

PUBLIC HEARING NOTICE  
CITY OF STAMFORD  
BOARD OF REPRESENTATIVES



Notice is hereby given that the Special Code of Ethics Revision Committee of the Board of Representatives of the City of Stamford will hold a public hearing on Wednesday, September 1, 2021 at 7:00 p.m. by webinar to consider the following proposed ordinance approved for publication at the August 2, 2021 Regular Board Meeting. The meeting can be accessed by computer, tablet or smartphone at <https://us02web.zoom.us/j/84373234244> or at [www.zoom.com](http://www.zoom.com) – Webinar ID: 843 7323 4244; or by telephone at 1 646 558 8656 – Webinar ID: 843 7323 4244. Printed copies are available for inspection in the office of the Board of Representatives, 4<sup>th</sup> Floor, Government Center, 888 Washington Boulevard, Stamford, Connecticut or at [www.boardofreps.org/coe30005.aspx](http://www.boardofreps.org/coe30005.aspx). Anyone wishing to be heard is invited to attend and speak. You may sign up in advance to speak or submit written comments at <http://www.boardofreps.org> or at <https://forms.gle/0K6Z8GnTjdMk9p6>. You may also sign up to speak by sending an email to [hdreps@stamfordct.gov](mailto:hdreps@stamfordct.gov) or by calling 203-977-4024. You must sign up before 2 p.m. on September 1, 2021.

Anyone requiring an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in this meeting, should contact the City's ADA Coordinator as soon as possible: Ellen Bromley, ADA Coordinator, City of Stamford Department of Social Services, 888 Washington Boulevard, Stamford, CT 06903, (203) 977-4112, Email: [EBromley@StamfordCT.gov](mailto:EBromley@StamfordCT.gov).

PROPOSED ORDINANCE  
AMENDING CODE OF ORDINANCES CHAPTER 19, ETHICS, CODE OF

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 19, Ethics, Code of, of the City of Stamford Code of Ordinances, be amended as follows:

CHAPTER 19 - ETHICS, CODE OF

Sec. 19-1. Title.

This chapter shall be known and referred to as "The Stamford Municipal Code of Ethics."

Sec. 19-2. Declaration of policy.

[A. Public service is a public trust, and the proper operation of the City of Stamford requires that all city officers and employees, whether elected or appointed, paid or unpaid, be impartial and responsible to the public. Public office and employment must not be used for personal or financial gain or advantage. The public needs and deserves to have confidence in the integrity of the municipal government of our city.]

[B. Officers and employees of the City of Stamford must refrain from personal, business and financial activities that can reasonably be interpreted to reflect adversely on the individual's fidelity and impartiality, having regard for the nature and scope of their official responsibilities.]

[C. In recognition of the aforementioned principles, there is hereby established a Code of Ethics for all city officers and employees.]

**A. It is essential in a democratic system that the public has confidence in the integrity, independence, and impartiality of those who act on their behalf in government. Such confidence depends not only on the conduct of those who exercise official power, but on the availability of aid or redress to all persons on equal terms and on the accessibility and dissemination of information relating to the conduct of public affairs.**

**B. For the purpose of promoting confidence in the government of the city and thereby enhancing the city's ability to function effectively, this Code of Ethics is adopted. The Code of Ethics establishes standards of conduct, disclosure requirements, and enforcement mechanisms relating to city officers and employees and others whose actions affect public faith in City government, such as former City officers and employees. By prohibiting conduct incompatible with the City's best interests and minimizing the risk of any appearance of impropriety, this Code of Ethics furthers the legitimate interests of democracy.**

**C. Public service is a public trust. All City officers and employees are stewards of the public trust. They have a responsibility to the citizens of the city to enforce the city Charter and the associated ordinances and codes. To ensure and enhance public confidence in City government, each city officer and employee must not only adhere to the principles of ethical conduct set forth in this Code and technical compliance therewith, but they must scrupulously avoid the appearance of impropriety at all times. This section, 19-2, shall not be used for the basis of an ethics complaint.**

Sec. 19-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**Affiliated. Entities are "affiliated" if one is the parent or subsidiary of the other or if they are subsidiaries of the same parent entities.**

**Affinity. Related by marriage.**

**Agency. Includes a board, agency, commission, department or other entity of the city.**

**Benefit. Any monetary or non-monetary favor, consideration, aid, assistance, profit, advantage or accommodation that might be obtained by an officer or employee, or a member of such officer's or employee's Immediate Family, or a Business Entity with which such officer or employee is associated, that is not available to the residents at large but is particular to the said officer, the officer's or employee's Immediate Family, or a Business Entity which such officer or employee is associated.**

**Business Entity. An association, commercial entity, corporation, enterprise, firm, franchise, holding company, organization, partnership, sole proprietorship, trust or other legal entity established to earn money.**

**Business Interest. The involvement of an individual in any trade or profession, along with any direct interest they have in any company. An officer of an organization who has a fiduciary responsibility to the organization is deemed to have a business interest in the organization whether or not that interest is compensated.**

**Business with which [he or she] a person is associated. A business in which an officer or employee or member of [his or her immediate family] such person's Immediate Family is a paid employee, director or officer, or is a limited or general partner, beneficiary of a trust or holder of stock constituting five percent (5%) or more of the total outstanding stock of any class, or the owner of five percent (5%) or more of the equitable ownership interest, provided an officer or employee, or a member of [his or her immediate family] such person's Immediate Family shall not be deemed to be associated with a not-for-profit entity solely by virtue of the fact that the officer or employee or member of [his or her immediate family] such person's Immediate Family is an unpaid director or officer of the not-for-profit entity.**

**Clear and convincing evidence. The evidence supports the allegation that the respondent has violated the Code of Ethics, when considered fairly and impartially, and induces a reasonable belief in the minds of the Hearing Board Members that the allegations are true. Said evidence must indicate to said members that the probability that the respondent has committed a violation is substantially greater than the probability [he or she] the respondent has not.**

**Complainant. A person who filed a written complaint with the Board of Ethics that alleged a violation of the Code of Ethics.**

**Consanguinity. Relationship by "consanguinity" (by blood). (a) Two individuals are related to each other by consanguinity if: (1) one is a descendant of the other; or (2) they share a common ancestor. (b) An adopted child is considered to be a child of the adoptive parent for this purpose. The degree of relationship by consanguinity between an individual and the individual's descendant is determined by the number of generations that separate them. A parent and child are related in the first degree, a grandparent and grandchild are related in the second degree, a great-grandparent and great-grandchild, aunt who is a sister of a parent of the individual, uncle who is a brother of a parent of the individual, nephew who is a child of a brother or sister of the individual, or niece who is a child of a brother or sister of the individual are related in the third degree and so on.**

**Economic interest. "Economic interest" includes, but is not limited to, legal or equitable property interests in land, chattels, and intangibles, and contractual rights having more than de minimis value. Ownership of stock in a publicly traded corporation does not constitute ownership for purposes of this code if the employee or official officer owns less than five (5%) percent of the voting stock or shares of the entity or the value of the stock is less than fifteen thousand dollars (\$15,000.00).**

**Employee. An individual employed by the city, whether as a classified employee, unclassified, permanent or temporary, full-time or part-time, or employed by contract on a continuing basis, and all employees of the Board of Education.**

**Entity. "Entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, joint-venture, or any other entity recognized by law, including non-profit entities.**

**Hearing board members. Three (3) individuals who are selected by the Chairperson from among the members of the Board of Ethics, including alternates, to hold a public hearing(s) and to determine whether there is clear and convincing evidence that the respondent has violated the Code of Ethics. No more than two (2) hearing board members shall be registered with the same political party.**

**Immediate [family] Family. Includes a spouse, child, grandchild, brother, sister, in-laws, parent or grandparent or persons who reside in the same household.**

**Individual. A natural person.**

**Investigating [board members] Committee. [Three (3) individuals who are selected by the Chairperson from among the] Committee consisting of three (3) members of the Board of Ethics, including alternates, [to investigate and to determine whether there is probable cause to proceed to a public hearing] formed pursuant to Section 19-14.D(1)(b). No more than two (2) [investigating board] members of the Investigating Committee shall be registered with the same political party.**

**Officer. An individual elected to a municipal office or appointed by the Mayor, including but not limited to ad hoc committee members and members of the Board of Education, but excluding Justices of the Peace and constables.**

**Person. Includes associations, firms, partnerships and bodies politic and corporate, as well as individuals.**

**Probable cause. More than mere suspicion. There must be facts and circumstances within the Investigating [Board] Committee members' knowledge, and of which they have trustworthy information, sufficient to justify the belief of a reasonable person that a violation of the Code of Ethics has occurred.**

**Prohibited source. Any person who: (1) is seeking official action by the officer, the employee or their agency; or (2) does official business or seeks to do official business with the officer, the employee or their agency; or (3) conducts activity regulated by the officer, the employee or their agency; or (4) has interests that might be substantially affected by the performance or non-performance of the official duties of the officer, the employee or their agency.**

**Respondent. A person against whom a written complaint with the Board of Ethics was filed that alleged a violation of the Code of Ethics.**

Sec. 19-4. Conflicts of interests; interference with duties.

[No officer or employee shall engage in any business or transaction or have a personal, immediate family or business interest, directly or indirectly, which is in material conflict with or incompatible with the proper discharge of his or her official duties or that by creating a divided loyalty might influence or impair his or her independence of judgment and action in the performance of said duties. A conflict of interest exists whenever an officer or employee will more likely than not benefit, disproportionately from other citizens of the city, directly or indirectly, from a decision over which they have influence.]

**A. General rule. To avoid the appearance and risk of impropriety, a city officer or employee shall not take any official action that such person knows is likely to affect the economic interests of:**

- (1) The officer or employee;
- (2) Such person's parent, child, spouse, or other family member within the second degree of consanguinity or affinity;
- (3) Such person's outside client;
- (4) A member of such person's household;
- (5) The outside employer of the officer or employee or of such person's parent, child (unless the child is a minor), spouse, or member of the household (unless member of household is a minor);
- (6) An entity in which the officer or employee knows that any of the persons listed in subsections A(1) or A(2) holds an economic interest as that term is defined in section 19-3;
- (7) An entity which the officer or employee knows is an affiliate or partner of an entity in which any of the persons listed in subsections A(1) or A(2) holds an economic interest as that term is defined in section 19-3;
- (8)

- a. An entity for which the city officer or employee serves as an officer or director or in any other policy making position; or
- b. Unless otherwise provided by law, an officer or employee shall not deliberate or participate in a decision or action by the agency of which the individual is a member or is employed if said individual or any member of said individual's Immediate Family or a business with which said individual is associated would be likely to gain or lose a material benefit; or
- c. Unless otherwise provided by law, no officer or employee, or any member of such officer's or employee's Immediate Family, or any Business Entity with which such officer or employee is associated, shall engage in any business transaction or arrangement with any municipal division of the City of Stamford.

(9) A person or entity with whom, within the past twelve (12) months:

- a. The officer or employee, or the spouse of such official officer or employee, directly or indirectly has:
  - 1. Solicited an offer of employment for which the application is still pending;
  - 2. Received an offer of employment which has not been rejected; or
  - 3. Accepted an offer of employment; or
- b. The officer or employee, or the spouse of such official officer or employee, directly or indirectly engaged in negotiations pertaining to business opportunities, where such negotiations are pending or not terminated.

**B. Recusal and disclosure. A city officer or employee whose conduct would otherwise violate subsection (a) must recuse himself. From the time that the conflict is, or should have been recognized, such person shall:**

- (1) Immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter; and
- (2) A supervised employee shall promptly bring the conflict to the attention of such employee's supervisor who will then, if necessary, reassign responsibility for handling the matter to another person; and

**(3) A member of a board shall promptly disclose the conflict to other members of the board and shall not be present during the board's discussion of, or voting on, the matter.**

C. Definitions. For purposes of this rule:

- (1) An action is likely to affect an economic interest if it is likely to have an effect on that interest that is distinguishable from its effect on members of the public in general or a substantial segment thereof; and
- (2) The term client includes any business, financial or professional relationship to which a duty of care, confidence, trust, or privilege applies.

Sec. 19-5. Prohibited interests.

- [A. Unless otherwise provided by law, an officer or employee shall not deliberate or participate in a decision or action by the agency of which the individual is a member or is employed if said individual or any member of his or her immediate family or a business with which he or she is associated would be likely to gain or lose a material benefit that is not common to the general interest of other citizens of the city.]
- [B. An officer or employee shall not grant special consideration, treatment or advantage to any person beyond that which is generally available to other citizens of the city.]
- [C. An officer or employee shall not receive special consideration, treatment or advantage in any activity or business transaction in which the city is a client or a customer beyond that which is generally available to other citizens of the city.]

**A. General rule. A city officer or employee may not use such person's official position to unfairly advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including for such person) any form of special consideration, treatment, exemption, or advantage to any person beyond that which is lawfully available to other persons. A city officer or employee who represents to a person that such officer may provide an advantage to that person based on the officer's position on a board or commission or employee's position with the City violates this rule.**

B. Special rules. The following special rules apply in addition to the general rule:

- (1) Acquisition of interest in impending matters. A city officer or employee shall not acquire an interest in, or be affected by, any contract, transaction, zoning decision, or other matter, if the officer or employee knows, or has reason to know, that the interest will be directly or indirectly affected by impending official action by the city.
- (2) Reciprocal favors. A city officer or employee may not enter into an agreement or understanding with any other person that official action by the officer or employee will be rewarded or reciprocated by that person, directly or indirectly.
- (3) Appointment of relatives. A city officer or employee shall not appoint or employ or vote to appoint or employ any relative within the third degree of consanguinity or affinity or any member of his or her household to any office or position of employment within the city.
- (4) Supervision of relatives. No official officer or employee shall be permitted to be in the line of supervision of a relative within the third degree of consanguinity or affinity or any member of his or her household. Department heads are responsible for enforcing this policy. If an employee, by reason of marriage, promotion, reorganization, or otherwise, is placed into the line of supervision of a relative, one of the employees will be reassigned or other appropriate arrangements will be made for supervision.

**C. Recusal and disclosure. A city officer or employee whose conduct would otherwise violate this section shall adhere to the recusal and disclosure provisions provided in Section 19-4 (Conflicts of interest).**

**D. In any proceeding of any Agency, officers shall not participate, deliberate, comment, or vote with regard to any agenda item of such Agency which is directly related to a Business Entity of which such officer is a director, board member, officer, trustee, executive, or manager.**

**E. No officer shall participate, deliberate, comment, or vote at or in any proceeding of any Agency such officer is a member of on matter(s) that concern the employment of such officer or such officer's Immediate Family, or on matter(s) that concern the appointment or contractual terms of any director, department head, chief, supervisor, or executive administrator of any city division, department, bureau where the said officer or a member of the said officer's Immediate Family is employed in any capacity.**

[D]E. Subsections A, B and C of this section do not prohibit:

- (1) An officer or employee being employed by a person having a contract of a kind available to all through open bidding with the city if the preparation, procurement and performance of the contract are not before the officer's or employee's agency.
- (2) A purchase or sale between the city and an officer or employee of the city of property or an interest in or acquisition by condemnation by the city, if the transaction is conducted according to applicable procedure. The officer or employee must take no part in the transaction on behalf of the city. The terms of the transaction must be approved, in writing, by an officer or board independent of or having authority over the officer or employee.
- (3) An officer or employee entering a contract or transaction with the city, not within his or her agency, of a kind available to all through open bidding.
- (4) Performance of a contract entered prior to an individual's having become an officer or employee of the city if the contract is disclosed in accordance with § 19-11 of this chapter.
- (5) An officer or employee being employed by a newspaper that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.
- (6) An officer or employee being employed by a public utility regulated by the Public Utilities Commission.
- (7) An officer voting on a proposed municipal or Board of Education budget or appropriation provided that the total financial interest to the officer's [immediate family] Immediate Family, including, but not limited to, salary, health benefits, and pension, is insubstantial compared to the budget or appropriation being considered, or the appropriation is substantially unrelated to such total financial interest, and it is reasonable to expect that any likely action on said budget or appropriation will not financially or otherwise impact such officer or [his or her immediate family] such officer's Immediate Family.
- (8) A municipal or Board of Education employee, or Commission or Board member preparing and advocating budgets that are acted upon by the Board of Education, and/or the Planning Board, Board of Finance and/or Board of Representatives.

Sec. 19-6. Prohibited representation.

A. No officer or employee shall represent a person, other than the city, before the agency of which [he or she] such officer or employee is a member or by which [he or she] such officer or employee is employed, or an agency under [his or her] such officer or employee's supervisory authority, except for representation of constituents by an officer in the course of [his or her] such officer or employee's responsibilities as such. No compensation or gift may be accepted in connection with such representation.

B. An officer or employee who is employed or under retainer by a person having a matter pending before the agency of which the officer or employee is a member shall disclose that fact and shall abstain from participation in the matter. Participation includes but is not limited to discussion and/or voting on the matter.

Sec. 19-7. Prohibited use of city property and facilities.

No officer or employee shall use or authorize others to use city-owned property, including vehicles and facilities, except:

- A. For city business;
- B. For purposes and on terms generally available to other persons; or
- C. According to a contract of employment with the city in which use of such property is part of the compensation or term of employment.

Sec. 19-8. Prohibited use of influence and information.

A. An officer or employee shall not attempt to influence any other officer or employee about any matter before any city agency from which said officer or employee would be likely to gain or lose a [material] benefit that is not common to the general interest of other citizens of the city. This subsection does not prohibit an officer or employee from communicating about a matter in which [he or she] such officer or employee has a property, contract or other legally protected interest as a citizen of the city, if the communication is:

- (1) With an officer or employee responsible for the matter on behalf of the city; and
- (2) Reasonable and necessary in transacting the matter and is conducted by means and in terms that other persons generally might lawfully use in the circumstances.

B. Unless otherwise required by state law, an officer or employee shall not disclose city information other than in accordance with established city procedure where it is reasonably foreseeable that disclosure of the information will permit the officer or employee or any other person to obtain a [material] benefit that is not common to the general interest of other citizens of the city.

C. An officer or employee shall not use information concerning the property or governmental affairs of the city, other than that which is generally available to the public, for the purpose of advancing the personal interest of [himself, herself] such officer or employee or others.

D. Confidential information.

- (1) Improper access. A city officer or employee shall not use such officer's position to obtain official information about any person or entity for any purpose other than the performance of official duties.
- (2) Improper disclosure or use. A city officer or employee shall not intentionally, knowingly, or recklessly disclose any confidential information gained by reason of that officer's or employee's position concerning the property, operations, policies, or affairs of the city. This rule does not prohibit:
  - (a) Any disclosure that is no longer confidential by law; or
  - (b) The confidential reporting of illegal or unethical conduct to authorities designated by law.

E. Political activity.

- (1) Influencing subordinates. A city officer or employee shall not, directly or indirectly, induce or attempt to induce any city subordinate of the officer or employee:
  - (a) To participate in an election campaign, contribute to a candidate or political committee, or engage in any other political activity relating to a particular party, candidate, or issue; or
  - (b) To refrain from engaging in any lawful political activity. A general statement merely encouraging another person to vote does not violate this rule.
- (2) Paid campaigning. A city officer or employee shall not accept any thing of value, directly or indirectly, for political activity relating to an item pending on the ballot, if such officer or employee participated in, or provided advice relating to, the exercise of discretionary authority by a city body that contributed to the development of the ballot item. Any thing of value does not include a meal or other item of nominal value the city officer or employee receives in return for providing information on an item pending on the ballot.

Sec. 19-9. Prohibited gifts.

A. Except as provided for by [his or her] an officer's office or under the terms of [his or her] an employee's employment, no officer or employee, or member of [his or her immediate family] such person's Immediate Family, or business with which [he or she] such person is associated, shall solicit or accept anything of value, including, but not limited to, a gift, service, loan, political contribution, or promise of future employment in exchange for providing confidential information or based on an understanding that the vote, official action, or judgment of the officer or employee is to be, or has been, influenced thereby.

B. No officer or employee may knowingly accept, nor may the spouse, child or parent of an officer or employee, or any person who resides in the household of an officer or employee knowingly accept, with said officer's or employee's express or implied consent, anything having a value of fifty dollars (\$50.00) or more from a prohibited source, and the aggregate value of all things received from that source by any such recipient in a calendar year shall not exceed one hundred fifty dollars (\$150.00). Each officer or employee shall be bound by this section for a period of one (1) year after the officer or employee has left [his or her] such person's position with the city.

This section does not prohibit:

- 1. Gifts or social courtesies between the officer or employee and donors who are [immediate family] Immediate Family (as defined in Section 19-3 above).
- 2. Gifts or social courtesies, given to celebrate major life events such as weddings, births, religious milestones or major holidays, given to the officer or employee from donors, who are: (a) other relatives that are not "[immediate family] Immediate Family" as defined in Section 19-3 above, or (b) close personal friends.
- 3. Gifts made under Section 19-9.B.(2) must be disclosed in writing within ninety (90) days to the Board of Ethics. In the event of a complaint of a violation of Section 19-9.B.(2), the officer or employee shall have the burden of proving that the gift is a bona fide gift or social courtesy customarily made for the occasion.
- 3. Public, governmental-sponsored or informational events generally accepted as a condition of office or employment, where food may be served and small souvenirs of the event, of a minor monetary value, may be distributed to all attendees, which are not designed to influence the proper judgment or action of the officer or employee in a matter within his or her authority.
- 4. Political contributions received in compliance with law.
- 5. Loans obtained according to commercial practice at the prevailing rate of interest.
- 6. Customary performance, merit awards, retirement gifts or honorariums, consistent with municipal practice.
- 7. Awards, plaques, gifts or other things of value given to employees as part of an official Employee Recognition/Incentive Program.