

**CODE OF ETHICS  
FOR THE PUBLIC SERVICE OF THE CITY OF HELENA**

Declaration of Policy (MCA 2-2-121)

The proper operation of a republic requires that government officials and employees be independent, impartial and responsible to the people; government officials and employees comply with both the letter and spirit of the laws and policies affecting the operations of government; that government decisions and policy be made in the proper channels of the government structure; public deliberations both open and closed shall be conducted in an atmosphere of respect and civility; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for all officials and employees, whether elected or appointed, paid or unpaid. The purpose of this Code is to establish ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City. It also directs disclosure by officials and employees of any private financial or other interest in matters affecting the City. The provisions and purposes of this Code and such rules as may be established are hereby declared to be in the best interest of the City of Helena.

Responsibilities of Public Office

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Montana and to carry out, impartially, the laws of the nation, state and municipality and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interests must be their primary concern. Their conduct in both their official and private affairs should be above reproach and avoid even the appearance of impropriety.

Public officials and employees may not disclose or use confidential information acquired in the course of official duties in order to further substantially the individual's personal economic interest(s).

Dedicated Service

All City of Helena employees shall be loyal to the objectives expressed by the City Commission and the programs developed to attain those objectives. Appointed officials and employees of the City of Helena shall adhere to the rules of work and performance established as the standard for their positions by the appropriate authority. Public officials and employees shall not exceed their authority or breach the law or ask others to do so, and they shall work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

### Fair and Equal Treatment

No public official or employee shall request or permit the use of City-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such public official or employee for official business. No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

### Gifts and Favors

No public official or employee shall take any special advantage of services or opportunities for personal gain, by virtue of their public office that is 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 being compromised.

No public official or employee may accept a gift of substantial value or a substantial economic benefit tantamount that would (a) tend to improperly influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties; or (b) that the person knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the person for an official action taken. All public officials and employees shall follow MCA 2-2-104.

### Conflict of Interest

No public official or employee, whether paid or unpaid, shall engage in any business or transactions or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties in the public interest or would tend to impair his or her independence of judgment or action in the performance of his or her official duties.

Specific conflicts of interest shall include, but not be limited by, those enumerated below for the guidance of public officials and employees:

1. Hold a position in addition to a public position, which interferes or may interfere, with the proper discharge of the public duty;
2. Disclose or use of confidential information obtained as a result of public position for personal gain;
3. Any use of official position for personal gain;
4. Holding investments, which interfere or tend to interfere with the proper discharge of public duty;
5. Representation by public officials as employees of private interests before any Helena government agency and participation in the profits from such representation;
6. Participation in transactions as a public representative with a business entity in which the public official or employee has a direct or indirect financial or other personal interest without full disclosure;

7. Personal interest in legislation to the extent that private interest takes precedence over public interest and public duty;
8. Entry into contracts or other conduct of business for profit by a business in which a public official or employee has a substantial or controlling interest, especially when that public official or employee can influence such contract or business because of his or her public position.