



CITY OF CREEDMOOR

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MAYOR
 DARRYL D. MOSS

CITY MANAGER
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COMMISSIONERS
 ERNIE ANDERSON
 THOMAS JACKSON
 DEL MIMS
 HERMAN B. WILKERSON
 ARCHER WILKINS

RESOLUTION 2016-R-33 A RESOLUTION TO ADOPT A CODE OF ETHICS FOR THE CREEDMOOR BOARD OF COMMISSIONERS

WHEREAS, Code of Ordinances Title III, §31.30 and §31.31, containing the code of ethics adopted by Ordinance 2007-O-10 on November 27, 2007, have been determined to reflect policy and not city ordinance and have therefore been deleted from the Code; and

WHEREAS, the complete text of Chapters §31.30 and §31.31 has been deleted from the Code of Ordinances and preserved in The Board of Commissioners' Code of Ethics policy;

WHEREAS, the adoption of this resolution is pursuant to Section 160A-86 of the North Carolina General Statutes stating local governments shall adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of the member's official duties as a member of that governing board;

NOW THEREFORE, in recognition of our obligations as citizens of the State of North Carolina and as public officers representing the residents of the City of Creedmoor, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Board of Commissioners of the City of Creedmoor do hereby adopt the Board of Commissioners' Code of Ethics, which may be amended by the Board, and which is attached hereto as Attachment A, as a guide for all city commissioners in making decisions and in the performance of their lawful duties.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 15th day of November, 2016.

Ayes: 4
 Noes: 0
 Absent or Excused: 1

Dated: November 15, 2016


 Darryl D. Moss, Mayor

Attest:


 Kathleen J. McCorkle, City Clerk



Code of Ethics for the Creedmoor Board of Commissioners**Adopted by Resolution 2016-R-33****November 15, 2016****Purpose**

- (A) The stability and proper operation of democratic representative government depends upon the continuing consent of the governed, upon the public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people. Government decisions and policy must be made and implemented through proper channels and processes of the governmental structure. The purpose of this code is to establish guidelines for ethical standards of conduct for City Commissioners. It should not be considered a substitute for the law or a City Commissioner's best judgment.
- (B) City Commissioners must be able to act in a manner to maintain their integrity and independence, yet must be responsive to the interests and needs of those they represent. City Commissioners serve in an important advocacy capacity in meeting the needs of their citizens and should recognize the legitimacy of this role as well as the intrinsic importance of this function to the proper functioning of representative government. At the same time, City Commissioners must, at times, act in an adjudicatory capacity and must act in a fair and impartial manner. City Commissioners must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each City Commissioner must find within his or her own conscience the touchstone on which to determine appropriate conduct.

Code of Ethics for City Commissioners

- (A) *Canon one: A City Commissioner shall obey the law.* City Commissioners shall support the Constitution of the United States, the Constitution of North Carolina and the laws enacted by the Congress of the United States and the General Assembly pursuant thereto.
- (B) *Canon two: A City Commissioner should uphold the integrity and independence of his or her office.* City Commissioners should demonstrate the highest standards of personal integrity, truthfulness, honest and fortitude in all their public activities in order to inspire public confidence and trust in city government. City Commissioners should participate in establishing, maintaining, and enforcing, and should themselves observe, high standards of conduct so that the integrity and independence of their office may be preserved.
- (C) *Canon three: A City Commissioner should avoid impropriety and the appearance of impropriety in all his or her activities.*
 - (1) It is essential that city government attract those citizens best qualified and willing to serve. City Commissioners have legitimate interests, economic, professional and vocational, of a private nature. City Commissioners should not be denied, and should not deny to other City Commissioners or citizens, the opportunity to acquire, retain and pursue private interests, economic or otherwise, except when conflicts with their responsibility to the public cannot be avoided. City Commissioners must exercise their best judgment to determine when this is the case.
 - (2) City Commissioners should respect and comply with the law and should conduct themselves at all times in a manner that promotes public confidence in the integrity of the office of City Commissioner and of city government.
 - (3) City Commissioners should not allow family, social, or other relationships to unduly influence their conduct or judgment and should not lend the prestige of the office of City Commissioner to advance the private interests of others; nor should they convey or permit others to convey the impression that they are in a special position to influence them.

- (D) *Canon four: A City Commissioner should perform the duties of the office diligently.* City Commissioners should, while performing the duties of the office as prescribed by law, give precedence of these duties over other activities. In the performance of these duties, the following standards should apply:
- (1) *Legislative responsibilities.*
 - a. City Commissioners should actively pursue policy goals they believe to be in the best interests of their constituents within the parameters of orderly decision-making rules of the Board of City Commissioners and open government.
 - b. City Commissioners should respect the legitimacy of the goals and interests of other City Commissioners and should respect the rights of others to pursue goals and policies different from their own.
 - (2) *Adjudicative responsibilities.*
 - a. City Commissioners should be faithful to the general and local laws pertaining to the office and strive for professional competence in them. They should not be swayed by partisan interests, public clamor, or fear of criticism.
 - b. City Commissioners should demand and contribute to the maintenance of order and decorum in proceedings before the Board of City Commissioners.
 - c. City Commissioners should be honest, patient, dignified and courteous to those with whom they deal in their official capacity.
 - d. City Commissioners should accord to every person who is legally interested in a proceeding before the commission full right to be heard according to law.
 - e. City Commissioners should dispose promptly of the business of the city for which they are responsible.
- (E) *Canon five: A City Commissioner should conduct the affairs of the board in an open and public manner.* City Commissioners should be aware of the letter and intent of the state's Open Meetings Law, should conduct the affairs of the Board of City Commissioners consistent with the letter and spirit of that law and consistent with the need to inspire and maintain public confidence in the integrity and fairness of city government and the office of City Commissioner. Consistent with this goal of preserving public trust, City Commissioners should be aware of the need for discretion in deliberations when the lack of discretion would pose a threat to the resources of the city, to the reputation of current or potential city employees, to orderly and responsible decision-making, to the integrity of other governmental processes or to other legitimate interests of the city.
- (F) *Canon six: A City Commissioner should regulate his or her extra-governmental activities to minimize the risk of conflict with his or her official duties.*
- (1) City Commissioners should inform themselves concerning campaign finance, conflict of interest and other appropriate state and federal laws and should scrupulously comply with the provisions of such laws.
 - (2) City Commissioners should refrain from financial and business dealings that tend to reflect adversely on the Board or on city government or to interfere with the proper performance of official duties.
 - (3) City Commissioners should manage their personal financial interests to minimize the number of cases in which they must ask to be excused from voting on matters coming before the Board.
 - (4) Information acquired by City Commissioners in their official capacity should not be used or disclosed in financial dealings or for any other purpose not related to official duties.

(G) *Canon seven: A City Commissioner should refrain from political activity inappropriate to his or her office.*

- (1) City Commissioners have a civic responsibility to support good government by every available means, to continue to inform and educate the citizenry about the affairs and process of city government, and to make themselves available to citizens of the city so that they may ascertain and respond to the needs of the community, in doing so, City Commissioners may and should join or affiliate with civic organizations whether partisan or non-partisan, may and should attend political meetings, may and should advocate and support the principles or policies of civic or political organizations consistent with the Constitution and laws of the United States and North Carolina.
- (2) Candidates for the office of City Commissioner, including incumbents:
 - a. Should inform themselves concerning the laws of this state with regard to campaigns and relevant disclosure requirements and should scrupulously comply with the provisions of such laws;
 - b. Should maintain the dignity appropriate to the office, and should encourage members of their families to adhere to the same standards of political conduct that apply to commissioners;
 - c. Should not make pledges or promises of conduct in office that they will not or cannot perform or would be illegal if it were performed;
 - d. Should not misrepresent their identity, qualifications, present position, or other facts; and
 - e. Should avoid pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office.