

**219. AN ORDINANCE TO DEFINE AND CODIFY THE TERMS OUTLINED IN ARTICLE IX (ETHICS) OF THE CITY OF GROTON CHARTER (INITIALLY APPROVED MARCH 20, 2017; FINALLY APPROVED APRIL 17, 2017)**

**WHEREAS**, the City of Groton desires to define and codify terms outlined in Article IX (Ethics) of the City of Groton Charter for purposes of clarification; and

**WHEREAS**, Definitions – For the purposes of interpreting Article IX (Ethics) of the Charter of the City of Groton, the following definitions will apply:

***Beneficial Interest*** means any non-financial interest or special treatment that is not common to other citizens of the City. An individual's "beneficial interests" shall include the "beneficial interests" of all members of his/her family.

***Conflict of Interest***

An official, employee or Consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service that is incompatible with the proper discharge of that individual's official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities.

A Substantial financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the City Official, employee or Consultant has reason to believe or expect that he/she will obtain, secure or advance such interest by reason of his/her actions in performance or non-performance of his/her official responsibilities.

An official, employee or Consultant does not have a Substantial Financial Interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual as a member of a profession, occupation, or group to no greater extent than it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in Connecticut General Statutes Section 7-148h(b).

***Consultant*** means any independent contractor or professional person or firm that is, by virtue of an award of a public bid or contract, engaged by and receives compensation from the City for the purpose of providing professional, scientific, technical or other specialized opinion and is in a position to influence any decision of a City Official.

**Gift** is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) for any one (1) occasion.

Gift does not include

- (1) Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (A) the recipient of the gift, or (B) another family member residing in the same household as the recipient of the gift.
- (2) Certificates, plaques or other ceremonial awards.
- (3) Honorary degrees.
- (4) Food, beverage, travel and lodging authorized by the City for official City business and conducted in accordance with City policies regarding travel and means
- (5) A Political contribution which is allowed by law and reported in accordance with the law.

**Information of a Confidential Nature** means information, however transmitted, that is obtained by an official, employee, or Consultant by reason of his/her public position and is of such nature that, at the time of transmission, is not a matter of public record or public knowledge.

**Loan** includes any loan that is not commercially reasonable or more favorable than loans made in the ordinary course of business

**Official duties** refers to those responsibilities and standards established through job descriptions, employment agreements, the City Charter or as defined by CT General Statutes.

**Proper discharge of duties** means acting in a way that does not impair the City Official's independence of judgment or action in the performance of their official duties. For City employees this also means acting in accordance with the City's established policies and work rules.

Improper discharge of duties would include

- 1) Having an outside interest that materially encroaches on time or attention that should be devoted to the affairs of the City;
- 2) Having a direct or indirect interest or relationship with an outsider that is inherently unethical or that might be implied or construed to be, or make possible personal gain due to the City Official's ability to influence dealings; render the City Official partial toward the outsider for personal reasons or otherwise inhibit the impartiality of the City Official's business judgment; place the official or organization in an equivocal, embarrassing or ethically questionable position; or reflect on the integrity of the organization;
- 3) Taking personal advantage of an opportunity that properly belongs to the City;

4) Failing to disclose a conflict of interest that may exist in the discharge of one's duties.

**Substantial Financial Interest** means any interest that: 1) has a monetary value of \$100 or more or generates a financial gain or loss of more than \$100 or more in a calendar year; and 2) is not common to the other citizens of the City. An individual's "significant financial interests" shall include the financial interests of all members of his/her family, but shall not include any duly authorized compensation from the City.

**WHEREAS**, this Ordinance was published in The Day, a newspaper having general circulation in the City of Groton on March 23, 2017 and March 24, 2017;

**WHEREAS**, the Ordinance will be effective upon passage;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council initially approve "An Ordinance to define and codify the terms outlined in Article IX (ETHICS) of the City of Groton Charter".

Initially approved: March 20, 2017

Finally approved: April 17, 2017

  
Marian K. Galbraith, Mayor

  
Debra Patrick, City Clerk