

**Code of Ethics
Board of Ethics
For
The County of Cayuga**

**Issued by
Cayuga County Legislature**

RESOLUTION NO. 217

TO ESTABLISH A CODE OF ETHICS AND A BOARD OF ETHICS FOR THE COUNTY OF CAYUGA.

BY: Mr. Coulson, Chairman, Legislature Committee.

WHEREAS, it is required that all municipalities must adopt a Code of Ethics and a Board of Ethics according to Chapter 1019 of the Laws of the State of New York for 1970; and

WHEREAS, the County of Cayuga, State of New York is desirous of adopting said Code of Ethics and establishing a Board of Ethics; now, therefore be it

RESOLVED, that the County of Cayuga, State of New York, does hereby enact the following:

**ARTICLE I
INTENT OF CAYUGA COUNTY
LEGISLATURE**

Section 1. Statement of legislative intent. The Legislature of the County of Cayuga recognizes that there are State statutory provisions mandating counties to establish rules and standards of ethical conduct for public officers and employees which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to disregard our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public

administration of this County as part of local government. It is the purpose of this resolution to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards and to create a Board of Ethics to render advisory opinions to the County's officers and employees as provided for herein.

Section 2. The standards, prohibited acts and procedures established herein are in addition to any prohibited acts, conflicts of interest provisions or procedures prescribed by statute of the State of New York and also in addition to common law rules and judicial decisions relating to the conduct of County officers to the extent that the same are more severe in their application than this resolution.

**ARTICLE II
CODE OF ETHICS**

Section 1. Definitions. As used in this resolution, the term "County" shall mean any board, commission, district, council or other agency, department or unit of the government of the County of Cayuga.

The term "County employees" shall mean any officer or employee of the County of Cayuga, whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

***Section 2.** Rule with respect to conflicts of interest. No County employee shall have any interest, financial, or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his/her duties in the public interest.

Section 3. Standards

(a) No County employee shall accept other employment which will impair his/her independence of judgment in the exercise of his/her official duties.

(b) No County employee shall accept employment or engage in any business or professional activity which will require him/her to disclose confidential information which he/she has gained by reason of his/her official position or authority.

(c) No County employee shall use or attempt to use his/her official position to secure unwarranted privileges or exemptions for himself/herself or others.

- (d) No County employee shall engage in any transaction as representative or agent of the County with any business entity in which he/she has direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his/her official duties.
- (e) A County employee shall not by his/her conduct give reasonable basis for the impression that any person can improperly influence him/her or unduly enjoy his/her favor in the performance of his/her official duties, or that he/she is affected by the kinship, rank, position or influence of any party or person.
- (f) Each County employee shall abstain from making personal investments in enterprise which he/she has reason to believe may be directly involved in decisions to be made by him/her or which will otherwise create substantial conflict between his/her duty in the public interest and his/her private interest.
- (g) Each County employee shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he/she is likely to be engaged in acts that are in violation of his/her trust.
- (h) No County employee employed on a full-time basis, nor any firm or association of which such employee is a member, nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such employee shall sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the County in which such employee serves or is employed.
- (i) No official shall personally solicit from any county employee a contribution to a political campaign committee for which the person subject to this chapter is a candidate or treasurer.

Section 4. Violations. In addition to any penalty contained in any other provision of law, any such County employee who shall knowingly and intentionally violate any of the provisions of this resolution may be fined, suspended or removed from office or employment in the manner provided by law.

ARTICLE III

CODE OF ETHICS

Section 1. There is hereby established a Board of Ethics consisting of five (5) members to be appointed by the governing body of the County of Cayuga, all of whom reside in the County and who shall serve without compensation and at the pleasure of the Legislature of the County of Cayuga. A majority of such members shall be persons other than the County employees, but shall not be officers or employees of the County of Cayuga or municipalities wholly or partially located in the County and at least one of whom shall be an elected or appointed officer or employee of the County or a municipality located within the County.

Should the County operate under an optional or alternative form of county government or county charter, members shall be appointed by the County Executive or County manager, as the case may be, subject to confirmation by such governing body.

*The five (5) members to be appointed shall consist of three (3) recommendations made to the Chairman of the Cayuga County Legislature by the Majority Leader of the Cayuga County Legislature and two (2) recommendations made to the Chairman of the Cayuga County Legislature by the Minority Leader of the Cayuga County Legislature.

Section 2. The Board of Ethics established hereunder shall render advisory opinions to County employee or written request and upon request of the County Legislature make recommendations to such County Legislature as to any amendments of this resolution. The opinions of the Board of Ethics shall be advisory and confidential and in no event shall the identity of the County employee be disclosed except to authorized persons and agencies. Such opinions shall be on the advice of counsel employed by the Board of Ethics or, if none, of the County Attorney.

Section 3. Such Board of Ethics upon its formation shall promulgate its own rules and regulations as to its form and procedures and shall maintain appropriate records of its opinions and proceedings.

***Section 4.** The term of each member of the Ethics Board shall be five (5) years and the term shall be staggered, so that one (1) member is appointed/reappointed each year. The initial appointment to the Board of Ethics shall be as follows:

The first majority appointment to the Ethics Board appointed by the Chairman of the Cayuga County Legislature shall serve for a term of one (1) year; the first minority appointment by the Chairman of Cayuga County Legislature shall serve a term of two (2) years; the second majority appointment made by the Chairman of the Cayuga County Legislature shall serve for a term of three (3) years; the second minority appointment made by the Chairman of the Cayuga County Legislature shall serve for a term of four (4) years; and the third majority appointment made by the Chairman of the Cayuga County Legislature shall serve for a term of five (5) years. Thereafter each appointment or reappointment shall serve for five (5) years and shall be made according to Article III, Section 1, as amended.

ARTICLE IV ADMINISTRATIVE

Section 1. Upon the adoption of this resolution, the Clerk of the County Legislature shall cause a copy thereof to be distributed to every County employee of this County. Failure to distribute any such copy or failure of any County employee to receive such copy shall have no effect on the duty of compliance with this code, nor the enforcement of provisions hereof. The Clerk of the County Legislature shall further cause a copy of this resolution to be kept posted conspicuously in each public building under the jurisdiction of the County. A current copy shall always be posted on the official Cayuga County website. Failure to so post this resolution shall have no effect on the duty of compliance herewith, nor the enforcement provisions hereof.

Section 2. Within thirty (30) days of the adoption of this resolution, the Clerk of the County Legislature shall file a copy thereof in the office of the State Comptroller.

Section 3. The County Legislature may appropriate moneys from the general County funds for the maintenance of and for personal services to the Board of Ethics established hereunder, but such Board of Ethics may not commit the expenditure of County moneys, except within the appropriate provided herein.

ARTICLE V SEVERABILITY CLAUSE

Section 1. If any clause, sentence, paragraph, section or part of this resolution shall be adjudged by any court of complete jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

ARTICLE VI EFFECTIVE DATE

Section 3. This resolution shall take effect immediately.

I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE LEGISLATURE OF CAYUGA COUNTY, AT A MEETING HELD ON THE _____, WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.

*LEE BREW
CLERK COUNTY LEGISLATURE

DATED OCTOBER 24, 2006

*Amended by Resolution No. 70-06

Revised September 2006