

Selected Commerce City Charter & Code Conduct Provisions

Charter Sec. 4.19. - Conflict of interest.

- (a) No member of the council shall be interested directly or indirectly in any contract, including purchases or sales, with the city, except that such contract may be made by the city if the members of the council in office at the time the vote is taken, having no such interest, shall unanimously determine that the best interests of the city shall be served by the making of such contract and if, either such contract is made after comparative prices are obtained or if the members of the council having no interest shall unanimously determine that the obtaining of comparative prices is not feasible in such particular case.
- (b) For purposes of this section, ownership by a member of the council or his immediate family of securities or of any beneficial interest in securities of any corporations, shall not be deemed to create a prohibited interest under this section, unless the aggregate amount of such securities or interest in such securities, so owned by such councilman and the members of his immediate family, shall amount to ten (10) percent or more of any class of the securities of such corporation then outstanding.

Charter Sec. 4.20. - Elective officers not to be employed.

No elective officer under this charter, shall be appointed to any city office with compensation or be employed by the city during that period of time while he is in office. Provided, however, this section shall not be construed to prohibit reimbursement or payment of bona fide expenses incurred by an elective officer in performance of official duties or business on behalf of the city.

Charter Sec. 4.26. - Compulsory attendance and conduct at meetings.

- (a) A majority of the members of the council may, by vote, request the attendance of its members and other officers of the city at the next regular or special meeting of the council. Any member of the council or other officer who, when notified of such request for his attendance, fails to attend such meeting for reasons other than confining illness or absence from the city, or because said councilman is attending a meeting as a representative of the city, shall be deemed guilty of misconduct in office unless excused by the council.
- (b) The presiding officer shall enforce orderly conduct at meetings and any member of the council or other officer who shall fail to conduct himself in an orderly manner at any meeting shall be deemed guilty of misconduct in office.

Charter Sec. 4.27(c). - Organization and rules of the council.

The council shall determine its own organization, rules and order of business subject to the following provisions:

- (c) No member of the council shall vote on any question in which he has a financial interest, other than the common public interest, or on any question concerning his own conduct.

Charter Sec. 7.6. - Relationship of council to administrative organization.

Except as otherwise provided in this Charter, neither the council, any of its members, nor any of its committees shall dictate to the city manager the appointment or employment of any person to or removal from office, or in any way interfere with the city manager or other city officer under the city manager to prevent him from exercising his judgment in the appointment, employment or removal of officers and employees in the administrative organization. Except for the purpose of inquiry, the council and its members shall deal with persons under the city manager's responsibility solely through the city manager and neither the council, any member thereof, nor any of its committees shall give orders to any of the subordinates of the city manager.

City Code Sec. 2-4301. - Elected officials' relatives disqualified from employment.

- (a) Prohibition. The immediate family of any elected official shall be disqualified from becoming an employee of the city during the elected official's term.
- (b) Definition. For purposes of this section "immediate family" shall mean a spouse or an unmarried adult, unrelated by blood, with whom an unmarried official maintains a mutual residence and shares basic living expenses. In addition, it shall mean all of the following relationships, whether established by blood, adoption, or marriage: child, brother, sister, parent, grandparent, or grandchild.
- (c) Exemptions. Seasonal employment that does not exceed nine hundred fifty (950) hours in a calendar year shall be exempt from this section. In addition, this section shall not disqualify from continued employment any individual who was employed with the city at the time his or her relative was elected to office.

City Code Sec. 2-4302. - Prior employment.

No person shall be disqualified from service with the city as an officer or employee solely because of his or her prior employment. Officers and employees shall not take any direct official action with respect to their former employers for a period of six (6) months from the date of termination of the prior employment.

City Code Sec. 2-4303. - Subsequent employment.

- (a) Employment. During six (6) months following termination of office or employment, no former officer or employee shall obtain employment in which he or she will take direct advantage, unavailable to others, of matters with which he or she took official action during his or her service with the city.
- (b) Litigation. For one (1) year following termination of service with the city, no former officer or employee shall engage in any action or litigation in which the city is involved, on behalf of any other person or entity, when the action or litigation involves an issue on which the person took official action while in the service of the city.