

SPOKANE VALLEY FIRE DEPARTMENT
Board of Fire Commissioners
Policy for Ethics #002

Purpose:

The Department and its Board of Commissioners find that the proper operation of a fire Department, as a taxpayer-supported public entity, requires that public officers, and particularly elected officials primarily responsible for the lawful management of the municipal corporation, be ethical, independent, impartial and responsible to the people, as fiduciaries. This policy is limited in scope; it only applies to the elected Board of Commissioners of this fire department.

Authority:

Revised Code of Washington Title 52 Fire Protection Districts
RCW 52.14

Policy:

The policy of the Department is that this Ethics Policy shall be strictly adhered to, and that it shall be interpreted liberally so as to accomplish its purpose. The goal of the Department is to establish and maintain the highest ethical standards for its leaders, so that they may establish an example for all Department employees and members to emulate. The expectations of the Board and the Department shall be that the prohibitions contained in this policy will always be honored and that the recommendations contained in this policy will be aspired to and achieved whenever feasible.

I. Definitions:

The following terms or words shall have the following meanings, throughout this ethics policy:

- 1. Major Infraction:** A major infraction means and includes misfeasance, malfeasance, violation of the oath of office, violation of the Washington State or U.S. Constitution or a state statute or any other offense listed in paragraph 4 that involves honesty or integrity.
- 2. Minor Infraction:** A minor infraction means any ethics code violation found by an investigative committee, but not deemed to be major.
- 3. Misfeasance:** Misfeasance is defined by statute, and means any wrongful conduct that affects, interrupts or interferes with the performance of official duties. Additionally misfeasance means the performance of a duty in an improper manner or with the appearance of impropriety.
- 4. Malfeasance:** Malfeasance is defined by statute, and means any wrongful conduct that affects, interrupts or interferes with the performance of official duties. Additionally, malfeasance means the commission of an unlawful act.

5. Violation of oath of office: This term is also defined by statute and means the neglect or willful failure of an elected public official to perform faithfully the duties imposed by law. Violation of a statute, particularly one that prescribes a duty for a fire commissioner, would be an example of a violation of the oath of office.

II. Prohibited Conduct- A Commissioner Shall Not:

1. Have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature that is in conflict with the proper discharge of the commissioner's duties.
2. Be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the commissioner, in whole or in part, and shall not accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in any such contract, sale, lease, purchase, or grant, except as set forth below.
3. Use his or her position to secure special privileges or exemptions for himself, herself, or others.
4. Give or receive or agree to receive any compensation, gift, reward, or gratuity from a source other than the fire Department, for a matter connected with or related to the commissioner's services unless provided for by law.
5. Receive, accept, take, seek, or solicit, directly or indirectly, any thing of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the commissioner, or be considered as part of a reward for action or inaction.
6. Accept employment or engage in business or professional activity that the commissioner might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
7. Neither disclose confidential information gained by reason of the commissioner's position, nor may the commissioner otherwise use such information for his or her personal gain or benefit.
8. Except in the course of official duties or incident to official duties, assist any person, directly or indirectly, in a transaction involving the Department, where such commissioner's assistance is, or to a reasonable person would appear to be, enhanced or affected by the commissioner's position.
9. Employ or use any Department employee or other person, Department funds or money, or Department property under the commissioner's official control or direction, or in his or her official custody, for the private benefit or gain of the commissioner, an employee of the Department, or another person, except as

allowed by law. This section does not prohibit use of public resources to benefit citizens or others when such is part of Department functions or official duties, or otherwise allowed by law.

10. Use the facilities, personnel or resources of the Department to assist or oppose a campaign for election or for the promotion or opposition to a ballot proposition, except pursuant to one of the recognized exceptions to RCW 42.17.130.
11. Participate, by voting or otherwise, in any issue that comes before the Board of Commissioners, when the commissioner has any direct or indirect personal or financial stake in the outcome of the matter.
12. Campaign for, or accept appointment or election to, any public office that would be incompatible with the office of fire commissioner, if concurrently serving as a fire commissioner.

II. Recommended Conduct - At All times a Commissioner Should:

1. Respect and comply with the law.
2. Act at all times in a manner that promotes public confidence in the office of fire commissioner.
3. Participate in establishing, maintaining, and enforcing high standards of conduct and personally observe those standards.
4. Exhibit unquestionable integrity and have an uprightness of character and soundness of moral principle.
5. Show respect for others through temperance, fairness and civility in the execution of their duties and conduct of their personal life.
6. Have the courage to do what is right and stand up for those without power or authority.
7. Have compassion that is inherent to understanding another's problems while controlling and understanding personal feelings.
8. Conduct political campaigns in an honest and forthright manner, without attacking others in a negative way.
9. Lead by example.
10. Never forget that public office requires public trust and confidence.

III. Exceptions.

1. A commissioner is allowed by state statute to be financially involved in a contract with the fire Department, so long as payment to the commissioner or his/her business does not exceed \$1,500.00 in any calendar month, provided that such commissioner shall not vote on any such contract in which he/she is beneficially interested. Moreover, such interest shall be disclosed to the governing body and noted in the minutes before formation of the contract.
2. A commissioner may accept a gift in the form of food or beverage on infrequent occasions in the ordinary course of performance of duties, but no such gift shall exceed a value of fifty dollars (\$50.00).

3. A commissioner is not deemed to have an interest in a contract, as those terms are used herein, if the commissioner has only a remote interest in the contract, so long as disclosure is made.
4. A remote interest means, for example, the interest of a non-salaried officer of a nonprofit corporation, the interest of a mere employee of a contracting party, where the compensation of that employee (commissioner) consists entirely of fixed wages or salary, the interest of only a landlord or tenant of the contracting party, or the interest of a less than 1% shareholder of a contracting corporation or cooperative; provided that this exception does not apply to a commissioner who attempts to influence, or does influence other Department officers with respect to entering into the contract.

IV. Complaints:

All complaints or requests for investigation of an alleged violation of this policy shall be in writing and signed by the complainant.

Adopted:
Spokane Valley Board of Fire Commissioners:
February 16, 2005

Reviewed:
Spokane Valley Board of Fire Commissioners:
January 11, 2021

Amended:
Spokane Valley Board of Fire Commissioners:
January 25, 2021