

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Howard
Town
~~Village~~

Local Law No. 1 of the year ~~19~~ 2007

A local law Code of Ethics
(Insert Title)

Be it enacted by the Town Board
(Name of Legislative Body) of the

~~County~~
~~City~~ of Howard
Town
~~Village~~ as follows:

(See Local Law annexed hereto)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**A LOCAL LAW PROVIDING FOR A
CODE OF ETHICS**

Local Law #1 of 2007

Be it enacted by the Town Board of the Town of Howard, in the County of Steuben, as follows:

SECTION 1. PURPOSE AND INTENT

A. The Town recognizes that there are state statutory provisions mandating towns to establish rules and standards of ethical conduct for public officers and employees that, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this town as part of our state's important system of local government. It is the purpose of this chapter to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards.

B. The standards, prohibited acts and procedures established in this chapter are in addition to any prohibited acts, conflicts of interest provisions or procedures prescribed by statute of the state of New York and also in addition to common law rules and judicial decisions relating to the conduct of town officers to the extent that the same are more severe in their application.

SECTION 2. DEFINITIONS

The term "town employee" means any compensated commissioner, member of a public board or commission, trustee, director, officer, employee of any other person holding a position by election, appointment or employment in the service of the town.

SECTION 3. STANDARD RESTRICTIONS

A "town employee" shall not knowingly or intentionally:

A. Accept other employment that will impair his or her independence of judgment in the exercise of his or her official duties;

B. Accept employment or engage in any business or professional activity which will require him or her to disclose confidential information which he or she has gained by reason of his or her official position or authority;

C. Use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself, or others;

D. Engage in any transaction as a representative or agent of the town with any business entity in which he or she has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his or her official duties;

E. By conduct give reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official duties, or that he or she is affected by the kinship, rank, position or influence by any party or person;

F. Make personal investments in enterprises which he or she has reason to believe may be directly involved in decisions to be made by him or her or which will otherwise create substantial conflict between his or her duty in the public interest and his or her private interest;

G. Pursue a course of conduct that will raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of law or trust;

H. Sell goods or services to any person, firm, corporation or association who is licensed or whose rates are fixed by the town.

SECTION 5. ADMINISTRATION

A. Upon the adoption of this Code of Ethics, the town supervisor shall cause a copy thereof to be distributed to every "town employee". Failure to distribute any such copy or failure of any "town employee" to have received such copy shall have no effect on the duty of compliance with this Code of Ethics, nor the enforcement of the provisions hereof.

B. The town supervisor shall further cause a copy of this Code of Ethics to be kept posted conspicuously in each public building under the jurisdiction of the town. Failure to so post this Code of Ethics shall have no effect on the duty of compliance herewith, nor the enforcement provisions hereof.

C. Within thirty (30) days of the adoption of this Code of Ethics, the town clerk shall file a copy thereof in the office of the State Comptroller.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of ~~19~~ 2007 of the ~~(County)(City)(Town)(Village)~~ of Howard was duly passed by the Town Board on March 14, 2007, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Lorcen A. Karr

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

LORCEN A. KARR, Town Clerk

Date: *MARCH 22, 2007*

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF STEBEN

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title

THOMAS W. REED II, Atty.

County

City

Town

Village

of Howard

Date:

5/19/07