

**TOWN OF VIENNA, VIRGINIA
ADMINISTRATIVE REGULATIONS**

Subject:

CODE OF ETHICS

Regulation No:

2.30

Effective Date:

November 8, 2007

Supersedes: January 1, 2004

CODE OF ETHICS

FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF VIENNA

BE IT RESOLVED that the Council adopt the following Code of Ethics for officials and employees of the Town of Vienna.

A. Declaration of Policy:

The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. Realization of these principles is impaired whenever there exists, or appears to exist, an actual or potential conflict between the private interests of a governmental official and his/her public duties. In recognition of these goals there is hereby established a Code of Ethics for all officials and employees, whether elected or appointed, paid or unpaid. The purpose of this code is to establish ethical standards of conduct for all such officials and employees.

B. Responsibilities of Public Office:

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this Commonwealth and to carry out impartially the laws of the nation, state and municipality and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach.

C. Dedicated Service:

All officials and employees of the municipality should be loyal to the political objectives expressed by the electorate as interpreted by the Council and the programs developed to attain those objectives. Appointed officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

Officials and employees should not breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from doing so by law or by officially recognized confidentiality of their work.

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D. Fair and Equal Treatment:

1. **Interest in Appointments.** Canvassing of members of the Council, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to the municipal service shall disqualify the candidate for appointment except with reference to positions filled by appointment by the Council.

2. **Use of Public Property.** No official or employee shall request or permit the use of Town-owned vehicles, equipment, materials, or property for personal convenience or profit, or except as provided as municipal policy for the use of such official or employee in the conduct of official business.

3. **Obligations to Citizens.** No official or employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

E. Conflict of Interest:

No Council member or other official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independence of judgment or action in the performance of his/her official duties. Personal, as distinguished from financial, interest includes an interest arising from blood or marriage relationships or close business or political association.

Specific conflicts of interest are enumerated below for the guidance of officials and employees:

1. **Incompatible Employment:** No Council member or other official or employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his/her official action in the performance of his/her official duties.

2. **Disclosure of Confidential Information:** No Council member or other employee shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the Town. Nor shall he/she use such information to advance the financial or other private interest of himself/herself or others.

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3. Gifts and Favors: No Council member or other official or employee shall accept any valuable gifts, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to his/her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town; nor shall any such official or employee (1) accept any gift, favor, or thing of value that may tend to influence him/her in the discharge of his/her duties, or (2) grant in the discharge of his/her duties any improper favor, service, or thing of value.

4. Representing Private Interests Before Town Agencies or Courts: No Council member or other official or employee whose salary is paid in whole or in part by the Town shall appear in behalf of private interests before any agency of the Town. He/she shall not represent private interests in any action or proceeding against the interests of the Town in any litigation to which the Town is a party.

A Council member may appear before Town agencies on behalf of constituents in the course of his/her duties as a representative of the electorate or in the performance of public or civic obligations. However, no Council member or other official or employee shall accept a retainer or compensation that is contingent upon a specific action by a Town agency.

Nothing in this code shall deny any Council member or other official or employee from appearing before any agency of the Town in his/her own behalf, provided the records of the proceedings clearly state the fact that he/she is appearing in his/her own behalf, and provided further that the nature of his/her interest is clearly set forth in the records.

5. Contracts with the Town: Any Council member or other official or employee who has a substantial or controlling financial interest in any business entity, transaction, or contract with the Town, or in the sale of real estate, materials, supplies, or services to the Town shall make known to the proper authority such interest in any matter on which he/she may be called to act in his/her official capacity. He/she shall refrain from voting upon or otherwise participating in the transaction or the making of such contract or sale.

A Council member or other official or employee shall not be deemed interested in any contract or purchase or sale of land or other thing of value unless such contract or sale is approved, awarded, entered into, or authorized by him/her in

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his/her official capacity.

6. Disclosure of Interest in Legislation: A Council member who has a financial or other private interest in any legislation shall disclose on the records of the Council or other appropriate authority the nature and extent of such interest.

Any other official or employee who has a financial or other private interest, and who participates in discussion with or gives an official opinion to the Council, shall disclose on the records of the Council or other appropriate authority the nature and extent of such interest.

F. Political Activities:

No appointed official or employee in the administrative service shall use the prestige of his/her position in behalf of any political action.

No appointed official or Town employee shall orally, by letter, or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription or contribution to any political faction; nor shall he/she be a party to such solicitation by others. No such appointed official or employee shall take any active part in political campaigns for candidates for political office in either the Town of Vienna or Fairfax County when they are:

1. On duty;
2. On any Town property; or
3. In any Town uniform.

No official or employee, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity. As used in this section, the term "appointed official" shall include only the following: Town Manager, Town Clerk, Town Treasurer and Director of Finance.

G. Applicability of Code:

When a Council member or Mayor has doubt as to the applicability of a provision of this code to a particular situation, he/she should apply to the Council for an advisory opinion and be guided by that opinion when given. When the Town Manager has doubt as to the applicability of a provision of this code to a particular situation, he should apply to the Mayor for an advisory opinion and be guided by that opinion when given. When other officials or employees have doubt as to the applicability of a provision of this code to a particular situation, they should apply to the Town

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Manager for an advisory opinion and be guided by that opinion when given. The Mayor, Council member, Town Manager, or other official or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicable provision(s) of the code before such advisory decision is made.


This code shall be operative in all instances covered by these provisions except when superseded by an applicable statutory or charter provision; or when a statutory or charter provision is discretionary, but determined to be more appropriate or desirable.

H. Sanctions:

Violation of any provision of this code should raise conscientious questions for the Council member or other official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the Town. Violation may constitute a cause for suspension, removal from office or employment, or other disciplinary action.

APPLICABLE DOCUMENTS

None

<i>Signature of Town Manager:</i>	<i>Date:</i>
	11-08-07

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