



Code of Conduct

(a) The City of Berkeley Lake adopts by reference, as if fully set forth herein, the provisions of OCGA 45-10-1 and Section 2.14 of the City of Berkeley Lake Charter. Any conflict between local ordinance and state statutes and/or the charter shall be resolved in accordance with the provisions of state statute and the charter.

(b) It is the policy of the City of Berkeley Lake to observe the highest standards of public conduct, considering the roles of both elected and appointed city officials to be primarily that of a trustee of the public's resources. Consequently, this code seeks to establish criteria and guidelines that will encourage all city officials to serve others, not themselves; to use resources with efficiency and economy; to treat all people fairly; to use the power of their positions only for the well-being of constituents; and to create an environment of honesty, openness and integrity.

(c) Public officials and employees of the city shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and shall avoid both actual and potential conflicts of interest between their private self-interest and the public interest.

(d) The following are found to be ethics violations in the City of Berkeley Lake and are prohibited:

(1) Coercing or attempting to influence persons outside a public meeting by offering to exert the power and resources of their position to achieve a private objective;

(2) Making commitments, implicitly or explicitly, that the city will take actions the council has not agreed to;

(3) Accepting gifts or favors with a value of more than \$50, or multiple gifts with a cumulative value of \$100 from any single source, from persons regulating and conducting business with the city;

(4) Disclosing confidential information from closed meetings without the prior authorization of the Mayor and Council;

(5) Requesting, using or permitting the use of any publicly-owned or publicly-supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of a member of the Mayor and Council, except as otherwise provided by law;

(6) Engaging in private employment with, or rendering services in exchange for compensation for, any entity that has business transactions with the city, unless full disclosure of the nature and extent of such employment or services has been made;

(7) Appointing or voting for the appointment of any person related to the individual by blood, marriage or adoption to fill an office, position, employment, or duty, when the salary, wages, pay, or compensation is to be paid out of public funds;

(8) Making remarks in a public meeting that are personally disparaging and reflect negatively on the character of others (rather than expressing a different point of view), or allowing others to do the same;

(9) Failing to vote on all matters lawfully coming before a member of the City Council or a Commission appointed by the city council without stating a reason for doing so.

(e) In the interests of advancing efficient, transparent and good government, the following activities shall be required:

(1) City Council members and Commission members appointed by the City Council will announce the details of *ex parte* contacts and communications prior to any action on a matter which was the subject of the *ex parte* contact/communication;

(2) Presiding officers of city meetings shall not permit personally disparaging remarks or comments that reflect negatively on the character of others (rather than expressing a different point of view), and shall declare such persons out of order;

(3) To avoid the appearance of impropriety, any member of the Mayor and Council or Commission member appointed by the Mayor and City Council determined to have a conflict of interest or a potential conflict of interest shall leave the room for the entire duration of the deliberations and actions on the matter;

(4) Persons wishing to speak at public meetings must first be recognized by the chair or presiding officer;

(5) Council members who communicate, by whatever means, policy positions, opinions, or city-related recommendations which are not the official position

of the City shall clarify that their communications speak only for themselves and are not the official position of the City;

(6) Violations of the city's codes of ethics witnessed by members of the governing body will be reported to the mayor (or vice mayor in the event the mayor is the subject of an alleged violation);

(7) The city's ethics ordinances shall be reviewed annually by the Mayor and Council.

(f) Hearings and Determinations: Upon the sworn complaint of any person alleging facts, which if true would constitute a violation of this section, the Mayor and Council shall conduct a public hearing at which the accused shall be given the opportunity to be heard, either personally or through counsel. At the conclusion of said hearing, the Mayor and Council shall, in written findings of fact and conclusions based thereon, make a determination concerning the propriety of the conduct of the official or appointee in question.