

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: PAUL D. WILBER

RE: ETHICS COMMISSION ORDINANCE
OUR FILE NO. 30303 - 709

DATE: November 3, 2004

I have attached an Ordinance amending Chapter 2.04 - Ethics of the City Code to incorporate the following changes requested by the City Council:

1. Membership of the Ethics Commission shall be increased from three to five members with staggered terms.
2. Members of the Ethics Commission shall be City residents.
3. A financial impact which creates a conflict of interest shall be a direct financial impact as opposed to an indirect financial impact, such as would be experienced by members of the public generally.

PDW/mam

**CITY OF SALISBURY
ORDINANCE NO. 1917**

AN ORDINANCE of the Mayor and the Council of the City of Salisbury to amend Chapter 2.04 - Ethics of the City Code to require that members of the commission be City residents and to add two (2) additional members to the commission; and to clarify the definition of a financial impact which creates a conflict of interest.

WHEREAS, the City of Salisbury currently has legislation which provides for an ethics commission; and

WHEREAS, the Mayor and Council desire to increase the membership of the ethics commission to five (5) members and to require that each member be a resident of the City; and to clarify the definition of a financial impact which creates a conflict of interest.

NOW, THEREFORE, be it enacted and ordained by the City Council of the City of Salisbury, in regular session, that Chapter 2.04 - Ethics of the Salisbury City Code shall be amended as follows:

CHAPTER 2.04

ETHICS

2.04.020 Ethics commission.

The ethics commission shall be composed of [~~three~~] [five] members appointed by the mayor, with the advice and consent of the council. Members shall be residents of the City of Salisbury. The ethics commission shall be appointed for four-year staggered terms or until a successor is appointed. Two

additional members shall be appointed in December of 2004. Thereafter, one member shall be appointed each year, with two appointed every fourth year.

The commission shall be advised by the city attorney and shall have the following responsibilities:

A. To devise, receive and maintain all forms generated by this chapter in the office of the city clerk;

B. To provide published advisory opinions to persons subject to this chapter as to the applicability of the provisions of this chapter to them;

C. To process and make determinations as to complaints filed by any person alleging violations of this chapter;

D. To conduct a public information program regarding the purposes and application of this chapter. (Ord. 1750 § 1 (part), 2000)

2.04.030 Conflicts of Interest.

Except where such interest is disclosed and does not create a conflict of interest, officials and employees who are subject to this chapter shall not:

A. Participate on behalf of the city in its decision-making process on any matter which would, to their knowledge, have a direct financial impact, as distinguished from an indirect financial impact, which would be experienced by members of the public generally, on them, their spouse or lineal descendant, parent, grandparent, siblings, or a business entity with which they are affiliated.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF
THE CITY OF SALISBURY, MARYLAND, that this Ordinance shall take effect from
and after the date of its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the
City of Salisbury held on the 8th day of November, 2004, and having been published as
required by law, in the meantime, was finally passed by the Council on the ____ day of
_____, 2004.

Brenda J. Colegrove, City Clerk

Michael P. Dunn,
President of the Council of
the City of Salisbury

Approved by me, this _____
day of _____, 2004.

Barrie P. Tilghman,
Mayor of the City of Salisbury