

TOWN OF HAYMARKET  
TOWN COUNCIL AND APPOINTED  
OFFICIALS CODE OF ETHICS AND  
STANDARDS OF CONDUCT



Preamble

The citizens and businesses of the Town Haymarket, Virginia, are entitled to have fair, ethical, and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, 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; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Town of Haymarket Town Council has adopted this Code of Ethics and Standards of Conduct for the members of the Town Council, Planning Commission (PC) and Architectural Review Board (ARB) and recommends adoption by the Board of Zoning Appeals (BZA) to assure public confidence in the integrity of local government and its effective and fair operation.

CODE OF ETHICS

1. Uphold the Constitution, laws, and regulations of the United States and of all governments therein and never knowingly be a party to their evasion.
2. Place loyalty to the highest moral principles and to the people of the Town of Haymarket, as a whole, above loyalty to individuals, districts, or particular groups.
3. Expose through appropriate means and channels: corruption, misconduct, or neglect of duty when discovered.
4. Give a full measure of dedication and service to the positions of trust in which you have been placed, giving your best effort and thought to the performance of duties.
5. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
6. Adopt policies and programs that are in accordance with the Town's EEO policy, and that support the rights and recognize the needs of all citizens regardless of gender, race, age, religion, creed, country of origin or disability.
7. Ensure the integrity of the actions of the Mayor, Town Council, PC, and ARB by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone, whether for remuneration or not. A member shall never accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing

This preamble is almost word for word from Warrenton's.

Several of the code ethics items listed herein fall under standards of conduct (i.e. specific rules and behavior vs overall values/ideals) and the concepts within the code of ethics and standard of conduct are similar and/or repetitive.

Consider condensing the code of ethics and standards of conduct into one document or one section in order to make the overall document more concise.

Define what EEO is.

Doesn't this fall under integrity, respectfulness, etc.?

Is Mayor not considered part of Council? If not, amend second paragraph of preamble to include Mayor. If so, strike Mayor in this paragraph.

Be consistent throughout document with the naming of these persons and committees/boards.

Doesn't Item No. 7 fall under Virginia Conflict of Interest and therefore already included under Item No. 10?

the performance of governmental duties. Per Section 2.2-3104.2 of the Virginia State Code, any member of the governing body may accept a gift that does not influence the performance of governmental duties of monetary value not to exceed \$25 per occurrence, provided they acknowledge the gift. The gift may include but not be limited to a meal, award, etc. No member shall benefit from Town sponsorship of special events, such as the acceptance of free tickets or other special favors. This shall not apply to attendance at an event in which the individual is performing official Town duties.

8. Make no private promises of any kind binding upon the duties of any office, because a public servant has no private word which can be binding on public duty.
9. A member should identify any associations with an organization or interest group that presents in any manner to the body on which the member serves prior to any discussion or decision related to that organization or interest group
10. At all times, meet the requirements of the State and Local Government Conflict of Interest Act and the Public Procurement Act.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the the Freedom of Information Act.
12. Recognize that interaction with the media is a vital link in maintaining good communication with the public. All media inquiries shall be forwarded to the Town Manager or designee for a response. Staff comments to the media shall be in a courteous, statesmanlike manner and shall maintain the propriety of the Town when speaking to public issues.
13. Make sure that a clear distinction is made between personal opinion or belief and a decision made by the Mayor, Town Council, PC, or ARB.
14. No member may disclose or use confidential information without the consent of Town Council. Confidential information includes discussions during executive or closed sessions, attorney-client communications and certain economic development information.
15. Members shall not use public resources that are not available to the public in general, such as the Town staff time, equipment, supplies or facilities, for private gain or personal purposes.
16. The Town Council determines the policies of the Town with the advice, information, and analysis provided by the public, council, commissions, boards, ~~and~~ committees, and Town staff. The Town Council delegates authority for the administration of the Town to the Town Manager
17. Members, therefore, shall not interfere with the administrative functions of the Town or the professional duties of the Town staff; nor shall they impair the ability of staff to implement Town policy decisions. Inquiries to staff shall be made through the Town Manager for all administrative issues, unless the matter in question is clearly a police matter and should be addressed to the Chief of Police

18. Members shall support the maintenance of a positive and constructive workplace environment for Town employees and for citizens and businesses dealing with the Town. Members shall recognize their special role in dealings with Town employees and in no way create the perception of inappropriate direction to staff.

Include code reference to the Virginia State and Local Government Conflict of Interests Act

Include code reference to the Virginia Freedom of Information Act (i.e. Section 2.2.-3700).

How is this different from Item No. 6 in the standard of conduct?

19. Review orally and in public session at the annual organizational meeting each of these principles.
20. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

This language is repeated in the "IMPLEMENTATION" section.

Be consistent throughout document with the naming of these persons and committees/boards

Section V, Item1.

## STANDARDS OF CONDUCT

Recognizing that persons holding a position of public trust are under constant observation by the media and the public, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, the **Mayor and every member of the Town Council, PC, and ARB** shall adhere to the following Standards of Conduct. It is recommended by Council that the BZA also adhere to the following these Standards of Conduct.

Town

1. Create a positive and constructive environment in public and private meetings and during public duties using kind, respectful, and courteous language toward all citizens, colleagues, and Town personnel. Allow sufficient opportunity for others with differing opinions to present their views.
2. Attend all regularly scheduled meetings of the Town Council, PC, and ARB to which he or she has been assigned, resigning whenever personal circumstances preclude regular attendance.
3. ~~Make a conscientious effort to be prepared for each meeting.~~ Prepare, in advance,
4. ~~Members should not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.~~ Do
5. ~~Respect the rights of colleagues to have different opinions. Enter into constructive and factual discussions when attempting to resolve issues or reach a consensus, refraining from disparaging remarks.~~
6. ~~Work to create a positive environment in public and private meetings, so that the environment is conducive to a productive dialogue between all parties and so that citizens will feel comfortable as observers or participants.~~
7. ~~Maintain an attitude of courtesy and consideration toward all citizens, colleagues and staff during all discussions and deliberations.~~
8. ~~Be open minded and patient. Allow citizens, employees, or colleagues sufficient opportunity to present their views.~~
9. Be concise. ~~Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.~~ when addressing

Item Nos. 1, 5, 6, 7, and 8 are all very similar or have a similar concept/theme. Consider merging into one item to be concise (See revised Item No. 1)

All other items start with actions. revise the start of this item to have an action.

## IMPLEMENTATION

As an expression of the standards of conduct for members expected by the Town, the Town of Haymarket CODE OF ETHICS and STANDARDS OF CONDUCT are intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for all newly elected and appointed officials. Members entering office shall be provided with the Town of Haymarket Code of Ethics and Standards of Conduct. In addition, the **Town Council, PC and ARB annually review the Code of Ethics and Standards of Conduct and the Town Council shall consider recommendations from**

Repetitive language



commissions and committees to update it as necessary. The BZA is encouraged by Council to also adopt and uphold the Code of Ethics and Standards of Conduct as presented.

COMPLIANCE and ENFORCEMENT

The Town of Haymarket Code of Ethics and Standards of Conduct expresses standards of ethical conduct expected of members of the Town of Haymarket Town Council, PC and ARB and recommended for the Town's BZA. Member themselves have the primary responsibility to ensure that these ethical standards and that the code of conduct is understood and practiced during all times while serving the Town in order to assure the public can continue to have full confidence in the integrity of government.

Citizens may bring complaints about the conduct of elected or appointed officials to the mayor, any member of council, or the chair of the commission, board or committee on which the appointed official serves.

The Town Council may impose sanctions on members whose conduct does not comply with the Town's ethical standards, such as public or private reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Town Council also may remove members of Council, PC, ARB, and committees from office. The Town Council acknowledges that it does not have such authority over the BZA for the Town.

A violation of this Code of Ethics and Standards of Conduct shall not be considered a basis for challenging the validity of a Town Council, board, commission or committee decision.

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