

**ST. JOSEPH CHARTER TOWNSHIP
COUNTY OF BERRIEN
STATE OF MICHIGAN**

**AN ORDINANCE TO ADOPT
A CODE OF ETHICS FOR ST. JOSEPH CHARTER TOWNSHIP**

ORDINANCE NO. 201601

An ordinance to adopt a Code of Ethics for St. Joseph Charter Township and to provide for a fair, ethical, and accountable local government that has earned the public's full confidence for integrity.

ST. JOSEPH CHARTER TOWNSHIP ORDAINS:

SECTION ONE: PREAMBLE.

The citizens of St. Joseph Charter Township are entitled to have fair, ethical and accountable local government that has earned the public's full confidence for integrity. Furthermore, the effective functioning of democratic government requires that public officials comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and actions; public office be used for the public good, not for personal gain; and public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the St. Joseph Charter Township Board adopts this Code of Ethics for St. Joseph Charter Township Officials to assure public confidence in the integrity of local government and its effective and fair operation.

SECTION TWO: DEFINITIONS.

As used in this Resolution, the following words and phrases shall have the following meanings:

Appointed Persons - a person selected and installed in an office or position at St. Joseph Charter Township by the Supervisor, Manager, and/or Township Board, including but not limited to the Clerk, Treasurer, Assessor, Building Inspector/Zoning Administrator, all members of the Planning Commission, Zoning Board of Appeals, and the Board of Review

Board - the Township Board of St. Joseph Charter Township

Candidate - someone who seeks or who has been proposed for an office, position, or award.

Employee - an employee of St. Joseph Charter Township whether full or part-time, contract or hired

Township Officials- all candidates, appointed persons, and any other person elected to any position at St. Joseph Charter Township, including but not limited to the Township Board members, subordinate boards and committees of the Township Board. This definition does not include a volunteer not appointed or elected to office

Conflict of interest - an interest that competes with or is adverse to a legitimate interest of the Township

Elected - a person chosen and elected by the eligible voters of the Township

Employee - a person working for the Township for wages, salary, or other benefits and under the control and supervision of the Township as to hours, work standards, and rules of work, etc.

Family Member - spouse, child, or any family members within the third degree consanguinity to the Township Official or the Township Official's spouse

Township - St. Joseph Charter Township

All words not otherwise defined in this section shall be presumed to have their ordinary dictionary meaning.

SECTION THREE: CODE OF ETHICS.

(1) Acts in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, Township Officials will work for the common good of the people of St. Joseph Charter Township and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the Township.

(2) Compliance with Law

Township Officials shall comply with the laws of the nation, the State of Michigan, and the Township of St. Joseph Charter Township in the performance of their public duties. These laws include, but are not limited to: the United States and Michigan constitutions; laws pertaining to conflicts of interest, contracts with public entities, election campaigns, financial disclosure, employer responsibilities, and open processes of government; and Township ordinances and policies.

(3) Default to Township

Township Officials shall set an example for the people they serve and therefore Township Officials shall not be in financial default to the Township. Any person who has not timely paid his or her Township property taxes or any special assessments when due shall be deemed to be in financial default to the Township.

(4) Respect for Process

Township Officials shall perform their duties in accordance with the processes and rules of order established by the Township Board and the rules and procedures governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Township Board by Township staff.

(5) Conduct of Public Meetings

Township Officials shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

(6) Communication

Township Officials shall publicly share substantive information that is relevant to a matter under consideration, which they may have received from sources outside of the public decision-making process.

(7) Full Disclosure

A Township Official in the performance of his or her public duties shall not act upon any matter in which they have a material financial interest, or where they have a legal or fiduciary duty to another organization or entity or personal relationship that may give the appearance of a conflict of interest, without disclosing the full nature and extent of the interest to the other members of the Township Board on the official record. Such disclosure must be made before the time to perform their duty or concurrently with the performance of the duty. The disclosure required by this subsection shall not supplant, but instead shall supplement, any disclosure of a personal, contractual, financial, business, employment or pecuniary interest required by state statute.

(8) Gifts, Favors and Loans

Township Officials should refrain from financial and business dealings that would tend to reflect adversely on the Official's impartiality, interfere with the performance of their public duties or exploit their official position. Township Officials should not take any special advantage of services, goods or opportunity for

personal gain that is not available to the public in general. Township Officials and any family member claimed as a dependent of the Official shall refrain from soliciting or accepting any gifts, loans or favors except that an Official and a family member claimed as a dependent of the Official may: i) Accept a gift or honorarium, not exceeding a value of \$100, for services rendered in the performance of their public duties or other activity devoted to the improvement of cities, communities and the lives of citizens. ii) Accept ordinary social hospitality; a gift, bequest, favor or loan from a relative; a wedding or engagement gift; a loan in the regular course of business from a lending institution on the same terms as generally available to the public; and a scholarship, grant or fellowship awarded on the same terms as applied to other applicants. iii) Accept any other gift, favor or loan only if the donor is not a person or entity whose interests have come or are likely to come before the Township. iv) Solicit and accept campaign contributions.

(9) Confidential Information

Township Officials shall respect the confidentiality of information concerning the property, personnel or affairs of the Township. They shall neither disclose nor divulge to an unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

(10) Use of Public Resources

Public resources, including Township staff time, equipment, supplies, and facilities, not available to the public in general shall only be used for the benefit of the public and not for Township Official's personal or private use.

(10) Representation of Private Interests

In keeping with their role as stewards of the public interest, Township Officials shall not appear on behalf of the private interests of third parties, including their spouses and family members within the third degree of consanguinity to the Township Officials or their spouse, before the Township Board or any board, committee, or proceeding of the Township.

(12) Advocacy

Township Officials shall represent the official policies or positions of the Township Board to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Township Officials shall explicitly state they do not represent St. Joseph Charter Township, nor will they allow the inference that they do.

(13) Policy Role of Members

Township Officials shall respect and adhere to the Township Board-Township Manager structure of St. Joseph Charter Township. In this structure, the Township Board as a whole determines the policies and directives of the Township with the advice, information, and analysis provided by the public, subordinate boards, committees, and Township staff.

Township Officials therefore shall not interfere with the administrative functions of the Township or the professional duties of Township staff; nor shall they impair the ability of staff to implement Township Board policy decisions.

(14) Independence of Boards and Committees

Because of the value of the independent advice of subordinate boards and committees to the

public decision-making process, members of the Township Board shall, except when the Board member is a member of the public body, limit their participation in the proceedings of such subordinate public bodies to the communication of requested information and providing factual information relevant to the discussion at hand and shall not otherwise attempt to unduly influence the deliberations or outcomes of the proceedings.

(15) Positive Workplace Environment

Township Officials shall support the maintenance of a positive and constructive workplace environment for Township employees and for citizens and businesses dealing with the Township. Township Officials shall recognize their special role in dealings with Township employees so as to in no way create the perception of inappropriate direction to staff nor, except for the purpose of inquiry, give specific orders to subordinates of the Township Manager.

Because Township Officials' actions and comments contribute to the environment in which all Township employees must work, in order to create and promote a positive work environment under no circumstances shall Township Officials either in public or private, intimidate, humiliate, or otherwise abuse a Township employee.

(16) Compliance and Enforcement]

This Code of Ethics for St. Joseph Charter Township Officials expresses standards of ethical conduct expected by St. Joseph Charter Township. Township Officials themselves have the primary responsibility to assure that they understand and meet the ethical standards expressed in this code of ethics and that the public can continue to have full confidence in the integrity of government.

All Township Officials shall have a responsibility to intervene when actions of another Township Official, which appear to be in violation of the Code of Ethics, are brought to their attention. Requests to investigate or take action to enforce this Code of Ethics, shall be brought to the Township Attorney. Upon acquiring reasonable suspicion of a violation of the Code of Ethics, the Supervisor, or any three Officials may require the setting of a public hearing at a regular or special meeting of the Township Board to determine whether a violation of the Code of Ethics has occurred and, if so, what sanctions shall be imposed for the violation.

The Township Board may impose sanctions on Township Officials whose conduct does not comply with the Township's ethical standards. Sanctions may include reprimand, formal censure, loss of committee assignment, restrictions on budget or travel, and removal from office by the governor in the manner and for the causes provided by law or as provided by Michigan law.

A violation of this code of ethics shall not be considered a basis for challenging the validity of a Township Board decision.

(17) Implementation

As an expression of the standards of conduct for Township Officials expected by the public, this Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when Township Officials are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for newly elected or appointed Township Officials. In addition, the Township Board shall periodically review The Code of Ethics for St. Joseph Charter Township Officials.

SECTION FOUR: ACKNOWLEDGMENT

Township officials entering office after election or appointment shall sign a statement affirming that they have read and understand The Code of Ethics for St. Joseph Charter Township Officials. Each Township Official, upon being elected or appointed to a position as a Township Official, shall sign the following Official's Statement of Acknowledgment, which shall be kept in the Clerk's office.

**Model of Excellence
St. Joseph Charter Township Official Statement**

As a St. Joseph Charter Township Official, I agree to uphold and abide by the Code of Ethics adopted by the Township Board and to conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Avoid being in financial default to the Township;
- Help create an atmosphere of respect and civility where individual members, Township staff, and the public are free to express their ideas and work to their full potential;
- Respect the dignity and privacy of individuals and organizations;
- Respect and maintain the nature of confidential and privileged information and opinions acquired as a result of my position;
- Conduct my public affairs with honesty, integrity, fairness, and respect for others;
- Avoid and discourage conduct that is divisive or harmful to the best interests of St. Joseph Charter Township; and
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.

I affirm that I have read and fully understand the Code of Ethics for St. Joseph Charter Township Officials and will abide by all of the provisions contained therein.

Signature

Date

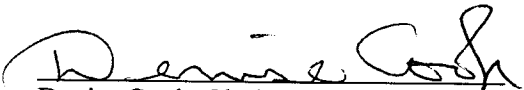
Printed Name

Office

ORDINANCE DECLARED ADOPTED.

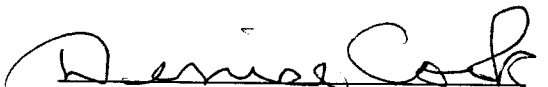


Roger Seely, Supervisor



Denise Cook, Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by ST. JOSEPH CHARTER TOWNSHIP, County of Berrien, State of Michigan, at a Regular Meeting held on the 1st day of February, 2016, and that said Meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with Act No. 267 Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.



Denise Cook, Clerk