107.1 Statement of policy.

The purpose and intent of this policy is to declare the standards of ethical conduct which the public expects and requires of its public officials and employees. Clear, effective communication of these standards is crucial to the success of achieving such standards. The District recognizes the right to protect the public trust against abuse. It is essential that the Board members (public officials) and its employees maintain the trust of the public. The District also recognizes the need for adherence to the Code of Ethics for Public Officers and Employees set forth in Part III, Chapter 112, F.S.[1] prohibiting conflict between public duty and private interests. The purpose of the Code is to ensure that public officials and employees conduct themselves independently and impartially, not using their offices or positions for unauthorized private (personal) gain.

It is not the intent of this policy to prevent any District public official or employee from accepting other employment or following any pursuit, provided provisions of this policy are satisfied.

It is the intent of this policy to prevent District public officials and employees or independent contractors from taking retaliatory action against any employee who reports violations of this policy on the part of the District, its public officials, its employees, or independent contractors that create a substantial and specific danger to the public's health, safety or welfare.

107.2 Statement of specific policy.

A. Gifts: No District public official or employee shall solicit or accept anything of value - including a gift, loan, reward, promise of future employment, favor, or service - that is based on any understanding that the vote, official action, or judgment of the public official or employee would be influenced by such gift.

B. Unauthorized Compensation: No District public official or employee or his/her spouse or minor child shall accept any compensation, payment, or thing of value which, with the exercise of reasonable care, is known or should be known to influence the official action of such public official or employee.

C. Doing Business With One's Agency: No employee acting as a purchasing agent or acting in his/her official capacity or public official acting in his/her official capacity, shall, directly or indirectly, purchase, rent, or lease any realty, goods, or services for the District from a business entity in which his/her spouse, or child is an officer, partner, director, or

[1] Editor's Note: The copy of Chapter 112, F.S., which originally accompanied this SOP 107, is on file in the Fire & Rescue District offices.

proprietor, or in which his/her spouse, or child (or any combination of them) has a material interest. Nor shall a District official or public employee, acting in a private capacity, rent, lease, or sell any realty, goods or services to the District. In accordance with Section 112.313(12), F.S., this prohibition shall not apply in certain circumstances.

D. Conflicting Employment or Contractual Relationship: No District public official or employee shall hold any employment or contractual relationship with any business entity/person which is subject to the regulation of, or doing business with the District. Nor shall an employee hold any employment or contractual relationship which will pose a recurring conflict between his/her private interests and his/her public duties or which would impede the full and faithful discharge of his/her public duties. In accordance with Section 112.313(12), F.S., this prohibition shall not apply in certain circumstances.

E. Misuse of Public Position: No District public official or employee shall corruptly use or attempt to use his/her official position or any property or resources within his/her trust, or perform his/her official duties, to obtain a special privilege, benefit or exemption for himself/herself or others.

F. Disclosure or Use of Certain Information: No District public official or employee shall disclose or use information not available to the general public and gained by reason of his/her public position for his/her personal gain or benefit or the gain or benefit of any other person or business entity.

G. Voting Conflicts: No appointed public officer shall participate in any matter which inures to his/her special private gain, the special gain of any principal by whom he/she is retained, any business associate or relative without first disclosing the nature of his/her interest in the matter. “Relative” for the purposes of this subsection only shall mean father, mother, son, daughter, husband, wife, father-in-law, mother-in-law, son-in-law, and daughter-in-law. Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the District Clerk, who is responsible for recording the minutes of the meeting and shall be incorporated in the minutes; if the disclosure is initially made orally at a meeting attended by the officer, the written memorandum disclosing the nature of the conflict shall be filed within 15 days with the District Clerk, who is responsible for recording the minutes of the meeting and shall be incorporated in the minutes. A copy of such memorandum, which shall become a public record upon filing, shall immediately be provided to other members of the District and shall be read publicly at the meeting prior to the consideration of the matter. For purposes of this paragraph, the term “participate” means any attempt to influence the decision by oral or written communication whether made by the officer or at his/her discretion.

H. Disclosure of Financial Interests: Each District Board member (public official), the Fire Chief, and any purchasing agent with authority to make purchases exceeding $1,000 shall file a Statement of Financial Interests no later than July 1 of each year.

107.3 Control of policy.

Any employee violating any of the provisions of this policy is subject to discipline up to and including dismissal in accordance with the District’s disciplinary policy.

Ethics questions relating to District employment or official duties should be directed to the Fire

Chief. The District may refer any formal allegations of violations of the State's Code of Ethics to the State Commission on Ethics.