

Village of Lake Orion

Village Ethics Policy and Council Guidelines

July 1, 2026

Draft #1: 6/23/2026

Foundations of Public Service Ethics

Village Code Section 30.60

Ethical conduct is a core obligation for every official and employee, ensuring **integrity and impartiality** in service.

Decisions must be made through official channels **promoting transparency** and compliance with open meetings laws.

Officials must not use their official position for personal gain and disclose any potential conflicts of interest promptly.

Officials are encouraged to exceed basic compliance and consider public perception to uphold trust.

Village Ethics Ordinance & Council Guidelines

Village Code Section 30.61

Officials must uphold constitutions and laws, acting only within their authorized powers at all times.

Decisions require impartiality, fairness, and avoidance of personal or political bias to maintain trust.

Officials must act honestly and respectfully to foster public trust and uphold institutional integrity.

Purpose of the Ethics Ordinance

Preventative Ethics Focus

The Ethics Code is designed to prevent conflicts and appearance of impropriety to maintain public trust.

Action is required not only when a conflict exists, but when:

- There is a **reasonable risk** that the council member's personal interests *might* interfere with their duty of loyalty to the Village **even if it's not certain** that their personal interests will, in fact, interfere with their duty of loyalty to the Village; and
- The circumstances are such that it would be reasonably likely to lead a member of the public to question their neutrality in a matter.

Risks to Avoid

Officials must avoid private gain, preferential treatment, misuse of property, and informal decision-making.

General Conflict of Interest Rules

Gifts and Influence Prohibition

Soliciting or accepting gifts or favors that could influence official duties is strictly prohibited.

Nepotism and Appointment Restrictions

Relatives of officials are disqualified from appointive office to prevent favoritism and ensure objectivity.

Confidentiality and Official Representation

Officials must not disclose confidential information or misrepresent personal opinions as official Village positions.

General Conflict of Interest Rules

Use of Village Resources

Village resources must be used solely for public purposes and never for personal gain.

Business Transactions

Officials must not engage in any business transaction in which they may profit because of their official position or authority.

Procurement and Contracting - Required Best Practices

- Clear, documented evaluation criteria
- Transparent and objective decision-making process
- Avoid even the appearance of favoritism

Conflicts of Interest and Mandatory Disclosures

Encouraging Transparency

Early disclosure, consultation, and voluntary recusal help protect officials and the Village.

Full Disclosure Responsibility

Officials must disclose on the official record all direct or indirect financial or personal interests **before** any discussion or action takes place to maintain transparency.

A conflict of interest may exist when personal, financial, or family interests could influence – or appear to influence – official duties or decision-making.

As a Village official, you have an ongoing responsibility to disclose any conflicts of interest. You must monitor any changes in your job duties or assignments, your personal or financial interests, and the interests of your immediate family members.

Recusal

Recusal from Conflicts

Officials must recuse themselves from involvement in matters where conflicts exist to protect decision-making integrity.

Recusal is required when:

- An official has a financial interest
- A family member or close associate is involved
- There is any personal benefit or detriment
- The official's participation would create a reasonable perception of bias


Requests for Advisory Opinions

Transparency and Advisory Support

Officials are encouraged to seek advisory opinions and prioritize transparency to handle conflicts effectively.

How to Request an Advisory Opinion

- Complete the Request for Advisory Opinion Form
- File the request with the Village Clerk
- Include any supporting documentation to assist the Board



Village of Lake Orion
EST 1859
REQUEST FOR ADVISORY OPINION

Case No. _____
(Assigned by clerk)

The Procedural Rules of the Board of Ethics allow a village official or employee, as defined in the Code of Ethics (the requesting party), to request an advisory opinion as to whether the requesting party's conduct or anticipated conduct, or that of a village official or employee under the requesting party's authority, conforms to the Code of Ethics. The party whose conduct is sought to be reviewed, if it is someone other than the requesting party, is called the "subject party."

All advisory opinions will be communicated to the Village Council and will be published on the Village's website at www.lakeorion.org.

Written requests are subject to disclosure under the Freedom of Information Act.

Name _____ Phone Number (____) _____

Address _____
(Number, Street, City, State, Zip)

Position or Board (If Applicable) _____

A. State each question upon which an opinion is desired. Attach additional sheets of paper if the space provided below is not sufficient.

B. State all of the facts giving rise to each question presented.

C. If available, provide all relevant statutory provisions, case law, prior opinions of the Ethics Board, and other authorities.

NOTE: Although the foregoing criteria are subject to exception when the circumstances warrant, a request which does not meet these criteria may be returned and the requestor asked to resubmit the request in an appropriate form.

Please return requests to: Village Clerk
21 E Church St
Lake Orion, MI 48362

Revised 9/17/25

Accepted by _____ Date _____

FOR OFFICE USE ONLY

Requests for Advisory Opinions

Board Review Process

- The Board will conduct a meeting on the request
- Any requested participant may appear with an attorney
- The Board evaluates whether conduct complies with the Code of Ethics

Final Decision

- Determined by a majority vote of the Board
- Based upon the evidence in the record and controlling law
- Issued as a written advisory opinion
- Final and binding once issued

Ethics Incident/Complaints

Filing a Complaint

- Any person may file an Ethics Incident/Complaint Form with the Village Clerk
- Complaint must involve the application of the Code of Ethics

Initial Review

- The Board may issue a decision without a hearing if no genuine issue as to any material fact exists.

Respondent Rights

- The respondent may file a written answer to the complaint with the clerk before the hearing.



Case No. _____
(Assigned by Clerk)

ETHICS INCIDENT/COMPLAINT FORM

Any person who has a complaint against a village official or employee, as defined in the Code of Ethics, alleging that conduct of that official or employee is in breach of the code, may bring the matter before the Village of Lake Orion Board of Ethics by filing this form with the Village Clerk. Unless dismissed, pursuant to Rule 302, within seven days upon receipt of this filing, the Clerk will schedule a hearing date for this matter and notify the parties involved according to the ordinance.

All advisory opinions will be communicated to the Village Council and will be published on the Village's website at www.lakeorion.org.

Written requests are subject to disclosure under the Freedom of Information Act.

1. Name the person alleged to have violated one or more provisions of the Village of Lake Orion's Ethics Ordinance (Title III, Chapter 30), and provide the following information, if known. If you are alleging that more than one person may have violated the Village of Lake Orion's Ethics Ordinance, file a separate complaint form for each individual. The information on this form may be subject to disclosure under the Freedom of Information Act.

Name Phone Number

Address
(Number, Street, City, State, Zip)

Position or Board

2. Explain why you believe that the individual named above may have violated the Village of Lake Orion's Ethics Ordinance. Be as specific as possible as to dates, times, places, and actions. Attach additional sheets of paper if the space provided below is not sufficient. Also note which specific section in the ordinance was violated.

Ethics Incident/Complaints

Hearing Process

- The Board will conduct a hearing on the complaint
- Requested participants may appear with an attorney
- Evidence and testimony are presented to the Board

Final Decision

- Determined by a majority vote of the Board
- Based on evidence and applicable law
- Issued as a written opinion
- Final once issued

Open Meetings Act Compliance

Open Deliberations

Discussions and decisions are required to happen openly in properly noticed public meetings under the Open Meetings Act (MCL 15.261 et seq.) Serial communications via email/text can amount to illegal deliberations.

Use of Official Email Accounts

Conduct all Village business through official email accounts to ensure transparency, record retention, and legal compliance. Do not include non-authorized participants. Discussing official business on private or external emails or text messages obscure public records and reduces transparency.

Including Unauthorized Individuals

Sending board matter emails to unauthorized persons increases legal risks and undermines public scrutiny.

Ethical Scenarios and Discussion

Scenario 1: A contractor bidding on a project is a friend or former business partner. What is the required action?

Council member must disclose relationship on the record and recuse from discussion/vote.

Scenario 2: A Council member or a member of their immediate family owns property next to or near a proposed development. The value of the property owned by the Council member will likely be affected by approval of the development. What is the required action?

Council member must fully disclose this conflict of interest and recuse from all participation.

Scenario 3: A Council member or a member of their immediate family owns a business that is reasonably likely to have an interest in doing business with a developer whose project is to be voted on. What is the required action?

Council member must fully disclose this conflict of interest and recuse from all participation.

Ethical Scenarios and Discussion

Scenario 4: A Council member has an ongoing personal dispute with a person or business who has business before the Village Council. What is the required action?

Council member must fully disclose this personal conflict of interest and recuse from all participation.

Scenario 5: A vendor provides meals or tickets while a contract is pending. What is the required action? Council members must decline gift and disclose if offered.

Scenario 6: Council member plans on sending email to the Board discussing how to vote on an issue. Do not. Doing so creates a quorum deliberating outside a meeting in violation of OMA. Wait for public meeting discussion.

Village Ethics Policy & Council Guidelines

CONCLUSION AND CALL TO ACTION

Key Takeaways:

- Ethics are the foundation of public trust.
- The Village's ethics policy must be followed rigorously.
- Proactive education and self-regulation protect the Village and its leadership.
- Err on the side of over-disclosure
- Avoid participation where public confidence could be questioned

Village Ethics Policy & Council Guidelines

CONCLUSION AND CALL TO ACTION

Final Call to Action:

- Encourage a culture of accountability and integrity.
- Ask Council and staff for commitment to continuous ethics education.
- Promote transparent processes to maintain the community's trust.

Miscellaneous – Other Points of Discussion

- Disclosure of Interests Form
- Background Check & Authority to Release Form
- Potential Amendments to Ethics Ordinance
 - Burden of proof when bringing ethics complaint?
 - Burden of proof always rests on the complainant
 - Standard of review of ethics complaint?
 - Generally clear and convincing evidence (firm belief that the allegations are true)
 - Option to use preponderance of the evidence standard (more likely than not)
- Vetting of Candidates to Village Boards and Committees

The board may modify the Board of Ethics Procedural Rules on a case-by-case basis to further the policy. (Rule 103).

Any Questions?