



Code of Ethics and Standards of Conduct

Town of Middleburg Mayor & Town Council, Boards, Commissions & Committees

The citizens and businesses of Middleburg deserve fair, ethical, and accountable local government. The effective functioning of democratic government 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; that public officials be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To ensure the above for the people of Middleburg, the Town of Middleburg Town Council has adopted this Code of Ethics and Standards of Conduct for the Mayor and members of the Town Council, as well as for the Planning Commission (PC), Historic District Review Committee (HDRC), and other Town boards, commissions and committees that the Council has or may in the future create in order to assure public confidence in the integrity of local government and its effective and fair operation. In addition, the Town Council recommends adoption of this Code by the Board of Zoning Appeals (BZA).

CODE OF ETHICS

1. Uphold the Constitution, laws and regulations of the United States and of all governments therein and never knowingly be a party to their evasion.
2. Place loyalty to the highest moral principles and to the people of the Town of Middleburg, as a whole, above loyalty to individuals, districts, or particular groups.
3. Expose through appropriate means and channels corruption, misconduct or neglect of duty when discovered.
4. Give a full measure of dedication and service to the positions of trust in which you have been placed, giving your best effort and thought to the performance of duties.
5. Seek to find and use the most equitable, efficient, effective and economical means for getting tasks accomplished.
6. Support the rights and recognize the needs of all citizens regardless of gender, race, age, sexual orientation, religion, creed, country of origin or disability.

7. Ensure the integrity of the actions of the Mayor, Town Council, Board, Commission or Committee by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone, whether for remuneration or not. A member shall never accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties. No member shall benefit from Town sponsorship of special events, such as the acceptance of free tickets or other special favors. This shall not apply to attendance at an event in which the individual is performing official Town duties.
9. Make no private promises of any kind binding upon the duties of any office, because a public servant has no private word which can be binding on public duty.
9. Identify any associations with an organization or interest group that presents in any manner to the body on which the member serves prior to any discussion or decision related to that organization or interest group.
10. At all times, meet the requirements of the State and Local Government Conflict of Interest Act and the Public Procurement Act as they apply to the Town of Middleburg.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the Freedom of Information Act.
12. Recognize that interaction with the media is a vital link in maintaining good communication with the public. All media inquiries should be forwarded to the Town Administrator or designee for a response. Staff comments to the media shall be in a courteous, statesmanlike manner and shall maintain the propriety of the Town when speaking to public issues.
13. Make sure that a clear distinction is made between personal opinion or belief and a decision made by the Mayor, Town Council, Board, Commission or Committee.
14. Do not disclose or use confidential information without the consent of Town Council. Confidential information includes discussions during closed sessions, attorney-client communications and certain economic development information.
15. Do not use public resources that are not available to the public in general, such as Town staff time, equipment, supplies or facilities, for private gain or personal purposes.
16. Support the maintenance of a positive and constructive workplace environment for Town employees and for citizens and businesses dealing with the Town. Members shall recognize their special role in dealings with Town employees and in no way create the perception of inappropriate direction to staff.
17. Review orally and in public session at the annual organizational meeting each of these principles.
18. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

STANDARDS OF CONDUCT

Recognizing that persons holding a position of public trust are under constant observation by the media and the public, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, the Mayor and every member of the Town Council, Boards, Committees and Commissions shall adhere to the following Standards of Conduct. It is recommended by Council that the BZA also adhere to these Standards of Conduct.

1. Avoid, during either public or private meetings and during public duties, the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens or staff.
2. Do not interfere with the administrative functions of the Town or the professional duties of the Town staff; nor impair the ability of staff to implement Town policy decisions. As the Town Council delegates authority for Town administration to the Town Administrator, inquiries to staff shall be made through the Town Administrator for all administrative issues, unless the matter in question is clearly a police matter and should be addressed to the Chief of Police.
3. Adhere to the attendance policy of the body to which he or she has been elected or appointed, endeavoring to attend all meetings and resigning whenever personal circumstances preclude regular attendance.
4. Make a conscientious effort to be prepared for each meeting.
5. Respect the rights of colleagues to have different opinions. Enter into constructive and factual discussions when attempting to resolve issues or reach a consensus, refraining from disparaging remarks.
6. Work to create a positive environment in public and private meetings, so that the environment is conducive to a productive dialogue between all parties and so that citizens will feel comfortable as observers or participants.
7. Maintain an attitude of courtesy and consideration toward all citizens, colleagues and staff during all discussions and deliberations. Each member serves as a representative and a face to the Town of Middleburg and is expected to treat others at all times with dignity, professionalism and respect regardless of the forum (e.g., in person, online, in session or in the public arena).
8. Be open minded and patient. Allow citizens, staff, or colleagues sufficient opportunity to present their views.
9. Be concise. Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.

IMPLEMENTATION

As an expression of the standards of conduct expected by the Town, the CODE OF ETHICS AND STANDARDS OF CONDUCT is intended to be self-enforcing and, therefore, will be most effective when members are thoroughly familiar with and embrace its provisions. For this reason, ethical standards shall be included in the regular orientation for all newly elected and appointed officials.

Members entering office shall be provided with this CODE OF ETHICS AND STANDARDS OF CONDUCT. In addition, the Town Council, Boards, Committees and Commissions shall annually review the Code of Ethics and Standards of Conduct, and the Town Council shall consider recommendations from boards, commissions and committees to update it as necessary. The BZA is encouraged by Council to also adopt and uphold the CODE OF ETHICS AND STANDARDS OF CONDUCT as presented.

COMPLIANCE AND ENFORCEMENT

The Town of Middleburg CODE OF ETHICS AND STANDARDS OF CONDUCT expresses standards of ethical conduct expected of members of the Town Council, Boards, Commissions and Committees and recommended for the Town's BZA. Member themselves have the primary responsibility to ensure that these ethical standards and the code of conduct are understood and practiced during all times while serving the Town in order to assure the public can continue to have full confidence in the integrity of government.

Citizens may bring complaints about the conduct of elected or appointed officials to the Mayor, any member of Council, or the chair of the commission, board or committee on which the appointed official serves.

The Town Council **may** impose sanctions on members whose conduct does not comply with the Town's ethical standards, such as public or private reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Town Council also may remove members of Boards, Commissions and Committees from office. The Town Council acknowledges that it does not have such authority over the BZA for the Town.

A violation of this CODE OF ETHICS AND STANDARDS OF CONDUCT shall not be considered a basis for challenging the validity of a Town Council, board, commission or committee decision.