

Human Resources

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June 28, 2007

Tennessee Ethics Commission
Suntrust Building
201 4th Avenue North Suite 1820
Nashville, TN. 37243

To Whom It May Concern:

Attached you will find the recently adopted Code of Ethics for the City of Alcoa. Due to the fact that it is not the MTAS model, we are forwarding a copy for your records.

If you have any questions regarding the attachment, please contact Melissa Thompson, Human Resource Director, at 865-380-4753.

Best regards,

Melissa Thompson
Human Resource Director

CC: Cyreese Householder, Sr. HR Generalist
Ray Richesin, Controller
Mark Johnson, City Manager

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2007 JUL -3 AM 8:32
TENNESSEE
ETHICS COMMISSION

AN ORDINANCE PROVIDING A CODE OF ETHICS FOR CITY OFFICIALS
AND EMPLOYEES

WHEREAS, Public Chapter No. 1 of the Extraordinary Session of the 2006 General Assembly requires municipalities to adopt a code of ethics by ordinance; and,

WHEREAS, the City of Alcoa has existing municipal code sections and rules and regulations establishing ethical standards for municipal personnel, but has no comprehensive code of ethics ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALCOA, TENNESSEE AS FOLLOWS:

SECTION 1. That Title 4, Chapter 5, Section 4-502 be deleted in its entirety.

SECTION 2. There is hereby created a new Chapter 9 under Title 4 of the Alcoa Municipal Code entitled "Code of Ethics" as follows:

CHAPTER 9
CODE OF ETHICS

SECTION

- 4-901. Applicability.
- 4-902. Definitions.
- 4-903. Disclosure of personal interest.
- 4-904. Prohibition of Acceptance of Gifts and Gratuities.
- 4-905. Use of Information.
- 4-906. Violation and Penalty.

4-901. Applicability. This is the code of ethics for officials and employees of the city. It applies to all full-time and part-time elected or appointed officials and employees of the city, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the city including, but not limited to: Alcoa City Commission, Alcoa Regional Planning Commission; Alcoa Board of Zoning Appeals (Alcoa Board of Building Code Appeals); Alcoa Housing Authority; and Alcoa Industrial Development Board. As provided by Chapter 1, Section 49(d), Tennessee Public Acts of 2006, this code of ethics shall apply to the Alcoa Municipal Board of education and its employees.

4-902. Definitions. As used in this ordinance:

- (a) "City" means the City of Alcoa, Tennessee.
- (b) "City Commission" means the Board of Commissioners of the city.
- (c) "Municipal board" means any board, commission, committee, authority, corporation, or other instrumentality appointed or created by the city.

(d) "Personal interest" means:

- (1) Any financial, ownership, or employment interest which is the subject of a vote by a Municipal Board or City Commission, not otherwise regulated by state statutes on conflict of interest; or
- (2) Any financial, ownership, or employment interest in a matter to be regulated or supervised by City Commission or a Municipal Board.
- (3) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), step parent(s), grandparent(s), sibling(s), child(ren), or step child(ren).

(e) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

4-903. Disclosure of personal interest.

(a) Any individual serving on the Board of Commissioners or any other Municipal Board with the responsibility to vote on a matter shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects, or that would lead a reasonable person to infer that it affects, the official's vote on the matter. In addition, the official may recuse himself or herself from voting on the matter.

(b) An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself or herself from the exercise of discretion in the matter.

4-904. Prohibition of Acceptance of Gifts and Gratuities.

An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

(a) For the performance of an act, or refraining from performance of an act, that he or she would be expected to perform, or refrain from performing, in the regular course of his or her duties; or

(b) That might reasonably be interpreted as an attempt to influence his or her action, or reward him or her for past action, in executing municipal business.

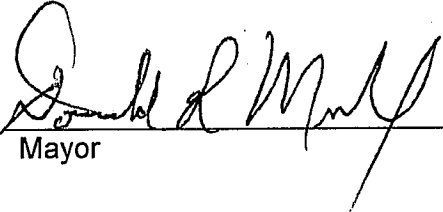
4-905. Use of Information.

1. An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

2. An official or employee may not use or disclose information obtained in his or her official capacity or position of employment with the intent to result in financial gain for himself or herself or any other person or entity.

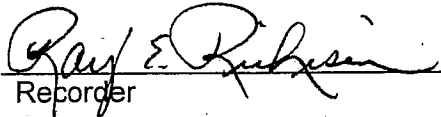
4-906. Violation and Penalty. Violation of this chapter is punishable under the City's general penalty clause or other applicable laws.

SECTION 3. This Ordinance shall take effect July 1, 2007, the welfare of the city requiring it.



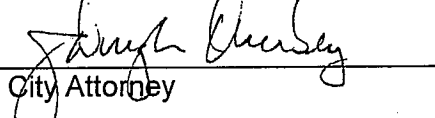
Mayor

ATTEST:



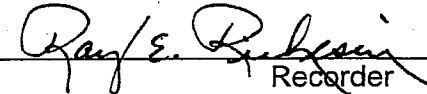
Recorder

APPROVED AS TO FORM:



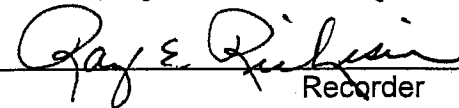
City Attorney

Passed on First Reading

6/12/07 

Recorder

Passed on Second Reading

6/26/07 

Recorder