



CODE OF ETHICS

Preamble

The citizens and other residents of, visitors to and businesses of the City of Fairfax, Virginia (the “City”), are entitled to have fair, ethical and accountable local government. In keeping with the City’s commitment to excellence and the highest standards for ethical governance, public officials, both elected and appointed, should comply with both the letter and spirit of the laws and policies affecting the operations of government. Public officials should also strive to be independent, impartial and fair in their judgment and actions. Finally, public office should be used for the public good, not for personal gain, and public deliberations and processes are to be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City Council, together with the Mayor, have adopted this Code of Ethics, which is, and shall be, applicable to: (i) the Mayor, (ii) the City Council, and (iii) members of each of the City’s boards, commissions and committees to the extent appointed by the City Council (collectively “Members”).

1. Act in the Public Interest

Consistent with their sworn oaths of office, and recognizing that stewardship of the public interest must be their primary concern, Members will work for the common good of the people of the City and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the City Council and/or its appointed boards, commissions, and committees.

2. Comply with the Law

Members shall comply with all applicable laws in the performance of their public duties. These laws include, but are not limited to, laws pertaining to conflicts of interest, financial disclosures, and open processes of government, together with City ordinances and policies.

3. Conduct of Members

The professional and personal conduct of Members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other Members, City individual appointees, City staff, others acting on behalf of the City in any capacity, or the public. Any concerns of a personal nature should be addressed individually between Members, in a respectful manner, and not discussed publicly.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the City Council and/or its appointed boards, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

5. Conduct of Public Meetings

Members shall prepare themselves for consideration of public issues, listen courteously and attentively to all public discussions before the applicable body, and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

All Members shall also perform their duties to the very best of their abilities, treating the public and each other in a courteous, impartial, fair and equitable manner.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations, with a recognition, however, that elected and appointed officials of the City comes to their positions with their own life experience, expectations and opinions that all deserve respect from other Members.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the City Council or its appointed boards, committees and commissions which they may have received from sources outside of the public decision-making process. Legal questions regarding any such information should first be discussed with the City Attorney where possible.

8. Conflicts of Interest

In order to assure their independence and impartiality on behalf of the common good, Members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship that may give the appearance of a conflict of interest.

In accordance with the law, Members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

The above statements are not intended to amplify or diminish any specific obligations under applicable law.

9. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, which are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of possible compromise or undue influence.

10. Confidential Information

Members must protect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization and/or formal vote of the applicable body, nor use such information to advance their personal, financial or other private interests of themselves or others.

11. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes. The use of such public resources shall be only for the benefit of the City and shall also be in strict conformance with any adopted policies relating to the same.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, Members shall not appear on behalf of, or otherwise advocate for, the private interests of third parties before the City Council or any board, committee, commission or proceeding of the City, nor shall Members of boards, committees or commissions appear before their own bodies or before the City Council on behalf of private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the City Council, boards, commissions or committees to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Members shall explicitly state they do not represent their body or the City, nor will they allow the inference that they do.

14. Policy Role of Members

The City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, and committees, and City staff. The City Council delegates authority for the administration of the City to the City Manager. Members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff, nor shall they impair the ability of staff to implement Council policy decisions.

15. Independence of Board and Commissions

Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, Members of the City Council shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee or commission proceedings.

16. Positive Workplace Environment

Members shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens, residents, visitors and businesses dealing with the City. Members should recognize their special role in dealings with City employees and in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for Members expected by the City, this Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when Members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientation and training for new and returning City Councilmembers and the Mayor and members of and applicants to boards, committees and commissions. Members entering office shall sign a statement affirming they have read and understood this Code of Ethics.

18. Compliance and Enforcement

This Code of Ethics expresses standards of ethical conduct expected of Members. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. Where a Member becomes aware that their conduct violates this Code of Ethics, or that a violation has occurred by another Member, the Member shall make the violation known to the body the Member serves on.

The chairs of boards, committees and commissions and the Mayor have the additional responsibility to intervene when actions of Members that appear to be in violation of the Code of Ethics are brought to their attention.

The City Council may impose sanctions on Members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, and/or loss of seniority or committee assignment, or as otherwise permitted by applicable law.

A violation of this Code of Ethics shall not be considered a basis, by itself, for challenging the validity of a City Council, board, and committee or commission decision.