

CODE OF ORDINANCES
Town of Willard, Rusk County, Wisconsin

CHAPTER 8
ETHICS ORDINANCE

8.01 APPLICABILITY. This ordinance shall be applicable for the below noted Town of Willard officers and the below-noted Town employees, along with the immediate family members of those officers and employees who hold the offices and positions. Also, it is applicable for those candidates for any elected office noted below in the Town of Willard along with their immediate family members:

- (1) Town Chairman
- (2) Town Board Members
- (3) Town Clerk
- (4) Town Deputy Clerk
- (5) Town Treasurer
- (6) Town Deputy Treasurer
- (7) All street or road employees
- (8) For purposes of this section, immediate family shall be:
 - (a) An individual's spouse
 - (b) An individual's relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half (1/2) of his or her support from the individual, or from whom the individual receives, directly or indirectly, more than one-half (1/2) of his or her support

8.02 STANDARD OF ETHICAL CONDUCT. The below noted relate to standards of ethical conduct for the above noted Town officers and Town employees.

- (1) **Use of Office for Private Gain.** No person in the Town of Willard offices noted in section 8.01 nor any person holding public position in the Town noted in section 8.01 may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family or for an organization with which he or she is associated with. For purposes of this section, an 'organization he or she is associated with' means, at minimum, an organization that the person has the following type of relationship with: a corporation or limited liability company partnership or business enterprise owned by (greater than 40%) an office or position or his or her immediate family.
- (2) **Disclosure of Information.** No person in the Town of Willard offices noted in Section 8.01 may intentionally use or disclose information gained in the course of or by reason of his or her office or public position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person, if the information has not been circulated to the public or is not public information.
- (3) **Use of Office for Private Gain.** No persons in the Town of Willard offices noted in Section 8.01 nor any persons holding public positions in the Town of Willard as noted in Section 8.01 may use or attempt to use his or her Town office or his or her public position in the Town to influence or gain unlawful benefits, advantages or privileges for himself or herself or other persons.
- (4) **Use of Office to Obtain Public Items.** No Town of Willard official nor Town of Willard employee shall request, demand, use, or permit the use of any Town owned or supported property, vehicle, equipment, material, labor or service for the personal convenience of the Town official or town employee or any other person for the private advantage of the Town official or town employee or for any other person. This prohibition on the Town official and town employee shall not be deemed to prohibit a Town official or town employee from requesting, demanding, using, or permitting the use of such Town owned or Town supported property, vehicle, equipment, material, labor or service when it is the general practice to make the same available to the general public at large in the Town or when these items are provided to the Town official or town employee as a matter of Town employment policy for the use of Town officials and town employees in the conduct of official Town operations and business.

8.03 CONFLICT OF INTEREST ACTIONS. A Town of Willard official or Town of Willard employee is deemed to have a material conflict of interest in regards to a matter in which he or she is involved or is about to be involved in the discharge of his or her official duties for the Town of Willard whenever:

- (1) The matter in question is one in which the Town of Willard official or Town of Willard employee in his or her capacity or a member of his or her immediate family or an organization with which he or she is associated with has a substantial interest.
- (2) With such conflict of interest or possible conflict of interest, the Town of Willard officer or Town of Willard employee shall:
 - (a) Prepare a written statement describing the matter in detail and the nature of the conflict of interest or possible conflict of interest.
 - (b) Deliver copies of the written statement to the Town Clerk. If the Town Clerk is the Town officer with the conflict of interest or possible conflict of interest, he or she shall file the written statement with the Town Treasurer.

- (c) If the Town officer is a member of the Town Board and has filed the written statement with the Town Clerk, this statement shall excuse the member from votes, deliberations, attendance at meetings and other actions in regard to such matter.
- (d) If the Town officer or town employee who is not a member of the Town Board has filed the written statement, the officer or employee's supervisor, if any, shall assign the matter to another employee.

8.04 HONORARIUM, FEES, AND EXPENSES

- (1) No persons in Town of Willard offices noted in Section 8.01 nor any persons holding a public position noted in Section 8.01 shall fail to report to the Town Clerk by a statement of economic interest any amount that he or she receives for any participation in a meeting, for any lodging, transportation money or for anything of value provided that the amount exceeds fifty dollars (\$50.00) in value excluding the value of food or beverage offered with any talk or meeting. The above-noted persons shall include in their report the identities of the person or persons that provided the amount exceeding fifty dollars (\$50.00) for the work, for the meeting, for the lodging, for the transportation and for anything of value along circumstances under which the amount was received and the appropriate amount received.
- (2) Notwithstanding the above-noted requirements, persons required to report need not report reimbursement or payment received when:
 - (a) The above-noted persons returned the amount to the providing party within thirty (30) days of receipt.
 - (b) The above-noted persons required to report can show by clear and convincing proof that while they received compensation, reimbursement or payment from a source that normally would require reporting and they received amounts that normally would require reporting, that the amounts received were made to the above noted person for a purpose related to their duties and their responsibilities as a Town of Willard officer or as a Town of Willard employee and were not received by the above noted person's for their meeting with clubs, conventions, special interest groups, political groups, school groups and other groups established or organized to discuss and to interpret legislative, administrative, executive or judicial processes, proposals, and issues initiated by or affecting the Town of Willard.

**Ordinance Chapter 8
Adopted this 10th day of July, 2018**

Robert Nelson Yea X Nay _____
 Mark Taft Yea X Nay _____
 Linda Bentley Yea X Nay _____

Attest: Mary Jane Nelson, Town Clerk