

# **TOWN OF SNOWMASS VILLAGE – CODE OF ETHICS**

## **ARTICLE V - Code of Ethics**

The provisions contained in the Code of Ethics set forth in Section 24-18-101 *et seq.*, C.R.S., and the Prescribed Acts Related to Contracts and Claims set forth in Section 24-18-201 *et seq.*, C.R.S., **shall apply to all elected and appointed officials of the Town and employees of the Town**, whether temporary or permanent, and shall be supplemented by this Article. In the event of a conflict between the provisions of this Article and the provisions of the above-described sections of the state statutes, the more restrictive shall apply.

**Proper democratic government requires that officials and employees be independent, impartial and fiduciaries of the public trust.**

No official or employee shall accept any valuable gift, service, loan, favor, thing of value, promise or other valuable consideration, as defined in Section 24-18-104(2) and (3), C.R.S., from any person or entity which may tend to influence the discharge of official duties or give the appearance of undue influence.

**No elected official or an appointed official serving on a board or commission shall engage in any substantive communication concerning a matter pending before the Town with an applicant except at an open meeting.** If an official determines, at the official's sole discretion, that such communication was substantive, then the official shall be disqualified with respect to any official act to which the substantive communication relates.

No appointed official or employee shall:

- (1) Use his or her position or the facilities or property of the Town on behalf of any candidate for municipal office;
- (2) Take part in any political campaigns for any municipal office, except for himself or herself; or
- (3) Promise any appointment to anyone for any municipal position.

No official or employee shall disclose confidential information concerning the affairs of the Town or use such information on an "insider" basis to advance personal, financial or private interests.

- (a) No official or employee of the Town shall appear on behalf of a personal or private interest before the Town Council, any commission, board or department of the Town or in the Municipal Court without disclosing, in advance either in writing or orally of

record, to the Town Council, commission, board or department of the Town or the Court that the official or employee is appearing before, that said person is an official or employee of the Town and is appearing before such body on a personal or private matter. In the event any official or employee of the Town is appearing before the Town Council, any commission, board or department of the Town or in the Municipal Court as a professional, or in a manner that will result in pecuniary gain for the official or employee so appearing, said official or employee shall not appear before any such body without the prior approval of the Town Council expressly set forth in a resolution.

- (b) No then-seated Town Councilperson may appear at or before the Town Council, any commission or board of the Town, either in person, by written means, or in any other manner, for the purpose of espousing a position for or against any matter pending before said Town Council, commission or board of the Town.

Any official or employee with a substantial personal financial interest in any transaction or contract with the Town shall:

- (1) Cause to be disclosed the existence of the interest into the record of the next regularly scheduled Town Council meeting; and
- (2) Be disqualified with respect to any official act to which the interest relates.

An official or employee shall not be deemed interested in any transaction or contract, unless such transaction or contract is approved, awarded, entered into or authorized by such official or employee in his or her official capacity.

Any official or employee with a personal, financial or private interest in any legislation pending before the Town Council shall:

- (1) Cause to be disclosed the existence of the interest into the record of the next regularly scheduled Town Council meeting; and
- (2) Be disqualified with respect to any official act to which the interest relates.

- (a) All officials and employees are subject to the provisions of Section 18-8-308, C.R.S., which requires the disclosure of a conflict of interest if an official or employee exercises any substantial discretionary function in connection with a government contract, purchase, payment or other pecuniary transaction. The official or employee must give seventy-two (72) hours' actual advance written notice to the Secretary of State and to the Town Council of the existence of a known potential conflicting interest of the official or employee and the transaction with reference to which he or she is about to act in his or her official capacity.

- (b) A potential conflicting interest exists when an official or employee is a director, president, general manager or similar executive officer or owns or controls directly or indirectly a substantial interest in any nongovernmental entity participating in the transaction. Failure to timely disclose the conflict of interest constitutes a Class 2 misdemeanor.

The appearance of a person related to a member of the Town Council, any commission or board of the Town, before said Town Council, commission or board of the Town, either in person, in writing, or in any other manner, for the purpose of espousing a position for or against any matter then pending before said Town Council, commission or board of the Town, is to be strongly discouraged. Should any such related person appear, in any manner, before such Town Council, any commission or board of the Town, then the member whose above-stated related party so appears should strongly consider recusing himself or herself from further proceedings concerning said matter.