

Code of Ethics of the Town of Watertown Fire Department

Section 1. Purpose.

Officers and employees of the Town of Watertown Fire Department, and the members, hold their positions to serve and benefit the public, and not for obtaining **unwarranted** personal or private gain in the exercise and performance of their official powers and duties. In furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

- (a) "Employee" means a paid employee of the fire department including, but not limited to, paid firefighters.
- (b) "Family member" means a parent, sibling, spouse, child, uncle, aunt, first cousin, or household member.
- (c) "Fire Department" means the Town of Watertown Fire Department.
- (d) "Interest" means a direct or indirect monetary, financial or other material benefit, but does not include any benefit arising from the provision or receipt of fire protection or other emergency services generally available to the residents of the fire district. A person is deemed to have an interest in the contracts of any firm, partnership or corporation of which he or she is an owner, partner, director, officer, employee or stockholder.
- (e) "Member of the fire department" or "fire department member" means a volunteer member of the fire district fire department. The official powers and duties of a fire department member refers to the individual's powers and duties under laws, under rules or regulations adopted by the board of fire commissioners, or under policies or procedures of the board of fire commissioners or the Constitution and By-laws of the fire department.
- (f) "Officer" means a person serving as a paid or volunteer officer of the fire district including, but not limited to, treasurer, secretary, president, and the chief and assistant chiefs of the fire department.

Section 3. Applicability.

This code of ethics applies to the officers, employees, and members of the fire department. The provisions of this code of ethics shall apply in addition to all laws, all rules or regulations or by-laws of the fire department, and all policies and procedures of the fire department.

Section 4. Appearance of impropriety.

No officer, employee, or member of the fire department, shall create an appearance of impropriety, by giving the impression that he or she will exercise or perform his or her official duties on the basis of family, private business or social relationships, or any consideration other than the welfare of the fire department.

Section 5. Use of position for personal or private gain.

(a) No officer or employee or member of the fire department, may use his or her position to secure **unwarranted** personal or private gain for himself or herself, or for any other person or any organization. **Unwarranted** personal or private gain does not include any payment, benefit or opportunity that is available to any of the following groups of people:

- (1) all of the members of a fire department/company;
- (2) the general public.

(b) No officer or employee, and no member of the fire department, shall cause the fire department to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 6. Disclosure of interest in legislation.

(a) Every officer and employee, and every member of the fire department, must disclose the nature of any interest, in any matter coming before the elected officers of the fire department for action, which any of the following people have:

- (1) the officer, employee or fire department member;
- (2) a family member of the officer, employee or fire department member; or
- (3) a family member of the spouse of the officer, employee or fire department member.

(b) For purposes of this section, a “matter coming before the officers of the fire department for action” means a motion, resolution or any other issue or question requiring a vote of the general membership.

(c) The disclosure required by this section must be in writing and must be made publicly to the executive committee of the fire department. The executive committee must cause the disclosure to be included in the minutes of the meeting at which the disclosure is made.

(d) Disclosure is not required with respect to interests in the following actions by the executive committee:

- (1) adoption of the fire department’s annual budget;
- (2) authorization of lawful compensation for services as an officer or employee;
- (3) authorization of lawful payment or reimbursement for actual and necessary expenses incurred by an officer, employee or fire department member in the performance of his or her official duty; or
- (4) authorization of lawful benefits to the members of the fire department including, but not limited to, service awards, group life insurance, and benefits under the Volunteer Firefighters Benefit Law.

Section 7. Recusal and abstention.

(a) Except as otherwise required by law, no officer or employee, and no member of the fire department, may participate in the discussion or vote on any matter, or exercise or perform any other official powers or duties in connection with, any matter, when any of the following people have an interest in the matter:

- (1) the officer, employee or fire department member;
- (2) a family member of the officer, employee or fire department member; or
- (3) a family member of the spouse of the officer, employee or fire department member.

(b) In the event that subdivision (a) of this section prohibits an officer, employee or fire department member from exercising or performing his or her official powers or duties:

(1) if the officer has a deputy or assistant who is not prohibited by subdivision (a) from exercising or performing the power or duty, the deputy or assistant shall exercise or perform the power or duty; or

(2) in all other cases, the officer, employee or fire department member must refer the matter to his or her immediate supervisor or, if the person does not have an immediate supervisor, the officer, employee or fire department member must refer the matter to the Executive committee.

(c) When a matter is referred to a person's immediate supervisor or to the executive committee pursuant to subdivision (b) of this section, the power or duty shall be exercised or performed by the immediate supervisor or the executive committee. The immediate supervisor or executive committee may delegate the power or duty to one or more persons who are authorized to perform the function and not prohibited from doing so by subdivision (a) of this section.

(d) This section does not prohibit an officer, employee or fire department member from performing a mandatory function that does not require the exercise of discretion.

Section 8. Holding of investments in conflict with official duties.

(a) No officer or employee, and no member of the fire department, may hold the following investments:

(1) personal investments that will be directly affected by the exercise or performance of the person's official powers and duties; or

(2) personal investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit an officer, employee or fire department member from owning any of the following assets:

(1) real property located within the fire district or any other area served by the fire department and used as his or her personal residence or business;

(2) less than five percent of the stock of a publicly traded corporation; or

(3) bonds or notes issued by the fire department and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Confidential Information.

No officer or employee of the fire department, and no member of the fire department, who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose such information unless the disclosure is required in the course of exercising or performing his or her official powers and duties.

Section 10. Gifts.

(a) No officer or employee, and no member of the fire department, may directly or indirectly solicit any gift for personal use.

Section 11. Board of Ethics.

- (a) There is hereby established a board of ethics for the fire department. The board of ethics shall consist of three members, a majority of whom shall not be officers or employees of the fire department, but at least one of whom must be an officer, employee or fire department member. The members of such board of ethics shall be appointed by the executive committee, serve at the pleasure of the executive committee, and receive no salary or compensation for their services as members of the board of ethics.
- (b) The board of ethics may make recommendations with respect to the drafting and adoption of a code of ethics, or amendments thereto.

Section 12. Posting and distribution.

- (a) The executive committee must promptly cause a copy of this code of ethics, and a copy of any amendment to this code of ethics, to be posted publicly and conspicuously. The code of ethics must be posted within ten days following the date on which the code takes effect. An amendment to the code of ethics must be posted within ten days following the date on which the amendment takes effect.
- (b) The president must promptly cause a copy of this code of ethics, including any amendments to the code, to be distributed to every person who is or becomes an officer and, or a member of the fire department.
- (c) The failure to post this code of ethics or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of an officer, employee or fire department member to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

Section 13. Enforcement.

Any officer, employee or member who violates this code of ethics may be fined, suspended or removed from office, employment or membership in the fire department.

Section 16. Effective date.

This code of ethics takes effect on the 7th of November, two thousand seven.