

# Local Law Filing

(Use this form to file a 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  Town  Village  
(Select one:)

of RICHFIELD

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED

AUG 28 2013

Local Law No. 1 of the year 2013

A local law ESTABLISHING A CODE OF ETHICS AND BOARD OF ETHICS FOR THE TOWN  
(Insert Title)

MISCELLANEOUS  
& STATE RECORDS

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of TOWN OF RICHFIELD as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)



# TOWN OF RICHFIELD

## LOCAL LAW NO. 1 OF THE YEAR 2013

### A LOCAL LAW ESTABLISHING A CODE OF ETHICS AND BOARD OF ETHICS FOR THE TOWN

#### **Section 1. Enactment and Title.**

This local law shall be know as the Code Of Ethics of the Town Of Richfield.

#### **Section 2. Purpose**

Pursuant to the provisions of § 806 of the General Municipal Law, the Board of Trustees of the Town of Richfield, New York, 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 chapter to promulgate these rules of ethical conduct for the officers and employees of the Town of Richfield, New York. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Richfield, New York. The rules of ethical conduct of this chapter, 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 3. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

##### INTEREST

A pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires.

##### MUNICIPAL OFFICER OR EMPLOYEE

An officer or employee of the Town of Richfield, New York, whether paid or unpaid, including members of any administrative board, commission or other board or commission 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, except a chief engineer or assistant chief engineer.



#### **Section 4. Standards of conduct.**

Every officer or employee of the Town of Richfield, New York, shall be subject to and abide by the following standards of conduct:

A. Gifts. No person shall, directly or indirectly, solicit any gift or accept or receive any gift having a value of \$75 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence such person, or could reasonably be expected to influence such person, in the performance of his official duties or was intended as a reward for any official action on such person's part.

B. Confidential information. Such person 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. Representation before one's own board or commission. Such person 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 board or commission of which such person is an officer, member or employee or of any municipal board or commission over which such person has jurisdiction or to which such person has the power to appoint any member, officer or employee.

D. Representation before any board or commission for a contingent fee. Such person 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 board or commission of his municipality, whereby his compensation is to be dependent or contingent upon any action by such board or commission 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. Disclosure of interest in legislation. To the extent that such person knows thereof, a member of the Town Board and any officer or employee of the Town of Richfield, whether paid or unpaid, who participates in the discussion or gives an official opinion to the Town Board on any legislation before the Town Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest such person has in such legislation.

F. Investments in conflict with official duties. Such person 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. Private employment. Such person shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such



employment or service creates a conflict with or impairs the proper discharge of that person's official duties.

H. Future employment. Such person shall not, after the termination of service or employment with such municipality, appear before any board or commission of the Town of Richfield, New York, in relation to any case, proceeding or application in which such person personally participated during the period of his service or employment or which was under his active consideration.

#### **Section 5. Personal claims.**

Nothing in this provision 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 Richfield, New York, or any board or commission thereof, on behalf of such person or any member of such person's family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

#### **Section 6. Distribution of Code of Ethics.**

The Town Supervisor of the Town of Richfield, New York, shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the city within 30 days after the effective date of this local law. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of such person's 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.

#### **Section 8. Board of Ethics Established.**

There is hereby established a Board of Ethics consisting of three members to be appointed by the Town Board and who shall serve without compensation and at the pleasure of the Board. One of the members shall be either an elected or appointed officer or employee of the Town of Richfield but the two other members shall not be either elected or appointed officers or employees of the Town.

#### **Section 9. Powers and duties.**

The Board of Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the Town of Richfield with respect to Article 18 of the General Municipal Law and any Code of Ethics adopted pursuant to such article, under such rules and regulations as





the Board may prescribe. In addition, the Board may make recommendations with respect to the drafting and adoption of a Code of Ethics or amendments thereto upon request of the Town Board.

**Section 10. Effective Date.**

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with the Municipal Home Rule Law.



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. 1 of 2013 of the (County)(City)(Town)(Village) of RICHFIELD was duly passed by the TOWN BOARD on AUGUST 19 2013, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the 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 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) 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)(general) election held on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, 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 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.

*Monica Harris*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: August 21, 2013

(Seal)

