

Chapter 16

CONFLICTS OF INTEREST*

* **Charter References:** Conflicts of interest relative to city council, § 2-16; conflicts of interest as applied to city officers and employees, § 10-2.

Cross References: Administration, ch. 2.

State Law References: Conflicts of interest, G.L. 1956, § 36-14-1 et seq.

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Sec. 16-1. Definitions.

As used in this chapter, except as may be otherwise indicated by the content, the following definitions shall apply:

Agency means any of the departments of the municipal government, and any division, board, bureau, commission or other instrumentality within such department and any independent municipal authority, commission, instrumentality or agency.

Compensation means any money, thing of value or financial benefit conferred in return for services rendered or to be rendered, but it does not include the salary or other payment provided by law or appropriation for services rendered in a public office, position or employment.

Officer and *employee* mean a person holding an office, position or employment in an agency. This includes persons who serve without salary or other payment for their services.

(Code 1971, § 2-46)

Cross References: Definitions generally, § 1-2.

Sec. 16-2. Purpose.

The purpose of this chapter is to prescribe specific standards to guide public officers and employees in the conduct of their offices and employments, and to prescribe improper conduct to the extent to which such conduct may be sufficiently described to enable prohibition against it to be properly enforced. It is at the same time recognized that under a free government it is both necessary and desirable that all citizens should have certain specific interests in the decisions of government and that the activities and conduct of public officers and employees should not be unduly circumscribed.

(Code 1971, § 2-47)

Sec. 16-3. Receiving additional compensation, gift or bribe.

No elected official, or officer or employee of the city, or officer or employee of an agency as defined in this chapter, shall knowingly receive or agree to receive, either personally or through another, compensation for any services to be rendered, either by himself/herself or another, in matters with the city or an agency of the city, nor may any such elected official, officer or employee take, solicit or receive, either personally or through another, any money or other thing of value as a gift or bribe or means of influencing his/her vote or action in his/her official capacity. Any contract made and procured in violation hereof is void.
(Code 1971, § 2-48)

Sec. 16-4. Representing city in transaction of business when officer or spouse has financial interest.

No elected official, officer or employee of the city, or officer or employee of any agency, shall act as officer or agent for the city or any agency in the transaction of any business with himself/herself, or with any corporation, company, association or firm in which he/she or his/her spouse has any financial interest as set forth in section 10-2 of the city Charter.
(Code 1971, § 2-49)

Sec. 16-5. Receiving compensation for services rendered in matter before city agency.

No elected official, officer or employee of the city, or officer or employee of any agency, shall knowingly receive or agree to receive, either personally or through another, compensation for any services rendered or to be rendered, either by himself/herself or another, in any cause, proceeding, application or other matter which is before an agency as defined in this chapter.
(Code 1971, § 2-50)

Sec. 16-6. Contracts violative of chapter void.

Any contract made in violation of any provision of this chapter shall be inoperative and void.
(Code 1971, § 2-51)

Sec. 16-7. Performing services not responsibility of city.

While acting in his/her official capacity, no officer or employee of the department of public works shall, with regard to the construction, grading, paving, maintenance or any other activity relating to roads, sidewalks, sewers or drainage systems within the city, perform any service or do any work of whatever nature for a private contractor, private corporation, private individual or any other entity not part of the city government unless provision of said services is required by contract. This section shall not apply to the provision of services or work for any public utility. This section shall not apply to the provision of services or work provided when the mayor declares that such services or work are necessary either to meet a public emergency or to protect the public health, safety or welfare.
(Code 1971, § 2-52)