Purpose

The District and its Board of Fire Commissioners, hereinafter referred to as the “Board”, find that the proper operation of a fire district, as a taxpayer-supported public entity, requires that public officers, 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 Board of this fire District.

Authority

RCW Title 52 Fire Protection Districts
RCW 52.14
RCW 42.52.150(5)

Table of Contents

Purpose ............................................................................................................................. 1
Authority ............................................................................................................................ 1
Table of Contents .............................................................................................................. 1
Policy ................................................................................................................................. 1
I. Definitions .................................................................................................................. 1
II. Prohibited Conduct- A Commissioner Shall Not: ....................................................... 2
III. Recommended Conduct - At all times a Commissioner Should: ............................... 3
IV. Exceptions ................................................................................................................. 3
V. Complaints ................................................................................................................ 4

Policy

This policy shall be strictly adhered to, and that it shall be interpreted liberally so as to accomplish its purpose. The goal of the District is to establish and maintain the highest ethical standards for its leaders so that they may establish an example for all District employees and members to emulate. The expectations of the Board and the District 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

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.

B. Minor Infraction means any ethics code violation found by an investigative committee, but not deemed to be major.
C. **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.

D. **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.

E. **Violation of Oath of Office** is 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:**

A. 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.

B. Be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, though, 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.

C. Use his or her position to secure special privileges or exemptions for himself, herself, or others.

D. Give or receive or agree to receive any compensation, gift, reward, or gratuity from a source other than the fire District, for a matter connected with or related to the commissioner’s services unless provided for by law.

E. Receive, accept, take, seek, or solicit, directly or indirectly, anything 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.

F. 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.

G. 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.

H. Except in the course of official duties or incident to official duties, assist any person, directly or indirectly, in a transaction involving the District, where such commissioner’s assistance is, or to a reasonable person would appear to be, enhanced, or affected by the commissioner’s position.
I. Employ or use any District employee or other person, District funds or money, or District 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 District, 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 District functions or official duties, or otherwise allowed by law.

J. Use the facilities, personnel, or resources of the District 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.

K. Participate, by voting or otherwise, in any issue that comes before the Board, when the commissioner has any direct or indirect personal or financial stake in the outcome of the matter.

L. 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.

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

A. Respect and comply with the law.

B. Act at all times in a manner that promotes public confidence in the office of fire commissioner.

C. Participate in establishing, maintaining, and enforcing high standards of conduct and personally observe those standards, exhibit unquestionable integrity, and have an uprightness of character and soundness of moral principle.

D. Show respect for others through temperance, fairness, and civility in the execution of their duties and conduct of their personal life.

E. Have the courage to do what is right and stand up for those without power or authority.

F. Have compassion that is inherent to understanding another’s problems while controlling and understanding personal feelings.

G. Conduct political campaigns in an honest and forthright manner, without attacking others in a negative way.

H. Lead by example.

I. Never forget that public office requires public trust and confidence.

IV. Exceptions

A. A commissioner is allowed by state statute to be financially involved in a contract with the fire District, 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.

B. 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). RCW 42.52.150(5)

C. 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.

D. 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 District officers with respect to entering into the contract.

V. Complaints

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

Adopted 02/16/2005, Amended 12/12/2022, Reviewed 11/27/2023