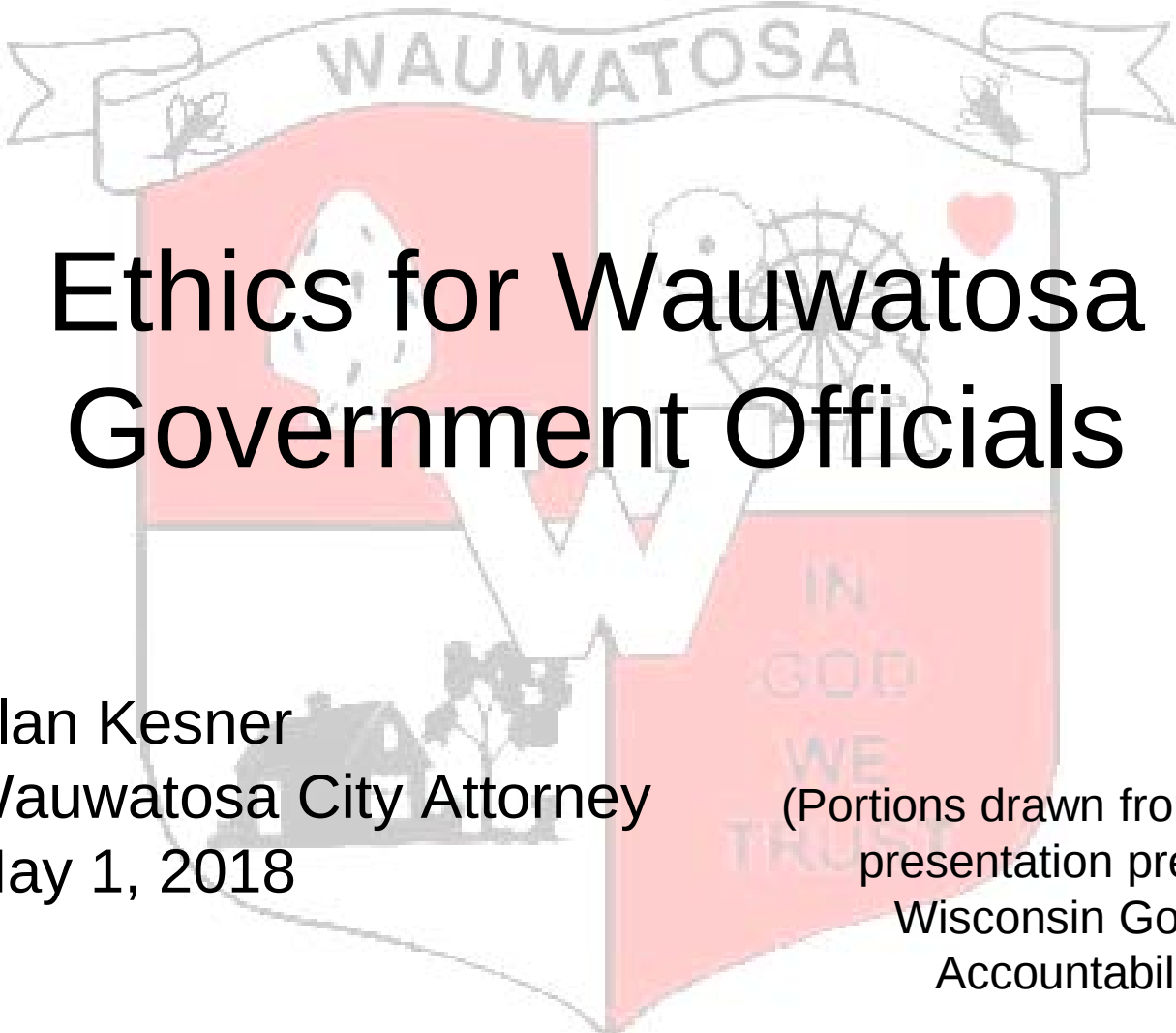




Ethics for Wauwatosa Government Officials

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Wauwatosa City Attorney
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(Portions drawn from original
presentation prepared by
Wisconsin Government
Accountability Board)

Purpose

“The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be open and transparent; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.”

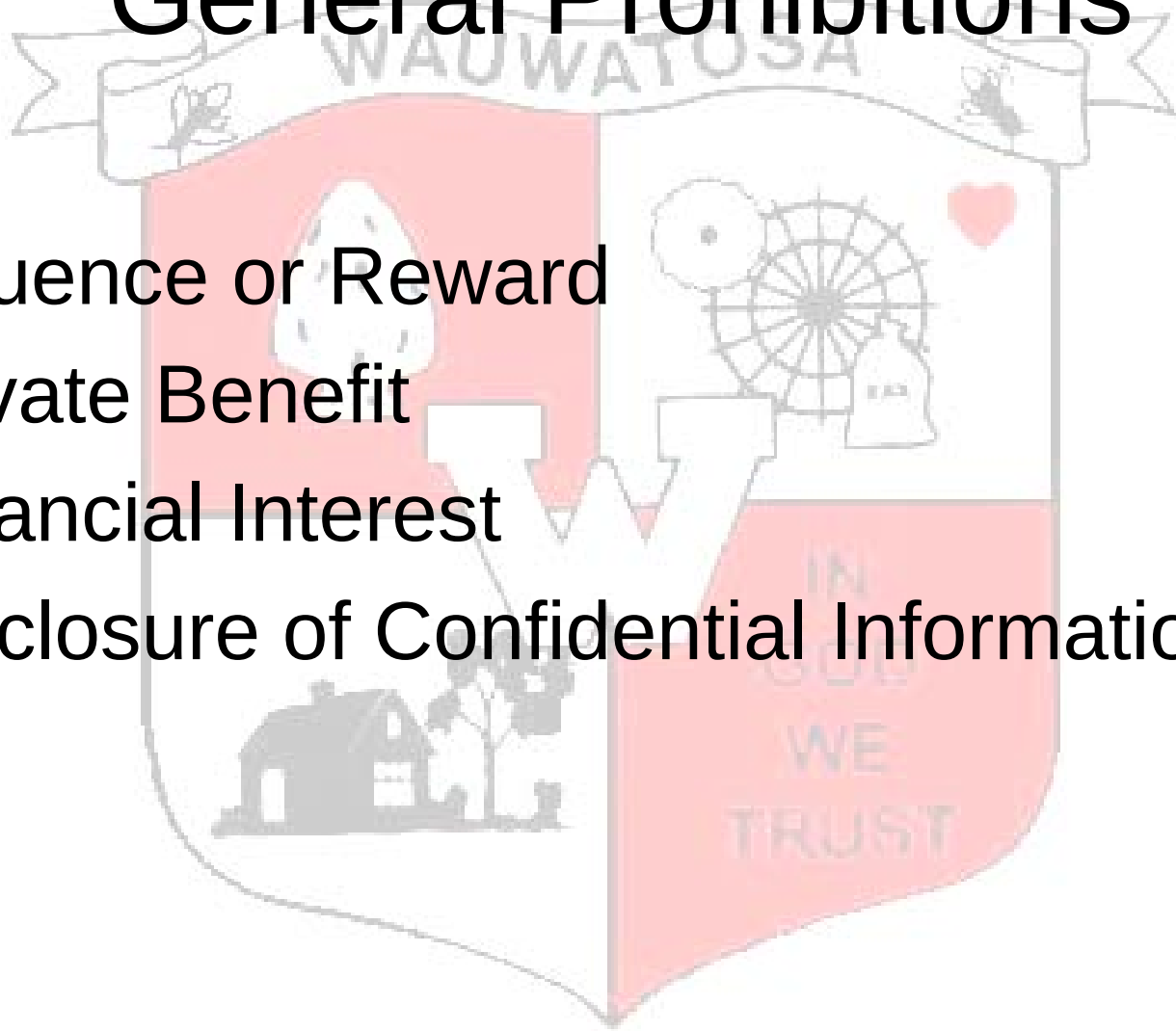
– Sec. 2.05.010, Wauwatosa Municipal Code

The big picture (why have a code of ethics?)

- Strengthen citizens' confidence in the integrity of governmental officials
- Help preserve the integrity of the governmental decision-making process
- Officials not to profit from holding public office

General Prohibitions

- Influence or Reward
- Private Benefit
- Financial Interest
- Disclosure of Confidential Information



What laws apply?

- Local law: Chapter 2.05, Wauwatosa Municipal Code. *Code of Ethics for City Officials and Employees*
- State law: Section 19.59, Wisconsin Statutes. *Codes of ethics for local government officials, employees and candidates*

Who are “Officials” covered by local law?

- Elected and appointed officials
- Includes board, committee and commission members
- Also covers employees



Who is covered by State law?

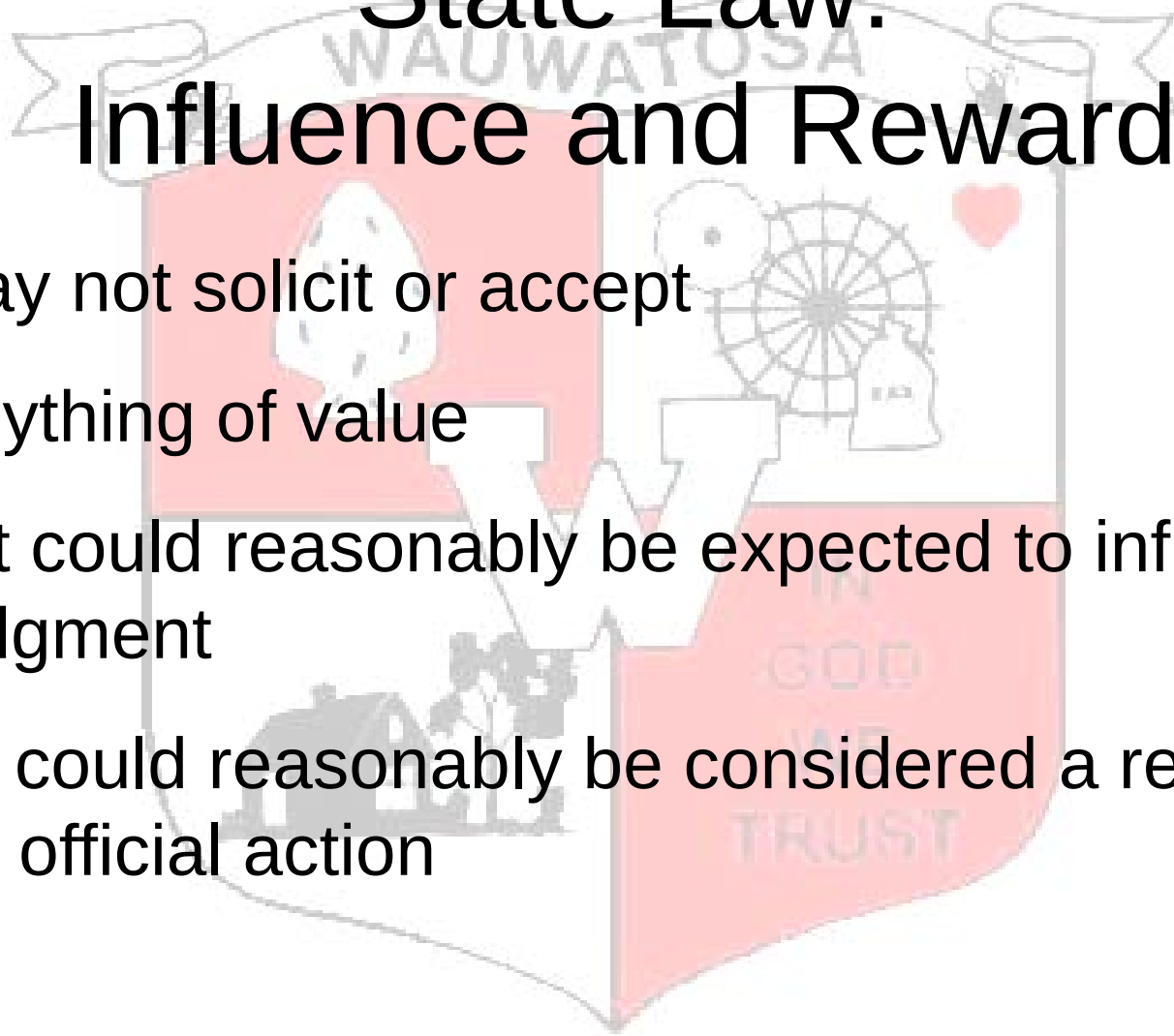
- Elected officials
- County administrators and city and village managers
- Individuals appointed for a specified term
- Appointees serving at the pleasure of the governing body or chief executive

Conflict of Interest- Influence or Reward

- Anything of Value
- Reasonably expected to influence action
- Award for action or inaction
- Does not prohibit outside employment
- Does not include items of “inconsequential value” or received independent of official position

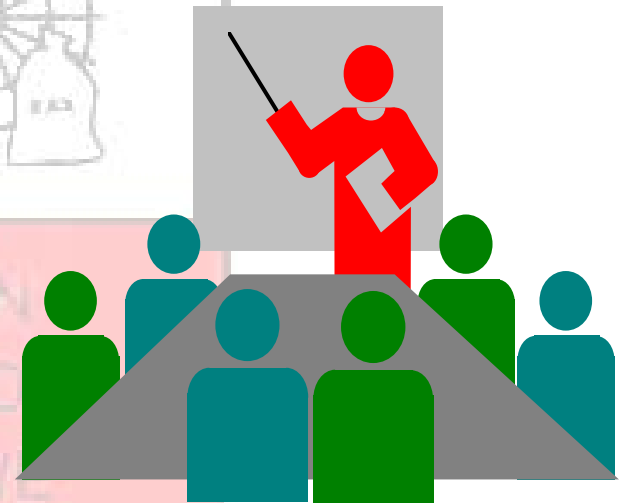
State Law: Influence and Reward

- May not solicit or accept
- Anything of value
- If it could reasonably be expected to influence judgment
- Or could reasonably be considered a reward for official action



State Law Exceptions:

- Items received on behalf of the local governmental unit and primarily for the benefit of the governmental unit
- Items unrelated to the individual's holding public office or position



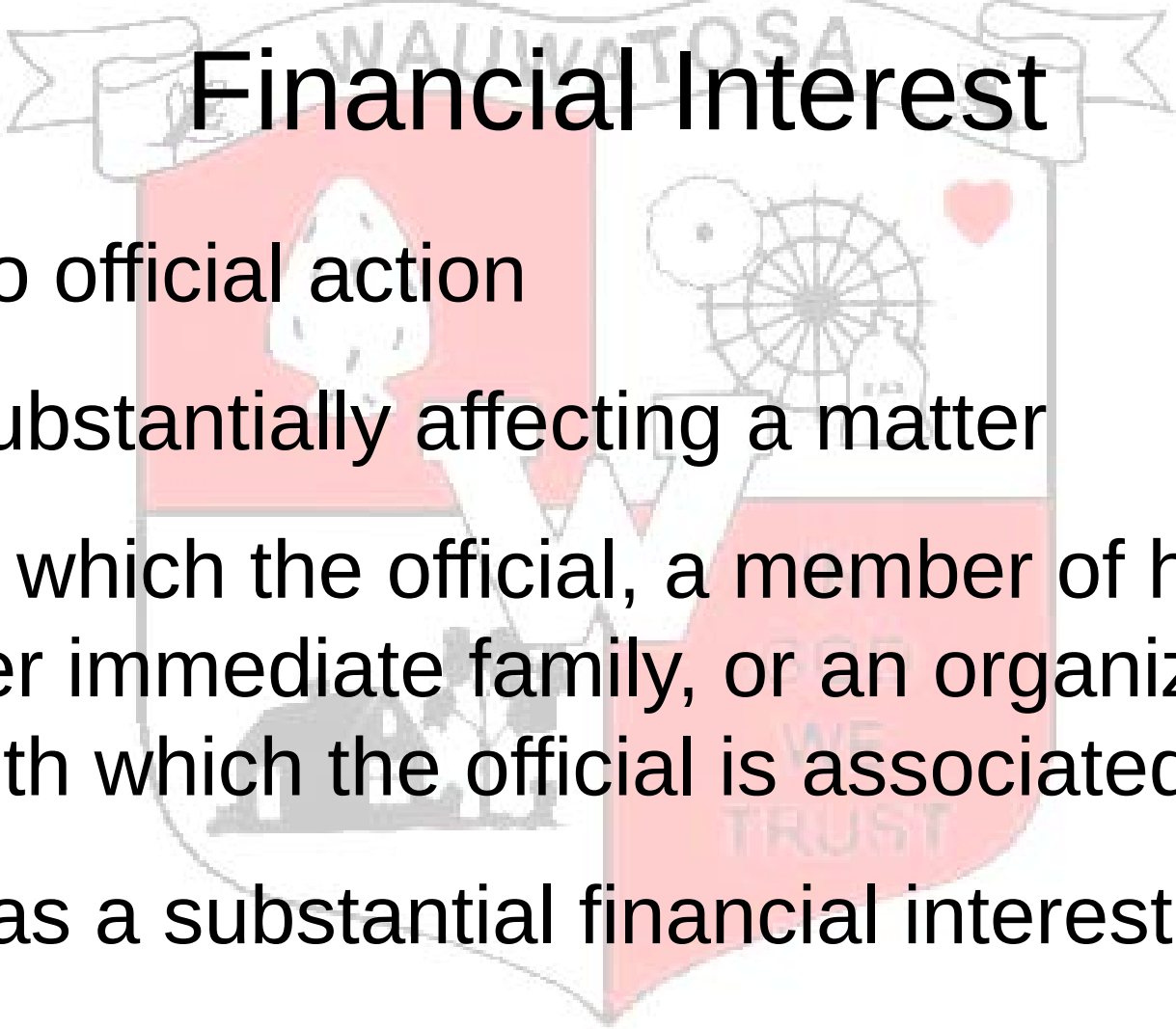
Conflict of Interest – Private Benefit

- May not use public position or office
- To obtain financial gain or anything of substantial value
- For the private benefit of self or immediate family,
- Or for an organization with which the official is associated.

Private Benefit – exceptions and processes

- Campaign contributions acceptable
- Disclose financial interest on the record prior to initial discussion of issue
- Refrain from acting on matter
- Join public if in a public meeting

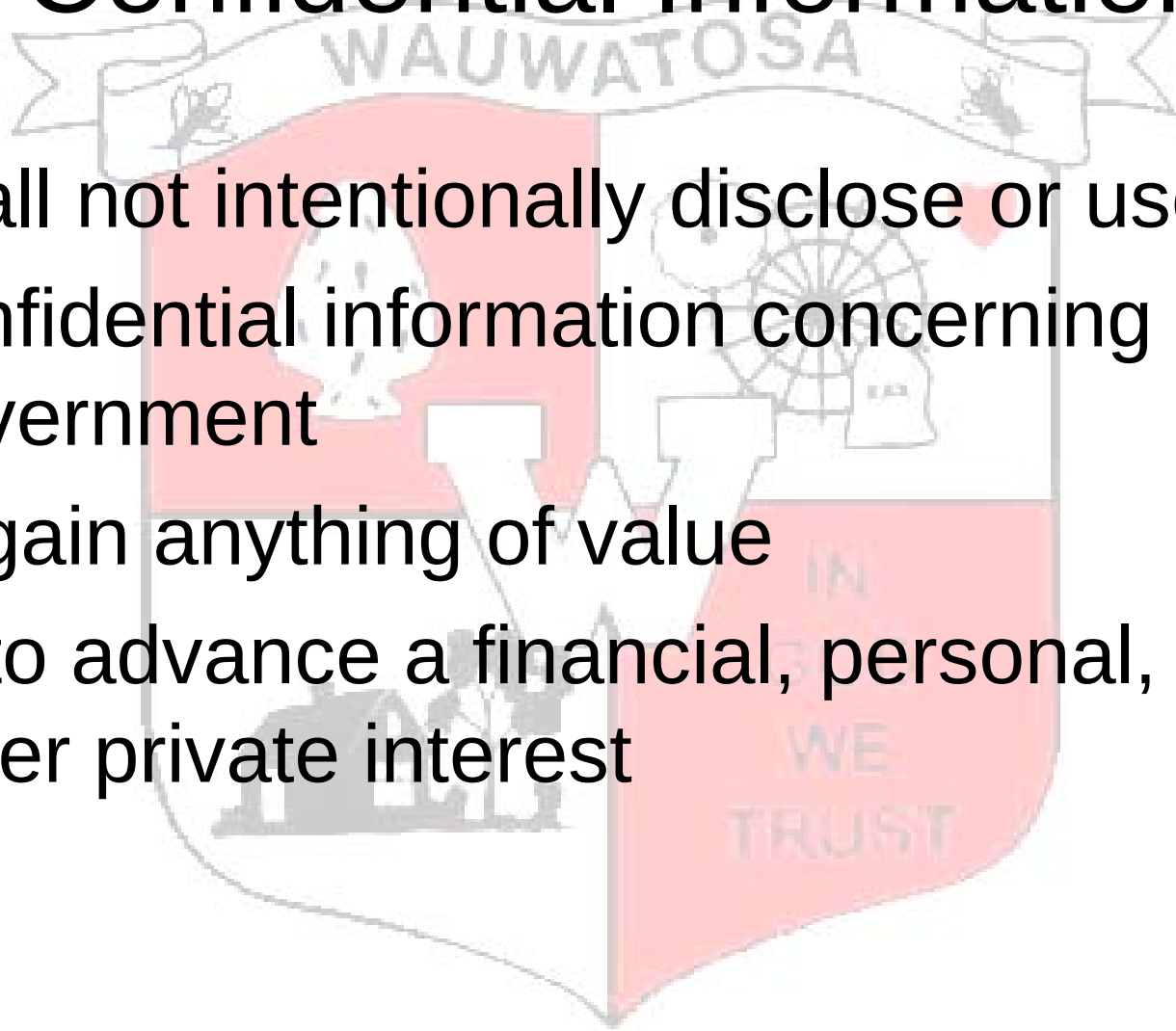
State Law: Financial Interest

The background of the slide features a large, faint watermark of the Waterbury State Seal. The seal is a shield divided into four quadrants. The top-left quadrant is red with a white tree. The top-right quadrant is white with a red heart. The bottom-left quadrant is white with a red wheel. The bottom-right quadrant is red with a white heart. A banner at the top of the shield reads "WATERBURY". A banner at the bottom of the shield reads "WE TRUST".

- No official action
- Substantially affecting a matter
- In which the official, a member of his or her immediate family, or an organization with which the official is associated
- Has a substantial financial interest

Confidential Information

- shall not intentionally disclose or use
- confidential information concerning the government
- to gain anything of value
- or to advance a financial, personal, or other private interest



Standards and rules an official has to know!!



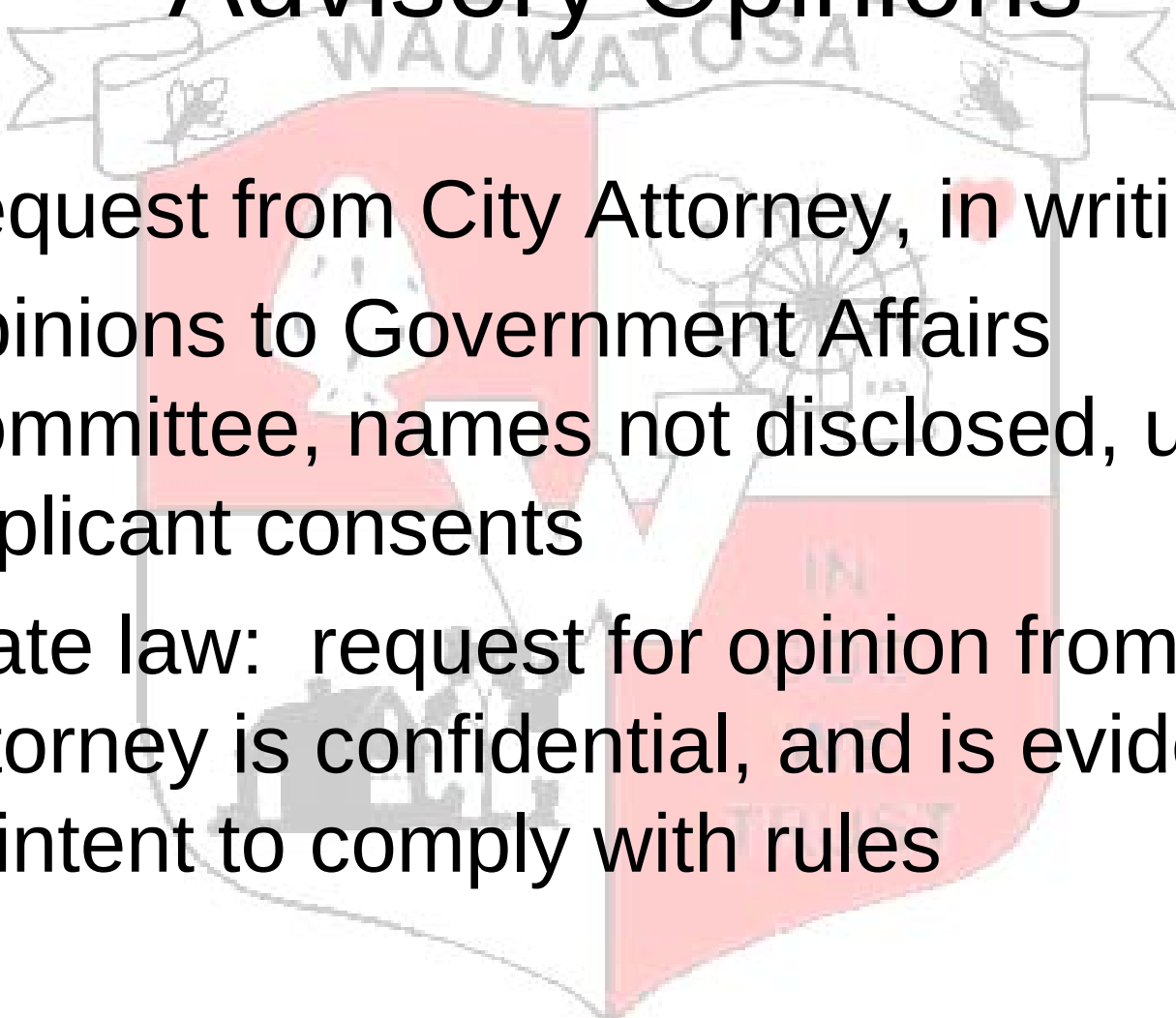
- *Don't accept items or services offered to you because of your position*
- *Don't participate in decisions which affect you financially*

Reporting and Enforcement

- Complaints to City Attorney
- Forwarded to the accused official
- Complaints against Officials reviewed by Common Council/Government Affairs Committee



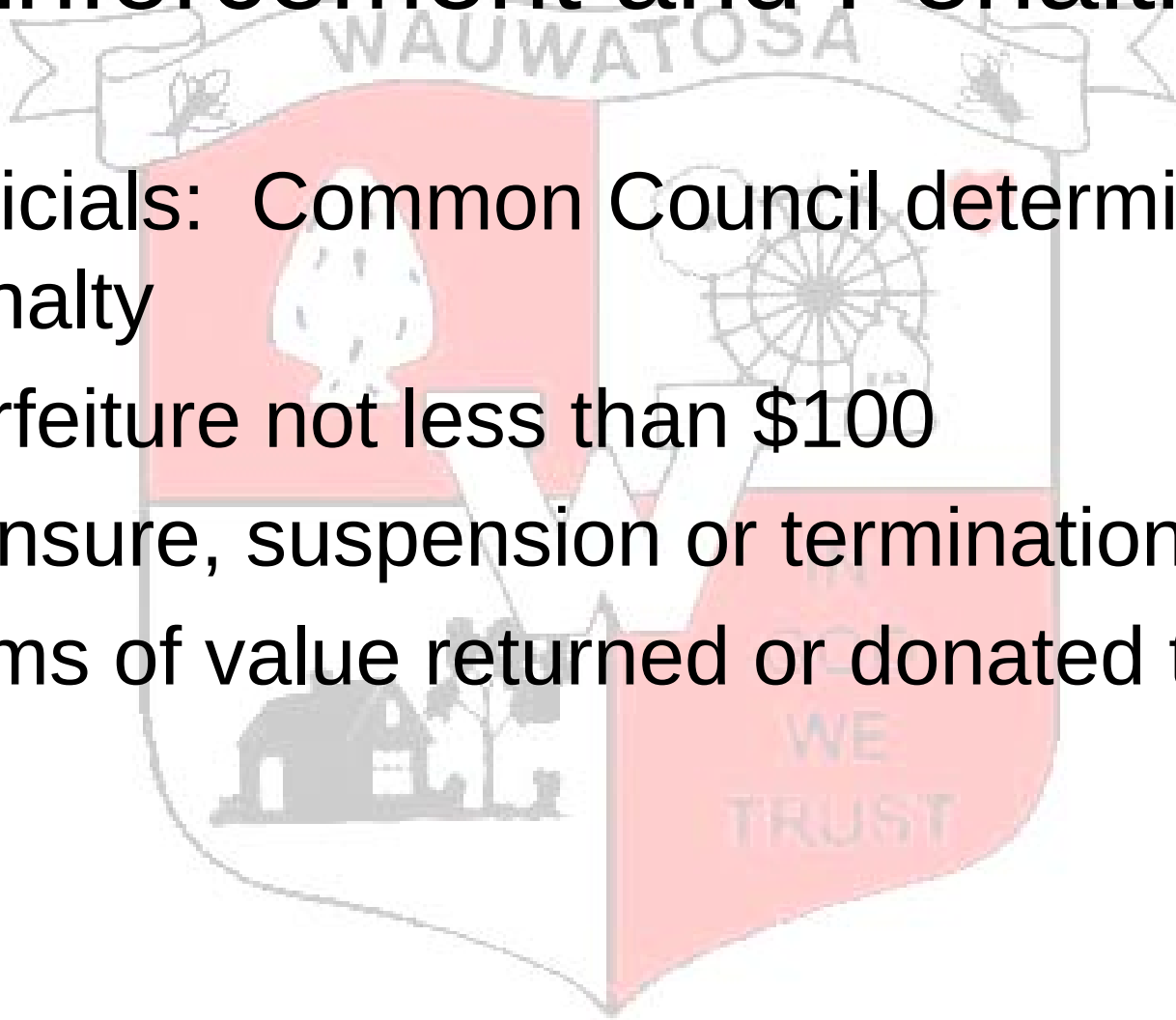
Advisory Opinions

A faint, light-colored watermark of the Waupatosa City Seal is visible in the background. The seal features a shield with a red and white design, a banner at the top with the word "WAUPATOSA", and a central emblem that appears to be a sun or a star.

- Request from City Attorney, in writing
- Opinions to Government Affairs Committee, names not disclosed, unless applicant consents
- State law: request for opinion from City Attorney is confidential, and is evidence of intent to comply with rules

Enforcement and Penalties

- Officials: Common Council determines penalty
- Forfeiture not less than \$100
- Censure, suspension or termination
- Items of value returned or donated to City



Enforcement and penalties State Law

- District Attorney,
Attorney General
- \$1,000 forfeiture
- \$5,000 fine and 1
year imprisonment



Where to get more information

- City Attorney
- State of Wisconsin Ethics Commission

ethics@wi.gov

<https://ethics.wi.gov>

Phone: 608.226.8123

