

**CODE OF ETHICAL CONDUCT FOR OFFICIALS OF THE
CITY OF GERMANTOWN**

Section One-- Definitions

For the purposes of this Code, the following words will have the meaning ascribed to them by this section:

1. Officer shall mean the Mayor and any member of the Board of Aldermen and any appointive member of a board, commission or committee established by ordinance, charter or state law.

Section Two-- Standards of Conduct

No City officer shall knowingly:

1. Use such officer's public position or office to obtain personal financial gain or anything of substantial value that might reasonably tend to influence such officer to act improperly while discharging his or her official duties;

2. Take any official action substantially affecting a matter in which the officer, a family member, or an organization with which the officer is associated has a substantial financial interest, or use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the officer, a family member, or an organization with which the officer is affiliated;

3. Participate in making or influencing any City governmental decision or action in which the officer knows that he or she or any member of his or her family has any material financial interest distinguishable from that of the public generally or from that of other City officers generally;

4. Accept or solicit any promise of any benefit, direct or indirect, to the officer, family members, or his or her employer (in the case of an elected or appointed person) which the officer believes or should reasonably believe was intended to influence the officer's vote or other action taken in the officer's official capacity;

5. Receive or use for personal purposes any property, services or funds of the City of Germantown;

6. Use for personal gain, or for the gain of any family member, information pertaining to the City of Germantown which is not a matter of common public knowledge;

7. Accept other employment or engage in outside activities which might impair such officer's independent judgment in the performance of his or her public duty;

8. Personally participate in a decision in a matter if the officer is in negotiation concerning or has an arrangement concerning prospective employment with a person or organization which has a financial interest in a matter under consideration by the board, commission or department for which the officer serves;

9. Fail or refuse to file in a timely manner all disclosure statements required to be filed under the applicable ordinance;

10. Accept any gift having a value of more than Twenty Five and 00/100 dollars (\$25) from a person or entity presently doing business with the City or seeking approvals from the City or a person or entity as to whom or which it might reasonably be anticipated would do business with the City or seek approvals from the City in the future, unless the recipient files, within ten (10) days of receipt of the gift, a written statement with the City Clerk/Recorder identifying the gift and the donor; provided, however, on occasion, citizens make gifts to groups of officials in gratitude for service. Such gifts are not deemed to be of the nature that would impact or appear to impact discretion, as governed by Tennessee Code Annotated §8-17-102, and may be accepted by such groups of officials so long as they are collectively shared. The receipt of any such gift shall be reported to the City Administrator, who shall file, within ten (10) days of receipt of any such gift, a written statement with the City/Clerk Recorder identifying the gift and the donor.

11. Vote on a measure, during a meeting at which a vote takes place, without disclosing, before the vote, any personal interest, defined as any financial, ownership or employment interest in the subject of a vote, that affects or that would lead a reasonable person to infer that it affects the officer's vote on the measure. In addition, the officer may recuse himself or herself from voting on the measure.

12. Exercise discretion relative to any matter that affects or that would lead a reasonable person to infer that it affects a personal interest, defined as any financial, ownership or employment interest in a matter to be regulated or supervised, without disclosing the personal interest before the exercise of the discretion, when possible, on a form provided by and filed with the City Clerk/Recorder. In addition, the officer may, to the extent allowed by law, charter, ordinance, or policy, recuse himself or herself from the exercise of discretion in the matter.

13. If it comes to the attention of the Mayor that a person subject to the provisions of this Ordinance may have violated same, the Mayor shall cause an appropriate investigation to be conducted or refer such matter to other appropriate authority and shall report same to the Board of Mayor and Aldermen.

14. If it comes to the attention of any Alderman that the Mayor may have violated the provisions of this Ordinance, the matter shall be reported to the Board of Mayor and Aldermen, which shall have the authority to cause an appropriate investigation to be conducted or refer such matter to other appropriate authority.

15. If an investigation reveals that further action shall be taken, the Board of Mayor

and Aldermen, after affording full due process rights, may issue a public censure of the offender, refer the matter to the City Attorney for prosecution in the City Court or refer the matter to other appropriate authority.