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## CHAPTER 15. - GENERAL PROVISIONS

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### Section 15.1. - Conflicts of interest; Board of Ethics:

- (a). *Conflicts of Interests.* The use of public office for private gain is prohibited. The City Council shall implement this prohibition by ordinance. Regulations to this end shall include but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official; the use of confidential information; and appearances by city officials before other city agencies on behalf of private interest. This ordinance shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual matters and, insofar as permissible under State law, shall provide for fines and imprisonment for violations. The provisions of this ordinance shall apply except where preempted by State or Federal Law.
- (b). *Board of Ethics.* The City Council shall, by ordinance, establish an independent Board of Ethics to administer and enforce the conflict of interest and financial disclosure ordinances. No member of the Board may hold elective or appointed office under the City or any other government or hold any political party office. Insofar as possible under State law, the City Council shall authorize the Board to issue binding advisory opinions, conduct investigations on its own initiative and, on referral or complaint, refer cases for prosecution, impose administrative fines, and hire independent counsel. The City Council shall appropriate sufficient funds to the Board of Ethics to enable it to perform the duties assigned to it.

*Editor's note—*

Conflicts of interest in public contracts are controlled by MCL 15.321, MSA 4.1700(51) et seq. See MCL 15.328, MSA 4.1700(58). Other provisions relative to public ethics are found in MCL 15.341 et seq., MSA 4.1700(71) et seq.

### Section 15.2. - Prohibitions:

- (a). *Activities prohibited.*
- (1) No person shall be appointed to, or removed from, or in any way favored or discriminated against with respect to any city position or appointive city administrative office because of race, gender, age, handicap, religion, country of origin, or political affiliation.
  - (2) No person shall willfully make any false statement, certificate, mark, rating, or report in regard to any test, certification, or appointment under the provisions of this Charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules, and regulations.
  - (3) No person who seeks appointment or promotion with respect to any City position or appointive City administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his or her test, appointment, proposed appointment, promotion, or proposed promotion.
  - (4) No person shall knowingly or willfully solicit or assist in soliciting any assessment, subscription, or contribution for any political party or political purpose to be used in conjunction with any City election from any City employee.
- (b). *Penalties.* Any person convicted of a violation of this section shall be ineligible to hold any City office or position for a period of five (5) years following such conviction. Any officer or employee of the city convicted of a violation of this section shall immediately forfeit his or her office or position and shall be ineligible to hold any City office or position for a period of five (5) years following such conviction. The City Council shall establish by ordinance such penalties as it may deem appropriate.