

Ordinance No. 1120

AN ORDINANCE to amend The Code of the City of Alexandria, Virginia, 1953, as amended, by adding a new chapter thereto numbered 9A, which new Chapter 9A relates to ETHICS and adopts a CODE OF ETHICS FOR APPOINTEES OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA.

WHEREAS, the City Council of the City of Alexandria is of the opinion that no man can serve two masters whose interests are in conflict and that Council appointees in the service of the City should be ethical in their activities; and

WHEREAS, the City Council is of the opinion that the principles set forth in the following Code of Ethics agreed to by the House of Representatives and the Senate of the United States as House concurrent Resolution 175 in the second session of the 85th Congress is a good guide against which Council appointees in the City service may measure their own actions and upon which they may be judged by those whom they serve:

"ANY PERSON IN GOVERNMENT SERVICE SHOULD:

Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.

Uphold the Constitution, laws, and legal regulations of the United States and all governments therein and never be a party to their evasion.

Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.

Seek to find and employ more efficient and economical ways of getting tasks accomplished.

Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.

Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.

Expose corruption wherever discovered.

Uphold these principles, ever conscious that public office is a public trust;" and

WHEREAS, the City Council is of the further opinion that a more specific charter of conduct in the form of a Code of Ethics with detailed standards should be enacted; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That The Code of the City of Alexandria, Virginia, 1953, as amended, be, and the same hereby is amended by adding a new chapter thereto numbered 9A to read as follows:

CHAPTER 9A**ETHICS****Division I—Council Appointees****Section 9A-1. Conflict of interest generally, prohibited.**

- (a) No appointee of the City Council shall engage, directly or indirectly, in any business transaction or arrangement for personal profit or advantage which accrues from or is based upon his appointed position.
- (b) No appointee of the City Council shall accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his City duties.
- (c) No appointee of the City Council shall invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction, which creates a conflict with his appointive duties. This subsection shall not be construed to prevent any such appointee from investing or holding investments if such investing or holding investments constitutes a minority share and does not create a conflict with his appointive duties.
- (d) No appointee of the City Council shall, in his private or public affairs, conduct himself in such a way as to reflect on his ability to discharge the duties of his appointive position, or do anything which is incompatible with the proper discharge of his appointive duties.
- (e) No Council appointee shall act in any City matter with respect to which there exists a personal interest incompatible with an unbiased exercise of his appointive duties.

Section 9A-2. Participation in vote on proceeding, prohibited.

No Council appointee shall participate in the vote on any matter in which he, or any person, firm, or corporation for which he is attorney, officer, director, employee or agent, has a financial interest other than as a minority stockholder of a corporation or as a citizen of the City.

Section 9A-3. Acceptance of gifts, favors, etc., prohibited.

No Council appointee shall accept any valuable gift, favor, service, loan, thing or promise, from any person, firm or corporation, which to his knowledge is, directly or indirectly, transacting business with the City, or is interested in the outcome of any matter pending before the City.

Section 9A-4. Representation of private interests, prohibited.

No Council appointee shall act as attorney, agent, broker, or employee for any person, firm or corporation, directly or indirectly, in dealings with the agency with which the appointee serves.

- Section 9A-5. Disclosure of confidential information, prohibited.**
No Council appointee shall disclose confidential information concerning or affecting the affairs of the City or any of its agencies.
- Section 9A-6. Use of confidential information for gain, prohibited.**
No Council appointee shall use confidential information concerning or affecting the City or any of its agencies to advance the financial interests of himself or others.
- Section 9A-7. Contracts with and sale of goods and materials to City, prohibited.**
No paid or salaried Council appointee shall be interested in any contract entered into by the City with any person, firm or corporation. No paid or salaried Council appointee shall sell goods or materials to the City. The prohibition of this Section shall not apply to nonsalaried members of boards and commissions with respect to contracts, goods and materials, provided they do not participate in the negotiation for or recommend such contract goods or materials while acting in their capacity as a Council appointee.
- Section 9A-8. More than one salary, prohibited.**
In instances where a Council appointee holds more than one full time position in the City service, such appointee shall not receive salary for more than one such position except by specific authorization of the Council.
- Section 9A-9. Conflicts of interest, disqualification.**
Any Council appointee, in a matter before him for consideration or determination which involves a conflict of interest should promptly disqualify himself from consideration and determination and state the nature of his interest.
- Section 9A-10. Ownership of property not conforming to the Minimum Housing-Hygiene Standards, Code of the City of Alexandria, Virginia, prohibited.**
No Council appointee shall own by title or association any property in the City of Alexandria, Virginia that is in violation of the Minimum Housing Hygiene Standards Code of the City. The word "association" for the purpose of this Section shall include equitable owner, contract or beneficial owner, agent, broker, partner (disclosed or undisclosed), and employee, officer or director of any corporation, company, firm or business owning or dealing in property in violation of said Code. Property shall be deemed in violation of the Minimum Housing-Hygiene Standards Code when it has been ordered vacated as being unfit for habitation by the Director of Public Health pursuant to Section 15A-27 of The City Code or in the event of appeal, has been ordered vacated by the Alexandria Board of Housing Hygiene pursuant to Sections 15A-25, 28; has been ordered repaired or demolished as a public nuisance by the Director of Public Health pursuant to Sections 15A-29, 30 of The City Code or in the event of appeal has been ordered repaired or demolished by the Alexandria Board of Housing Hygiene pursuant to Section 15A-31 of The City Code. Property shall also be considered in violation when the owner has, as a consequence of his ownership, been convicted of a violation of Chapter 15A of The City Code by

a court or jury, has been indicted by a grand jury, has failed to repair or remedy a deficiency in compliance with the order of the Director of Public Health issued pursuant to Sections 15A-20, 21 of The City Code, or in the event of an appeal to the Alexandria Board of Housing Hygiene, failed to comply with an order of that body.

Section 9A-11. Disclosure of ownership or real estate, required in certain positions.

After the effective date of this Section no person shall be appointed by the City Council to the Alexandria Redevelopment and Housing Authority, the Alexandria Board of Housing Hygiene, or any board or other body constituted pursuant to the present or any future City Building Code unless such person shall have first filed with the City Council a full and complete list of all real estate that he owns within the City of Alexandria.

After the effective date of this Section, each and every person appointed by the City Council to the Alexandria Redevelopment and Housing Authority, the Alexandria Board of Housing Hygiene or any Board or other body constituted by virtue of the present or any future City Building Code shall each twelve months after the date of his appointment for so long as he remains on such Authority, Board or body, file with the City Council a full and complete list of all real estate that he owns within the City of Alexandria.

Each and every Council appointee serving on either the Alexandria Redevelopment and Housing Authority or the Alexandria Board of Housing Hygiene at the time of the passage of this Section shall within thirty days of its passage and each twelve months thereafter for so long as he remains on such Authority or Board, file with the City Council a full and complete list of all real estate that he owns within the City of Alexandria.

Section 9A-12. Violations of provisions.

The doing of any act prohibited by this Ordinance or the failure to do any act required by this Ordinance shall be grounds for Council's refusal to appoint any person to any office in the City Government and shall constitute grounds for the removal of Council appointees from office.

Section 9A-13. Notification by City Clerk.

The City Clerk shall forthwith forward a copy of this Chapter to all present Council appointees and shall forward a copy of this Chapter to all future Council appointees at the time of their appointment.

Section 2. That this Ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This Ordinance shall become effective the date of its final passage.

Final Passage: May 23, 1961

LEROY S. BENDHEIM
Mayor