

ORDINANCE NO. 3831

AN ORDINANCE AMENDING CHAPTER 2.08 OF THE RAPID CITY MUNICIPAL CODE BY ADDING A NEW SECTION 2.08.110 RELATING TO CONFLICTS OF INTEREST AND STANDARDS OF CONDUCT FOR CITY COUNCIL MEMBERS

BE IT ORDAINED by the City of Rapid City that Section 2.08.110 of Chapter 2.08 of the Rapid City Municipal Code be added to read as follows:

Section 2.08.110 Conflicts of Interest and Standards of Conduct for City Council Members

A. Declaration of Policy

All city council members shall act with integrity, impartiality, and dedication to the best interest of the city and the public trust which they hold. The citizens have a right to expect that city council members will conduct themselves in a manner that will tend to preserve public confidence in and respect for the government they represent. The public confidence and respect can best be promoted if city council members uniformly treat all citizens with courtesy, impartiality, fairness, and equality under the law and avoid both actual and potential conflicts between their private self-interest and the public trust.

B. Conflicts of Interest – City Council Members

It shall be unlawful for city council members to participate, vote on, or otherwise influence any city council, committee, board, or commission action in which they have a direct or indirect financial interest. Every council member who voluntarily participates, votes on, or otherwise influences any such city action in which they have a financial interest shall be guilty of violating this section and therefore subject to the penalties contained in § 1.12.010. Further, such a conflict of interest shall be grounds for expulsion whenever two-thirds of the remaining membership of the council shall concur pursuant to Rapid City Municipal Code § 2.08.100.

C. Financial Interest – Defined

Financial Interest means an expectation of receiving a pecuniary benefit. A financial interest of a council member includes any financial interest of a member of that person's immediate family. A council member has a financial interest in an organization in which that person has an ownership interest, or is a director, officer or employee. A council member has a financial interest in a decision if a financial interest of that person will vary with the outcome of the decision. A financial interest does not include the following:

1. A personal or financial interest which is not of the magnitude that would exert an influence on an average, reasonable person.

2. A personal or financial interest of a type which is generally possessed by the public or a large class of persons to which that council member belongs.
3. An action or influence which would have an insignificant or conjectural effect on the matter in question.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: