28. the implementation of personnel policies by supervisors of town employees.

Approved by: Town of Paris Board of Selectmen, February 9, 2009.