

LOCAL LAW NO. 23-2010

A local law amending Chapter 21 (Ethics, Code Of) Section 21-3 (Definitions), Section 21-4 (Standards of Conduct), Section 21-12 (Review of Lists and Disclosure Statements), and Section 21-13 (Investigations) of the Code of the Village of Mamaroneck.

Be it enacted by the Board of Trustees of the Village of Mamaroneck as follows:

SECTION 1. Section 3 of Chapter 21 (Ethics, Code Of) is hereby amended to read as follows:

§21-3. Definitions

INTEREST - Any participation, connection or involvement which may result in a direct or indirect pecuniary or material benefit accruing to an officer or employee as a result of a business or professional transaction with them or Village. For the purpose of this Chapter, an officer or employee shall be deemed to have a direct interest in the affairs of:

- (1) His/her spouse, children, stepchildren, mother, father, brothers, sisters, grandparents, grandchildren, in-laws and other dependents or relatives.

SECTION 2. Section 4 of Chapter 21 (Ethics, Code Of) is hereby amended to read as follows:

§ 21-4. Standards of Conduct.

E. Nepotism.

- (1) Policy. Employees' relatives will not be employed by the Village under any of the following circumstances:
 - (a) Where one of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;
 - (b) Where one party would be responsible for auditing the work of the other;
 - (c) Where both parties would report to the same immediate supervisor. Every other option, including reassignment within the Village workforce, would be considered in good faith before layoff;
 - (d) Where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the Village; or
 - (e) Where one of the parties is an elected official, except when the family member is currently employed by the Village prior to the elected official obtaining office or if the family member is currently employed by the Village and becomes a family member of an official.
- (2) Any employee currently employed prior to the adoption of this Chapter or employed prior to a relative being elected as an officer of the Village shall be exempt.

P. Village employees. No officer or employee shall direct or cause any subordinate officer or employee to do or perform any service or work outside of the scope of his or her

public work responsibilities or employment. Subordinate officers and employees may voluntarily perform such service or work, with or without compensation, outside of the hours during which they are assigned to perform duties for the Village, but they shall not wear any Village-issued uniform while engaged in any such activity. Nothing contained herein shall be construed to prohibit wearing a dress uniform at an officially authorized function or event.

SECTION 3. Section 12 of Chapter 21 (Ethics, Code Of) is hereby amended to read as follows:

§21-12. Review of lists and disclosure statements.

A. The ethics board shall review:

- (1) The lists of officers, board members and employees prepared pursuant to sections 21-10 and 21-11 of this Chapter to determine whether the lists are complete and accurate.

SECTION 4. Section 3 of Chapter 21 (Ethics, Code Of) is hereby amended to read as follows:

§21-13. Investigations.

- C. Each person who has filed a sworn complaint with the Ethics Board and each person who is the subject of said sworn complaint shall be notified in writing of the disposition of the complaint, to the extent permitted by law.

SECTION 5. Severability

If any clause, sentence, paragraph, section or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such adjudication shall have been rendered.

SECTION 6. Effective Date

This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.