	Code of Ethics Policy for Members of the Marion City Council, Boards, Commissions or Committees	Revision #	2
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Preamble

The residents and businesses of Marion are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. In keeping with the City of Marion's mission, the effective functioning of democratic government therefore requires that:

Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; public officials be independent, impartial and fair in their judgment and actions; public office be used for the public good, not for personal gain; and public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Marion City Council has adopted a Code of Ethics for members of the City Council, boards, commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation.

Policy

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Marion and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions

2. Comply with the Law

Members shall comply with the laws of the nation, the State of Iowa and the City of Marion in the performance of their public duties. These laws include, but are not limited to: the United States and Iowa constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.


3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, the staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

5. Conduct of Public Meetings

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Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Conflict of Interest

To assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.

In accordance with the law, no member shall participate in the disposition of any matter in which he or she is interested. For purposes of this section "interested" includes any direct or indirect financial or personal interest held by a member or member of his/her family. Before any matter is heard, a member having an interest shall state it and withdraw from participation, or he/she may disclose the facts involved and request a determination by the council, board, commission or committee OR city attorney of whether a conflict of interest exists.

7. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits, which might compromise their independence of judgment or action or give the appearance of being compromised.

8. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.


9. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

10. Representation of Private Interests

In keeping with their role as stewards of the public interest, members shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City.

11. Advocacy

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Members shall represent the official policies or positions of their respective board, commission or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Marion, nor will they allow the inference that they do.

12. Policy Role of Members

Members shall respect and adhere to the mayor-council structure of Marion city government as outlined by the Code of Iowa, City of Marion Charter, and City of Marion Code of Ordinances. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. The council does not take an active role in day to day operations or administration of the city.

The City Manager shall be directly responsible to the Council for the administration of municipal affairs as directed by that body. All departmental activity requiring the attention of the council shall be brought before the body by the City Manager and all Council involvement in administration initiated by the Council must be coordinated through the City Manager.

13. Independence of Boards and Commissions

Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.


14. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment for City employees and for residents and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

Implementation

As an expression of the standards of conduct for members expected by the City, the Marion Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for City Council and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the City of Marion code of ethics. In addition, the Code of Ethics shall be annually reviewed by the City Council and the City Council shall update it as necessary.

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Compliance and Enforcement

The Marion Code of Ethics expresses standards of ethical conduct expected for members of the Marion City Council, boards, commissions and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

Members who intentionally and repeatedly do not follow proper ethical standards may be reprimanded or formally censured. It is the responsibility of the Council to initiate action if a Council member's behavior may warrant censure. Council members should point out to the offending Council member infractions of the Code of Ethics or Code of Conduct.

If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro-Tem. It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant censure. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

If violation of the Code of Ethics or Code of Conduct is outside of the observed behaviors by the Mayor or Council members, the alleged violation should be referred to the Mayor. The Mayor should ask the City Manager and/or the Chief of Police to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to discussing and counseling the individual on the violations or recommending censure to the full Council to consider in a public meeting.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Council decision.

Questions

Any questions concerning the policy above or related procedures should be directed to the following:

City Clerk
City of Marion
1225 6th Avenue, Suite 110
Marion, IA 52302
cityclerk@cityofmarion.org
319-743-6327



Board, Commission or Committee Member Statement

As a member of the _____, I agree to uphold the Code of Ethics for elected and appointed officials adopted by the City and to conduct myself using the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions
- Help create an atmosphere of respect and civility where individual members, City staff and the public are free to express their ideas and work to their full potential
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others
- Respect the dignity and privacy of individuals and organizations
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit
- Avoid and discourage conduct, which is divisive or harmful to the best interests of Marion
- Treat all people with whom I come in contact in the way I wish to be treated
- I affirm that I have read and understood the City of Marion Code of Ethics.

Signature

Date

Printed Name