

Chapter 40

ETHICS

[HISTORY: Adopted by the Village Board of Trustees of the Village of Hixton 10-6-1987 (Title 2, Ch. 7, of the 1987 Code of Ordinances). Amendments noted where applicable.]

§ 40-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PUBLIC EMPLOYEE — Any person excluded from the definition of "public officer" who is employed by the Village.

PUBLIC OFFICER — Those persons serving in statutory elected or appointed offices provided for in Chapter 61 of the Wisconsin Statutes, and all members appointed to boards, committees and commissions established or appointed by the Village President and/or Village Board, whether paid or unpaid.

§ 40-2. Declaration of policy. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

It is declared that high ethical standards among Village officers and employees are essential to the conduct of good representative government and that a code of ethics for the guidance of public officers and employees will help them avoid conflicts between their personal interests and public responsibilities, will improve standards of public service and will promote and strengthen the confidence of the residents of the Village in their public officers and employees. The purpose of this chapter is to establish guidelines for ethical standards of conduct for all such Village officers and employees by setting forth those acts or actions that are incompatible with the public interest and which compromise, or appear to compromise, public trust in the fairness, independence and integrity of Village officers and employees and their official actions.

§ 40-3. Statutory standards of conduct.

The provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this chapter and shall apply to all public officers and public employees whenever applicable, to wit:

- A. Section 946.10. Bribery of Public Officers and Employees.
- B. Section 946.11. Special Privileges from Public Utilities.
- C. Section 946.12. Misconduct in Public Office.
- D. Section 946.13. Private Interest in Public Contract Prohibited.

§ 40-4. Specific conflicts of interest.

- A. Use of public property. No public officer or employee shall use or permit the use of Village vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as Village policy for the use of such officer or employee in the conduct of official business, as authorized by the Village Board or authorized board, commission or committee.
- B. Conflicts of interest; disclosure of interest. Except as provided herein, no public officer or public employee shall engage in any business transaction with the Village, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or will tend to impair his independence or judgment or action in the performance of his official duties. Any public officer or employee who has a substantial financial interest, including employment, in any business entity entering into, proposing to enter into or bidding on any transaction with the Village, or as part of his official duties will be making an official decision or recommendation significantly affecting a business competitor, client or regular customer, shall disclose such interest to the membership of the Village Board (or committee, board or commission thereof, as appropriate) to be recorded in the minutes of that body. Upon such disclosure, it is advised that the public officer or employee abstain from voting on the matter and from participating in the discussion of the matter.
- C. Representing private interests before the Village Board or Village agencies. No public officer or employee, including persons or firms engaged to provide professional services to the Village, shall represent, for compensation, private interests before the Village Board or any Village Board, commission or committee without disclosure of the private business relationship and explicit consent of the Village Board.
- D. Disclosure of confidential information. No public officer or employee shall, without proper authorization of the Village Board, disclose confidential information concerning the property, government or affairs of the Village, nor shall he use such information to advance the financial or other private interest of himself or others.
- E. Gifts and favors. No public officer or employee shall accept anything of value, as defined in § 19.42, Wis. Stats., whether in the form of a gift, service, loan or promise from any person, who, to his knowledge, has a direct financial interest in any transaction or official business with the Village, which may tend to impair his independence of judgment or action in the performance of his official duties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- F. Outside employment. No full-time officer of the Village shall engage in any other remunerative employment within or without the Village; provided that the Village Board may approve such outside employment or activity if it finds that it does not interfere or conflict with such ability of the officer or employee to perform his duties in an efficient and unbiased manner.
- G. Advisory opinion. Any questions as to the interpretation of any provisions of this chapter shall be referred to the Village Attorney for an advisory opinion.

§ 40-5. Violations and penalties. [Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

Violation of this chapter shall be subject to a forfeiture of not more than \$1,000.