

STATE OF MICHIGAN  
COUNTY OF WAYNE  
CHARTER TOWNSHIP OF PLYMOUTH

SUMMARY OF ETHICS ORDINANCE

AMENDMENT 15 TO ORDINANCE 1016

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF PLYMOUTH TO PROVIDE ETHICAL STANDARDS FOR PUBLIC OFFICERS, EMPLOYEES, AND CONTRACTORS; PROVIDING FOR DEFINITIONS; PROVIDING FOR STANDARDS AND ETHICAL CONDUCT; PROVIDING FOR DISCLOSURE AND VOTING; PROVIDING FOR RESPECT FOR PROCESS AND CONDUCT OF MEETINGS; PROVIDING FOR VIOLATIONS OF THE ETHICS ORDINANCE; PROVIDING FOR PENALTY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERANCE CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF PLYMOUTH ORDAINS:

Amendment 15 to Ordinance 1016, the Ethics Ordinance, is hereby adopted to read as follows:

**SECTION I. TITLE.**

This Ordinance shall be known and may be cited as the "Ethics Ordinance."

**SECTION II. INTRODUCTION AND PURPOSE.**

This section provides for that Public Office is a public trust and that persons in public service must recognize that a moral commitment to do the right thing is necessary. It also provides that the purpose of this Ethics Ordinance is to provide practical guidelines for ethical decision-making and to encourage ethical behavior from Township representatives responsible to the citizens of Plymouth Township. .

**SECTION II. ORDINANCE.**

**SECTION A - DEFINITIONS:**

This section provides for definitions of terms used in the Ordinance.

**SECTION B - STANDARDS OF ETHICAL CONDUCT**

This section provides that a public officer, contractor, employee or volunteer shall not divulge to an unauthorized person, confidential information acquired in the course of employment prior to the time authorized for its release to the public; that a public officer, contractor, employee or volunteer shall not represent his or her personal opinion as that of the Township; that all public officers, contractors, employees and volunteers shall refrain from intentionally using their respective Township office or position for personal gain or benefit; that a public officer, contractor, or employee shall use Township resources, property, and funds under their official care and control in accordance with constitutional, statutory, and regulatory procedures and not for personal gain or benefit; that all public officers, contractors, employees, volunteers and organized groups of primarily Township employees shall comply with the Michigan Campaign Finance Act, the Incompatible Public Offices Act, the Management and Budget Act, the Bureau of Criminal Identification and Records Act, and the Michigan Penal Code, Act 328 of 1931 as amended.

It further provides that a public officer, contractor, employee or volunteer shall not engage in a business transaction in which the public officer, contractor, employee, volunteer or their immediate family member profit from his/her official position or authority or benefit financially from confidential information which the public officer, contractor, employee or volunteer has obtained by reason of that position or authority; that a public officer, contractor, employee or volunteer shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the officer's, contractor's or employee's official duties on behalf of the Township or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties; that any public officer, contractor, employee or volunteer shall not, with respect to transactions on behalf of the Township, participate in negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, approving of uses or other regulation or supervision relating to a business entity in which the public officer, Contractor, employee or immediate family has any financial interest.

It further provides that all public officers, contractors, employees, and volunteers are prohibited from using any Township resource, equipment, supplies, property or Township employee's compensated or volunteered on-the-job Township work time to participate in or be involved in any political activity, for or against, on behalf of or in opposition to any elected official, candidate, nominee, issue, campaign in violation of the Michigan Campaign Finance Act.

**SECTION C - DISCLOSURE AND VOTING**

This section provides that a public officer shall disclose any contractual, financial, business, or employment interest he/she or immediate family members may have in the governmental decision and the disclosure will be made part of the public record of the official action on the governmental decision; that if a conflict of interest is disclosed, pursuant to subsection 1 above, the public officer shall remove himself/herself from the meeting room until the issue is resolved.

It further provides that any employee, contractor, public officer, customer or volunteer under contract to provide service to the Township shall disclose a financial interest of 1% or greater of present market value in another firm they know to be doing business with the Township, and for the manner of making the disclosure.

**SECTION D – RESPECT FOR PROCESS AND CONDUCT OF MEETINGS**

This section provides that Public officers, employees, and contractors shall perform their duties in accordance with the processes and rules of order established by the Township Board or applicable Township Department.

It further provides that Public officers shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the Township Board, and focus on the business at hand, and shall refrain from interrupting other speakers, making comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

**SECTION E - VIOLATIONS OF THE ETHICS ORDINANCE**

This section provides that except as it pertains to elected officials, significant, repeated or intentional violations of the Ordinance may be grounds for disciplinary action up to and including removal and/or discharge.

It further provides that disciplinary action may also be taken against any public officer, employee, contractor, or volunteer who knowingly fails to report a violation of this Ordinance, and against any public officer, employee, contractor, or volunteer who deliberately withholds relevant and material information concerning a violation of this Ordinance.

It further provides that where a public officer, employee, contractor, or volunteer is accused of violating this Ordinance, and the individual has relied in good faith on the advice of Township legal counsel after full disclosure of the material facts, no disciplinary action shall be taken against the public officer, employee, contractor, or volunteer under this Ordinance.

It further provides that except as it pertains to elected officials, all violations will be enforced through the appropriate due process.

It further provides that as to allegations of criminal conduct against an elected official, the Public Safety Department shall refer the matter to the Michigan State Police, the U.S. Postmaster General, The Michigan Attorney General, the County Sheriff, the FBI or other appropriate enforcement agency for investigation/prosecution.

It further provides that persons elected to public office are afforded protections set forth in the Michigan Constitution, Michigan Election Act, and this Ordinance.

It further provides that the Township Board may impose sanctions on a Trustee whose conduct does not comply with this Ordinance.

It further provides that due process protections afforded to certain board and commission members under State Law, including those listed in the Michigan Zoning Enabling Act, the Downtown Development Authority Act, the Brownfield Redevelopment Financing Act, and the Michigan Planning Enabling Act.

It further provides that a violation of this Ethics Policy shall not be considered a basis for challenging the validity of a Township Board decision by any person or entity other than the Township Board.

**SECTION III. PENALTY.**

This section provides for the penalty for violation of the Ordinance.

**SECTION III. REPEAL.**

This Section provides that all Ordinance or parts of Ordinance in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**SECTION IV. SEVERABILITY.**

This Section provides that any unenforceable section can be severed from the rest of the Ordinance.

**SECTION V. SAVINGS CLAUSE.**

This Section provides that adoption of this Ordinance does not affect proceedings, prosecutions for violation of law, penalties and matured rights and duties in effect before the effective date of this Ordinance.

**SECTION VI. PUBLICATION.**

This section provides that the Clerk for the Charter Township of Plymouth shall cause this Ordinance to be published in the manner required by law.

**SECTION VII. EFFECTIVE DATE.**

This section provides that this Ordinance, as amended, shall take full force and effect upon publication as required by law.

Copies of the complete text of this Ordinance are available at the office of the Clerk, Nancy Conzelman, Charter Township of Plymouth, 9955 N. Haggerty Road, Plymouth, Michigan 48170, during regular business hours.