

## Chapter 2.28

### CONFLICTS OF INTEREST (Added – Effective: May 15, 2012)

#### Sections:

#### 2.28.10 Conflicts of Interest.

#### 2.28.20 Prohibitions.

#### 2.28.10 Conflicts of Interest.

The use of public office for private gain is prohibited. The City Council shall implement this prohibition by ordinance. Regulations to this end shall include but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official; the use of confidential information; and appearances by city officials before other city agencies on behalf of private interests. This ordinance shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual matters and, insofar as permissible under state law, shall provide for fines for violations. Municipal officials shall be, at a minimum, restricted from conflict of interest to the extent as provided under state law pursuant to SDCL Chapter 6-1; provided however, that the City Council may adopt an ordinance setting a stricter standard.

#### 2.28.20 Prohibitions.

##### A. Activities prohibited.

1. No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any city

position or appointive city administrative office because of race, gender, age, handicap, religion, country of origin or political affiliation.

2. No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this charter or the rules and regulations made hereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.

3. No person who seeks appointment or promotion with respect to any city position or appointive city administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his or her test, appointment, proposed appointment, promotion or proposed promotion.

4. No person shall knowingly or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in conjunction with any city election from any city employee.

5. No city employee shall knowingly or willfully make, solicit or receive any contribution to the campaign funds of any political party or committee to be used in a city election or to campaign funds to be used in support for opposition to any candidate for election to city office or city ballot issue. Further, no city employee shall knowingly or willfully participate in any aspect of any political campaign on behalf of or opposition to any candidate for city office. This section shall not be construed to limit any person's right to exercise rights as a citizen to express opinions or to cast a vote nor shall it be construed to prohibit any person

from active participation in political campaigns at any other level of government.

**B. Penalties.**

Any violation of this section shall be sufficient cause for the suspension, demotion or termination of the employment of any City employee found to be in violation of this section. Any City official or employee convicted of a violation of this section shall be subject to a fine not to exceed \$500.00. Further any person convicted of a violation of this section shall be ineligible for a period of five years following such conviction to hold any city office or position.