

ORDINANCE #

AN ORDINANCE BY THE TOWN OF ASHLAND CITY, TENNESSEE TO AMEND TITLE 1, CHAPTER 4: Code of Ethics

WHEREAS, upon review of the Town's Code of Ethics, the Mayor and Council want to make amendments to the current policy which the Board has determined will be more efficient in handling investigations.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE, that Title 1, Chapter 4, Section 1-402 (d) shall be deleted in its entirety.

Title 1, Chapter 4, 1-410 be deleted in it's entirety and replaced as follows:

1-410. Ethics complaints.

- (1) The city attorney is designated as the ethics officer of the Town. Upon the written request of an official or employee potentially affected by a provision of this chapter, the city attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.
- (2) (a) Except as otherwise provided in this subsection, the city attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his/her own initiative when he/she acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.
(b) The city attorney may request the Town Council to hire another attorney, individual, or entity to act as ethics officer when he/she has or will have a conflict of interest in a particular matter or when the city attorney believes that the best interest of the city will be served with another attorney, individual, or entity.
(c) When a complaint of a violation of any provision of this chapter is lodged against a member of the Town Council, the Town Council shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the Town Council determines that a complaint warrants further investigation, it shall authorize an investigation by the city attorney or another individual or entity chosen by the Town council.
- (3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.
- (4) When a violation of this code of ethics also constitutes a violation of personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics.

BE IT FURTHER ORDAINED, this Ordinance shall be effective twenty (20) days after the final passage, to the public welfare requiring it.

1st reading
2nd reading

Attest:

Mayor JT Smith

City Recorder