

**CODE OF ETHICS
OF THE CITY OF TRENTON**

Section 1. Definitions

As used in this Code of Ethics of the City of Trenton, the following terms shall have the meanings indicated:

BOARD – The Trenton Ethics Board as established pursuant to Chapter 70 of the Code of the City of Trenton.

BUSINESS ORGANIZATION – Any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union or other legal entity.

CODE OF ETHICS – This Code of Ethics of the City of Trenton, Mercer County, New Jersey adopted pursuant to Chapter 70 of the Code of the City of Trenton.

GOVERNING BODY – The City Council of the City of Trenton, Mercer County, New Jersey.

INTEREST – The ownership or control of more than 10% of the profits, assets or stock of a business organization or any interest whatsoever which yields directly or indirectly to the Local Government Officer or Local Government Employee or member of his/her immediate family a monetary or other material benefit but shall not include the control of assets in a nonprofit entity or labor union.

LOCAL GOVERNMENT AGENCY – The City of Trenton, and any such agency, board, or commission or other instrumentality thereof, and any independent local authority, including any entity created by more than one county or municipality, which performs functions other than of a purely advisory nature, but shall not include a school board.

LOCAL GOVERNMENT EMPLOYEE – Any person, whether compensated or not, whether part time or full time, employed by or serving a local government agency, who is not a Local Government Officer, but shall not mean any employee or a school district.

LOCAL GOVERNMENT OFFICER – Any person, whether compensated or not, whether part time or full time:

- A. Elected to any office of the City of Trenton;
- B. Serving on a local governmental agency which has the authority to enact ordinances, approve development applications or grant zoning variances;

C. Who is a member of an independent municipal, county or regional authority;

D. Who is a managerial executive or confidential employee of a local government agency, as defined in Section 3 of the New Jersey Employer-Employee Relations Act, P.L. 1941, c. 100 (N.J.S.A. 34:13A-3), and members of various boards, committees, authorities and commissions as set forth in the Rules and Regulations of the Board, but shall not mean any employees of a school district or member of a school board.

MEMBER OF IMMEDIATE FAMILY – The spouse, domestic partner, partner in civil union, blood or adopted relative of a local government officer or employee residing in the same household.

Section 2. Provisions Requiring Compliance by Local Government Officers and Local Government Employees

a. No local government officer or employee or member of his immediate family shall have an Interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;

b. No independent local authority shall, for a period of one year next subsequent to the termination of office of a member of that authority:

(1) award any contract which is not publicly bid to a former member of that authority;

(2) allow a former member of that authority to represent, appear for or negotiate on behalf of any other party before that authority; or

(3) employ for compensation, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto, any former member of that authority.

The restrictions contained in this subsection shall also apply to any business organization in which the former authority member holds an interest.

c. No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

d. No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in

which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

e. No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;

f. No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties;

g. No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

h. No local government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities;

i. No local government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group;

j. No elected local government officer shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his immediate family, whether directly or indirectly, in return therefor; and

k. Nothing shall prohibit any local government officer or employee, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests.

Section 3. Advisory Opinions.

A local government officer or employee serving the City of Trenton may request and obtain from the Board an advisory opinion as to whether any proposed activity or conduct would in its opinion constitute a violation of the Code of Ethics or any financial disclosure requirements as provided in Ordinance No. 12-25, Codified as Chapter 70 of the Code of the City of Trenton.

Section 4. Annual Financial Disclosure Statements

a. Local government officers shall annually file a financial disclosure statement. All financial disclosure statements shall include the following information which shall specify, where applicable, the name and address of each source and the local government officer's job title:

- (1) Each source of income, earned or unearned, exceeding \$2,000 received by the local government officer or a member of his immediate family during the preceding calendar year. Individual client fees, customer receipts or commissions on transactions received through a business organization need not be separately reported as sources of income. If a publicly traded security is the source of income, the security need not be reported unless the local government officer or member of his immediate family has an interest in the business organization;
- (2) Each source of fees and honorariums having an aggregate amount exceeding \$250 from any single source for personal appearances, speeches or writings received by the local government officer or a member of his immediate family during the preceding calendar year;
- (3) Each source of gifts, reimbursements or prepaid expenses having an aggregate value exceeding \$400 from any single source, excluding relatives, received by the local government officer or a member of his immediate family during the preceding calendar year;

(4) The name and address of all business organizations in which the local government officer or a member of his immediate family had an interest during the preceding calendar year; and

(5) The address and brief description of all real property in the State in which the local government officer or a member of his immediate family held an interest during the preceding calendar year.

b. The Local Finance Board in the Division of Local Government Services in the Department of Community Affairs (the "Local Finance Board") shall prescribe a financial disclosure statement form for filing purposes. Unless otherwise required by the Local Finance Board, the Board shall make the forms available to the local government officers within their jurisdiction.

Unless otherwise required by the Local Finance Board, for local government officers serving a local government agency, the original statement shall be filed with the municipal clerk in the City of Trenton. A copy of the statement shall also be filed with the Board, provided that no such filing shall be made if otherwise required by the Local Finance Board, including a requirement for filing utilizing an electronic filing system. Local government officers shall file the initial financial disclosure statement within 90 days following the effective date of this act. Thereafter, statements shall be filed on or before April 30th each year.

c. All financial disclosure statements filed shall be public records.

History: Adopted at a meeting of the Trenton Ethics Board of the City of Trenton on October 9, 2013. Public hearing held on November 13, 2013, at which a technical amendment was made to the Code and the Code was ratified. Code is effective ten (10) days after the public hearing.