



CHARTER TOWNSHIP OF NORTHVILLE

Subject: Code of Ethics	Policy: 5.1.002	Pages: 6
Standards: General Policy	Effective date: 10/31/2007	Revised date: 02/03/2023

I. **PURPOSE**

All employees and public officers must avoid conflicts between their private interests and those of the public whom they service. To enhance the faith of the people and the integrity and impartiality of all employees and public officers, it is necessary to provide practical guidelines for ethical decision-making and ethical behavior from employees and public officers responsible to the citizens of Northville Township. The decision and actions of all employees and public officers should be in the best interest of the Township and be free from the influence of outside or conflicting interests.

II. **POLICY STATEMENT**

Public office is a public trust. Any democracy requires public confidence in the integrity of the government. Persons in public service must recognize that a moral commitment to do the right thing is required. Characteristics of honesty, loyalty, fairness, promise keeping, accountability, respect for others, and integrity do not depend on one's situation. They are behaviors expected by/of the employees and public officers at all times.

Employees and public officers must avoid any action, whether or not specifically prohibited below, that might result in, or create the appearance of:

- a. Using public employment or office for private gain,
- b. Giving or accepting preferential treatment to or from any organization or person,
- c. Losing independence or impartiality of action,
- d. Making a Township decision, or giving the impression that a Township decision has been made, outside official channels,
- e. Affecting adversely the confidence of the public or integrity of the Township government, or
- f. Giving or accepting preferential treatment in the use of Township property.

These standards are intended to be primarily preventative, although violations may be sanctioned as set forth below and as permitted by law or otherwise. These standards shall not be construed to interfere with or abrogate in any way the provisions of any state or federal statutes. These standards are not intended to prevent any employee or public

officer from receiving compensation for work performed on his or her own time as a private citizen and not involving Township business. These standards are not intended to apply to contributions to political campaigns which are governed by state law.

III. SCOPE

All Township representatives – elected, appointed, or otherwise employed in any capacity with the Township in any positions that are established by the Township and that involves the exercise of public power, trust, or duty. This includes any official or employee of the Township, whether or not they receive compensation, including persons who serve on advisory boards and commissions.

IV. DEFINITIONS

- A. Conflict of interest – a situation that occurs when one is in a position of moral obligation that is at variance with personal interest.

- B. Employee – all full and part-time persons who are compensated for their services by the Township. Independent contractors (1099 status) are not subject to these policies.

- C. Customer – an individual, corporation, or other business entity, who has submitted an application, sought approval, requested permits, is subject to review by a Township Board or Commission, or otherwise seeks or requests services from the Township, including those typically provided by governmental entity or other services provided by the Township or its employees.

- D. Confidential information – information which has been obtained in the course of service with the Township or in fulfilling the duties of one's office with the Township. Such information being unknown or unavailable to members of the public and has been obtained on the basis of a promise of confidentiality which is required to be held confidential by law, or regulation, or which the employee or officer has been instructed is being held confidentially. It does not include information required to be disclosed by law.

- E. Financial interest – is defined as:
 - i. Any interest as a proprietor or partner in an organization that is not a corporation; or,

 - ii. The ownership of or right to acquire stock or bonds in an amount in excess of 1% of the total stock or bonds of the same class of such organization that is a corporation (whether or not publicly owned); or,

 - iii. Any interest in the form of a loan, advance, or financial arrangement in an amount greater than 1% of the combined capital or debt of such organization that is a corporation (whether or not publicly owned); or,

 - iv. Any employment full or part-time.

- F. Governmental decision – a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, ordinance, or measure on which a vote by the members of a legislative or governing body of the Township is required and by which the Township formulates or effectuates public policy. A governmental decision shall also include actions, approvals, or decisions made by governmental employees in the ordinary course of Township business such as issuing permits, approvals, or providing other services ordinarily offered by the Township or other governmental entities.
- G. Immediate family – a spouse, child/children (including in-law and step), parents (including in-law and step), siblings (including in-law and step), individual claimed by that individual or individual's spouse as a dependent under the internal revenue code, or an individual or other persons in the same household.
- H. Public Officer – an elected official of the Township or a person appointed to a Township board or commission.
- I. Public Record – any information in the Township records that is legally determined to the public.
- J. Township – The Charter Township of Northville, including its boards, commissions, departments, and divisions.
- K. Unethical conduct – a violation of the standards set forth in this Code of Ethics Policy.

V. GENERAL STANDARDS

- A. Confidential Information: An employee or public officer shall not divulge confidential information acquired in the course of employment to an unauthorized person prior to the time authorized for its release to the public.
- B. Representations: An employee or public officer shall not represent his or her personal opinion as that of the Township.
- C. Township Resources: An employee or public officer shall refrain from intentionally using their respective Township office or position for personal gain or benefit. An employee or public officer shall use Township resources, property, and funds under their official care and control in accordance with constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
- D. Solicitation: An employee or public officer shall not solicit to personally receive a gift or loan of money, goods, services, or other thing of value from persons seeking or receiving benefits from the Township or performing services under contract to the Township or otherwise in a position to benefit from employee or public officer action.

- E. Gratuities: An employee or public officer may accept gifts or favors from an organization that does or seeks to do business with the Township if the gift or favor falls into one of the three categories listed below.
 - i. Gifts of nominal value and involving normal sales promotion, advertising, or publicity.
 - ii. Appropriate and infrequent social amenities, including but not limited to lunch, flowers, candy, fruit baskets, etc., of nominal value provided there is no compromise of sound business principles in the relationship.
 - iii. Freely offered gifts provided they do not exceed a value of \$100, and admission to events if more than \$100 to which they are invited in their official, representative capacity of the Township, provided this be made a matter of public record at a regular meeting of the Board of Trustees. The Township Manager will maintain a record of such disclosure.
- F. Profit from Position: Subject to the provisions of these policies, an employee or public officer shall not engage in a business transaction in which the employee or public officer or their immediate family member profit from his or her official position or authority or benefit financially from confidential information which the employee or public officer has obtained by reason of that position or authority.

VI. STANDARDS RELATED TO FINANCIAL INTEREST IN CONTRACT, PURCHASE, OR EMPLOYMENT

- A. An employee or public officer shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the employee's or public officer's official duties on behalf of the Township or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties.
- B. An employee or public officer shall not, with respect to transactions on behalf of the Township, participate in negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, approving of uses, or other regulations or supervision relating to a business entity in which the employee or public officer or immediate family has any financial interest.
- C. An employee or public officer shall not be a party, directly or indirectly, to any contract between himself/herself and the Township, except as provided by State law.
- D. An employee or public officer shall not directly or indirectly solicit any contract between the township and:
 - i. Himself or herself; or,

- ii. Any firm (meaning a co-partnership or other unincorporated association) of which he or she is a partner, member, or employee, or has a relationship to; or,
- iii. Any private corporation in which he or she is a stockholder owning more than 1% of total outstanding stock of any class where such stock is listed on a stock exchange or stock with a present total market value in excess of \$25,000 where such stock is listed on a stock exchange or of which he or she is a director, officer, or employee; or,
- iv. Any trust of which he or she is a beneficiary of trustee.

Nor shall he or she take part in the negotiations for such a contract or the renegotiations thereof or amendment thereto or in the approval thereof; nor shall he or she represent either party in the transactions, except as provided by State law.

VII. REQUIRED DISCLOSURES AND VOTING

- A. An employee, public officer, or appointee shall promptly disclose any contractual, financial, political support, business, or employment interest he/she or immediate family may have in the governmental decision and the disclosure will be made part of the public record of the official action of the governmental decision. A public officer should disclose even the appearance of a conflict of interest that should remain.
- B. Whenever a consulting firm is employed, either directly or indirectly by the Township, the principals of that firm shall be required to disclose a financial interest of 1% or greater in another firm they know to be doing business with the Township. Any disclosures are not intended to prohibit that firm from providing services. These disclosures are intended to make the Township aware of any potential conflicts of interest.
- C. If a conflict is disclosed, the public officer will remove himself/herself from the meeting room until the issue is resolved. This section shall not prevent a public officer from making or participating in making a governmental decision to the extent that the public officer's participation is required by law. Statements of disclosure or conflict shall not be used as a mechanism to prevent a governmental decision from being made.

VIII. ENFORCEMENT

- A. A Board of Ethics shall serve as the body for the purpose of interpreting and enforcing this Code of Ethics Policy for Public Officers and the Township Manager.
 - i. The Township Board of Trustees shall be responsible for imposing any sanction for a violation of the Code of Ethics Policy on a public officer or the Township Manager, based on the opinion of the Board of Ethics.

- ii. If any disciplinary action is recommended by the Board of Ethics, including removal of a public officer, the Township shall follow the requirements for removal of public official established by the laws of the State of Michigan.
- B. The Township Manager shall interpret and enforce this Code of Ethics Policy for all Township employees.
 - i. The Township Manager shall have sole discretion to take appropriate action to enforce the Code of Ethics Policy including but not limited to reprimand, suspension, termination, or other discipline deemed appropriate under the circumstances.

IX. ETHICS POLICY AFFIDAVIT.

Upon being elected or appointed, each public officer shall sign and date an Ethics Policy Affidavit in which he or she states:

“I have read, understood, and agree to abide by the Code of Ethics Policy for the Charter Township of Northville.

To the best of my knowledge, I am not in conflict with any of its provisions”.

The Human Resources Director maintains the Ethics Policy Affidavits for all Public Officials.