

**CITY OF LANGLEY
ORDINANCE NO. XXXX**

**AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON
AMENDING CHAPTER 1.25 OF THE CITY OF LANGLEY MUNICIPAL
CODE, INCLUDING ELIMINATION OF THE ETHICS COMMISSION**

WHEREAS, the City Council of the City of Langley adopted Ordinance No. 1028 effective April 28, 2016, establishing Chapter 1.25 of the Langley Municipal Code (LMC) entitled “Code of Ethics,” and adopted Ordinances 1035 and 1046, which amended Chapter 1.25.

WHEREAS, The City Council has determined that it is in the best interest of the City and the public to include more current and gender-neutral language and to replace the Ethics Advisory Commission with an administrative provision to handle ethics complaints.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment of Chapter in Municipal Code. LMC Chapter 1.25 Code of Ethics is amended as indicated on attachment A, “Code of Ethics Chapter 1.25 revisions December 2024.”

Section 2. Implementation. The Mayor and Interim Deputy Clerk are authorized to implement those administrative procedures necessary to carry out the directives of this ordinance.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of the Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of the Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, AT A
REGULAR MEETING THEREOF, THIS ____ DAY OF _____, 2024.**

Attest:

Mayor Krista “Kennedy” Horstman

Kristen Abraham, Interim Deputy Clerk

Attachment A

Chapter 1.25
CODE OF ETHICS

Sections:

1.25.010 Preamble.

1.25.020 Purpose.

1.25.030 Values.

1.25.040 Definitions.

1.25.050 Principles of conduct.

1.25.060 Administrative provisions.

1.25.070 Review of ethics training and advisory board and the current code of ethics.

1.25.010 Preamble.

We are agents of the collective will in whom the city has put its trust and confidence. We as officials, employees, consultants, volunteers and vendors are entrusted with and responsible for the property, resources and reputation of the city.

As such:

- A. We are obligated to make decisions and implement policies free of coercive or other improper influences.
- B. We are advocates for our constituents and recognize the diverse lives and livelihoods that reside together in our village.
- C. We are committed to generating a place of hospitality for diverse sexual, economic, ethnic and religious expressions of self and family. We refuse the mental habit of casting difference in negative value.
- D. We speak generously of and build trust between city officials and staff, whether volunteers or employees, and every citizen **member of the public** in our community.
- E. We use our positions in the best interests of the city rather than for personal interests, whether they be our own interests or those of our family, friends, or business associates.
- F. We do not treat any citizen **member of the public** preferentially. To perpetuate public trust we avoid even the appearance of impropriety.
- G. We acknowledge our obligation to the city of Langley's code of ethics and the underlying values and principles set forth in this document. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

1.25.020 Purpose.

The purposes of this code of ethics are as follows:

- A. To establish standards of ethical conduct for Langley officials, employees, consultants, volunteers and vendors and those who do business with the city;
- B. To provide clear guidance with respect to such standards by clarifying which acts meet ethical standards and which do not;
- C. To promote public confidence in the integrity of Langley's governance and administration;
- D. To provide for the consideration of potential ethical problems before they arise;
- E. To minimize unwarranted suspicion and to enhance the accountability of our city's government; and
- F. To provide for the fair and effective administration of this code.

This code is enacted pursuant to RCW [35A.11.020](#) and is not intended to authorize any conduct prohibited by Chapters [42.23](#) (Code of Ethics for Municipal Officers – Contract Interests), [42.52](#) (Ethics in Public Service), and [42.36](#) RCW (Appearance of Fairness Doctrine) and RCW [42.41.050](#) (Local Government Employee Whistleblower Protection Act). In the event of conflict between this code and any applicable state or federal laws and regulations, the stricter interpretation is to be applied.

Actions taken on behalf of the city of Langley by city officials, employees, consultants, volunteers, or vendors that result in a conviction or a fine are considered to be unethical. **In such cases, ethics advisory opinions decisions will not be rendered until legal processes are concluded.** (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

1.25.030 Values.

This code is built on a set of core values that structure ethical practice and interaction between city officials, employees, consultants, vendors and the Langley citizens **members of the public** they represent.

Stewardship – As stewards of our shared commons, we honor the history, culture and future of the citizens **member of the public** who call our community home. We yield our own private interests to act wholeheartedly on behalf of the greater civic environment.

Transparency – In pursuit of transparency we adhere to clear, accurate, honest and open communication principles. All opinions, views and responses are treated with a level of sensitivity that assures both openness and a responsible level of confidentiality.

Fairness – All individuals and ideas are welcome and treated equitably and without prejudice. We strive to achieve a fair distribution of benefits, resources and burdens to all those that we represent.

Diligence – As public servants, we employ the best skills and care in serving the citizens **members of the public** of our community. It is our duty to leave no stone unturned in the pursuit of actions and decisions that will produce the most desirable results for all.

Integrity – Our daily actions are based on a solid habit of honesty. We perform our duties in an open and responsible manner. To do otherwise would be a dereliction of our duty and a breach of trust. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

1.25.040 Definitions.

“Advisory committee **commission**” means a committee, board, commission or other similar city entity that does not have the authority to enact, administer, interpret or execute city laws, but does provide advice or recommendations to a city entity that does have such authority.

“Board” means the ethics training and advisory board.

“City entity” means the Langley city council and any department, office, agency, advisory board, commission, district, administration, division, bureau, committee, or subcommittee of the city, regardless as to whether the entity in question is permanent or temporary, whether its members are employed, contracted or volunteer, how its members were elected or appointed, and whether or not they have formal voting rights.

“Confidential information” means any information to which the city of Langley is entitled by law and has determined to keep confidential, subject to the provisions of the Public Records Act (Chapter [42.56](#) RCW), the Open Public Meetings Act (Chapter [42.30](#) RCW), or other applicable state or federal government law or rule.

“Consultant(s)” means an independent person, proprietorship, partnership, corporation or other similar entity retained by the city of Langley to perform an administrative function or to which a city function may have been outsourced, whether on a temporary or permanent basis. This includes any person advising a city official, and in a position to influence a city decision or action, or have access to confidential information.

“Customer” or “client” means any person or entity that has been supplied goods or services during the previous 12 months by either the official, employee or consultant or his or her **their** outside employer or business; provided, that his or her **their** position in the outside employer or business is such that he or she **they** can reasonably be expected to have knowledge of or influence over the transaction.

“Disclosure” means that city of Langley officials, employees, consultants, volunteers or vendors have a duty to disclose nonconfidential information on request and in accordance with current rules and guidelines pursuant to its own laws and rules or those of any state or federal government including those set forth in the Public Records Act. He or she **They** must do so in a reasonable and timely manner under the circumstances existing at the time.

“Discrimination” refers to differential treatment, conduct or statements based on the protected categories including a person’s sex, sexual identity, gender, race, color, disability, age, national origin, ethnicity or ancestry, religious beliefs, military status, marital status and/or appearance.

“Domestic partner” means an adult who is not married to or in a civil union with an official, employee or consultant but who lives with him or her **them** and shares a common domestic life.

“Elected official(s)” means any official who holds office as a consequence of an election and includes officials appointed to fill any vacancies in elected offices that may occur pending the next general election.

“Employee(s)” means any person employed by the city and subject to the personnel policies of the city, whether temporary or permanent and whether full-time or part-time.

“Ethics” means principles of conduct established in this chapter that govern behavior of an individual or profession.

“Family” means the spouse, child or stepchild, brother or sister, parent or stepparent, niece or nephew, uncle or aunt, and grandparent or grandchild of an official, employee or consultant or their spouse. “Family” includes a domestic partner and any person claimed as a dependent on their latest federal income tax return.

“Financial benefit” means any money, service, license, permit, contract, authorization, loan, discount, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. “Financial interest” is a relationship to something such that a direct or indirect financial benefit has been, will be, or might be received as a result. “Financial benefit” does not include a campaign contribution to a candidate equal to or less than \$100.00 to that candidate in any election cycle.

“Gift” means anything that any person transfers to an official, employee or consultant on any basis other than a legal obligation to do so. It includes, but is not limited to, cash, gifts of any kind, paid outings, paid travel, tickets to concerts and sporting events, and any other forms of gifts, gratuities, honoraria or favors. Exceptions include:

1. The gift is based upon a preexisting personal or family relationship with the government employee, so long as the gift is motivated by the relationship (like a birthday present to your sister).
2. The gift is valued at \$20.00 or less, so long as the gift is not cash, and the employee accepts no more than \$50.00 in gifts, in the aggregate, from the same outside source in a calendar year.
3. The gift consists of modest refreshments, such as juice and bagels at a seminar, and not as part of a meal.

“Governed by the code” means any elected official, employee, consultant, volunteer or vendor of the city of Langley.

“Harassment” consists of patterns of behavior, including but not limited to actions, gestures, jokes, innuendos, symbols, unwanted and unwelcomed deeds, that demean, humiliate or insult others. One’s elected office or position of employment can give one authority or power over another, and harassment may include leveraging this power on behalf of one’s own desires, views or intentions. “Harassment” may also refer to calling out the subtle power of the majority to insist that “this is the way we do it.” While bullying and intimidation constitute obvious, large-scale harassing conduct, harassment also includes micro-aggressive actions, like teasing, undermining the credibility of another or repeatedly using metaphors or colloquialisms that call unnecessary attention to and may demean another’s physical bearing or sexual, racial or gender identity. Refusal to accommodate may not only relate to an employer who does not make workspace adjustments, but to co-workers who gather in an inaccessible, thus exclusionary, space.

Harassment can take place not only in the physical presence of each other but via phone and email as well as in the creation of one’s work space – e.g., the visual display of derogatory posters, slogans.

“Ministerial acts” means an action performed in a prescribed manner without the exercise of substantial judgment or substantial discretion as to the propriety of the act.

Nonexhaustive examples of ministerial acts include the issuance of a dog license by a city clerk, the reading of water meters, and the issuing of related invoices.

“Municipal officer” and “officer” shall each include all elected and appointed officers of a municipality, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer.

“Official(s)” means elected officials and any other official of the city other than an employee or consultant, whether paid or unpaid and whether temporary or permanent. It includes all the members of every city entity including advisory committees commissions (see “Advisory committees commissions”) and volunteers.

“Outside employer or business” means a corporation, partnership, sole proprietorship, or other employer other than the city, whether for profit or nonprofit, public sector or private sector, to which an official, employee or consultant is related in one or more of the following ways: (1) he or she they receives compensation, whether actual or deferred, for services rendered or goods sold or produced, and (2) he or she they has have an ownership interest, whether direct or indirect, including options or contingent rights of any kind excluding, in the case of a public corporation, an ownership interest of less than one

percent of the outstanding stock. For the purposes of this definition, “compensation” does not include reimbursement for approved out-of-pocket expenses such as travel expenses. “Person” means any individual, corporation, firm, association or other form of business association, regardless of status as for profit or nonprofit.

“Personal benefit” means benefits other than those that are directly financially advantageous. A “personal interest” means a relationship to something such that a personal benefit has been, will be, or might be obtained by certain action or inaction with respect to it.

“Public domain” means property and information that is available and/or accessible to the public.

“Recusal” means to publicly state the reason for recusal and to withdraw (see “Withdraw”) as an active participant over a particular proceeding because of one’s conflict of interest as described in Section [1.25.050](#).

“Related party” means, in relation to an official, employee or consultant, the following persons:

1. A member of ~~his or her~~ **their** family;
2. Any person with whom ~~he or she has~~ **they have** a regular and close personal relationship;
3. Any person with whom ~~he or she has~~ **they have** a financial or business relationship, including but not limited to:
 - a. An outside employer or business of ~~his or hers~~ **theirs**, or of ~~his or her~~ **their** spouse or domestic partner;
 - b. An employee of ~~his or her~~ **their** outside employer or business;
 - c. A customer or client of ~~his or her~~ **their** outside employer or business; or
 - d. A debtor or creditor of ~~himself or herself~~ **theirs**, or of ~~his or her~~ **their** spouse or domestic partner;
4. A person or entity from whom an elected official has received an election campaign contribution during the past election cycle, either directly or indirectly through a campaign committee of any kind that, in the aggregate, exceeds \$100.00. For the purpose of this clause, donations from a person or entity include donations from any related family member or business;
5. A nongovernmental civic group, union, social, charitable, or religious organization of which ~~he or she or his or her~~ **they or their** spouse or domestic partner is an officer or director.

“Retaliatory action” means:

1. Any adverse change in a city employee’s employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand, unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or
2. Hostile actions by another employee towards an employee that are condoned or encouraged by a supervisor or senior manager or official.

“Vendor” means any person or business supplying products or services to the city as part of an approved contract or purchase order.

“Volunteer” means a ~~citizen committee~~ **an advisory commission** member appointed by the mayor and confirmed by the city council.

“Withdraw” means to physically remove oneself from the discussion room and to refrain from any participation in discussions relating to matters where an official, employee, consultant, volunteer or vendor has disclosed a conflict of interest and has officially recused themselves from the matter. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

1.25.050 Principles of conduct.

Consistent with the purpose and values set forth in this code of ethics, the following principles of conduct are established for all city of Langley officials, employees, consultants, volunteers and vendors:

A. Conflicts of Interest. Conflicts of interest, in which a person has a duty to more than one person or organization, could bring about actions or decisions by city of Langley officials, employees, consultants, volunteers, and vendors that are not in the best interests of the city, its **members of the public** and entities. It is thus imperative that any party governed by this code declare immediately any situation in which they, or persons or entities closely related to them, stand to receive personal or financial gain. It is particularly important to earn and keep the trust of city **members of the public** by preventing conflicts from occurring and disclosing conflicts when they do arise. Specifically:

1. Officials, employees, consultants, volunteers and vendors shall avoid all actual or perceived conflicts of interest. These arise when they use their official position or office to take or fail to take any action, or influence others to take or fail to take any action, in a manner which they know, or have reason to believe, will result in a personal or financial benefit to ~~himself or herself~~ **themselves** or to a related party as distinct from general benefits that are shared with all or a substantial segment of the city’s population.

2. Officials, employees, consultants, volunteers shall not hire or appoint; attempt to influence the hiring or appointment; or supervise any person who is a member of their family.

3. Officials, employees, consultants, volunteers and vendors are obliged to withdraw from any involvement in a matter where there is a conflict or perceived conflict, even if they feel certain they can act impartially.

4. The performance of purely ministerial acts does not give rise to conflicts of interest.

5. Specific actions regarding actual or perceived conflict of interests that must be taken by city officials governed by this code are as follows:

a. Officials shall declare, at the first public meeting when the matter is being considered, any actual or apparent personal or financial conflict of interest, pertaining to any ordinance, resolution, contract, proceeding or other action pending before a city entity in which they participate. The disclosure shall be recorded in the minutes of the meeting.

b. Officials who have disclosed a conflict of interest that may result in a personal or financial benefit for themselves or a related party shall withdraw from the meeting for the duration of the discussion of the issue that has given rise to the conflict of interest.

c. Officials may be challenged and requested to withdraw from participation in a matter, for the reason that ~~he or she has~~ **they have** a conflict of interest, by:

(1) Another member of a city entity;

(2) A party to the current matter; or

(3) Anyone else who may be affected by a decision relating to the matter.

d. If, following a request, an official decides not to withdraw, a decision as to whether or not to require withdrawal shall be taken by:

(1) A vote of the unchallenged members of a city entity where ~~he or she is~~ **they are** a member of, or scheduled to appear before, the entity;

(2) A vote of the unchallenged members of the city council where a council member is the person who is requested to withdraw;

(3) A vote of the city council where the mayor is the person who is requested to withdraw; or

(4) A decision of the mayor in all other cases.

e. If withdrawal as a result of a declaration of a conflict of interest or of a challenge and request for withdrawal results in the lack of a quorum or the failure to obtain a majority vote in a city entity, the situation will be resolved as follows:

(1) Postponement of the decision until a sufficient number of nonconflicted members can attend or the mayor appoints additional nonconflicted members.

(2) Replacement of the conflicted member by an alternate member if available.

f. Officials, employees, consultants, volunteers and vendors, who are in positions requiring judgment and discretionary decision-making and who experience a conflict of interest in a matter before them, shall report that conflict of interest to their supervisor immediately, in writing, and shall not take any action on the matter. The supervisor shall make arrangements for another employee or consultant to address the matter at hand. The employee or consultant with the conflict of interest shall not provide information, hold conversations, participate in meetings or portions of meetings about the matter or in any way participate in its resolution.

g. An official, employee, consultant, volunteer or vendor who has withdrawn or has been required to withdraw from a matter shall not be replaced by a related party or by any other official, employee or consultant (volunteer or vendor) over whom ~~he or she is~~ **they are** in a position to exercise any supervisory authority.

B. Confidentiality.

1. Other than those areas which are proscribed by state (or federal) law to be considered confidential, all information coming to the city of Langley and its employees will be considered to be in the public domain and available to all ~~citizens~~ **members of the public**. Ethical considerations regarding confidentiality for all city of Langley officials, employees, consultants, volunteers or vendors are extremely critical to maintain public trust. Those governed by the code shall not:

a. Make use of information acquired through ~~his or her~~ **their** official position for the personal or financial benefit of ~~himself or herself~~ **themselves** or of a related party;

b. Disclose confidential information; or

c. Refuse to disclose, or obstruct the disclosure of information, which the city is required to disclose pursuant to its own laws and rules or those of the state.

2. Even though most information coming before the city is within the public domain, the management of information coming before officials, employees, consultants, volunteers or vendors in an official capacity must be handled with extreme sensitivity.

a. Courtesy and consideration under the circumstances existing at the time in dealing with the public must be shown by all governed by this Code in carrying out official responsibilities; and

b. Actions which deny the dignity of individuals or conduct which is disrespectful to others under the circumstances existing at the time must be avoided.

C. Improper Influence. Officials, employees and consultants are entrusted with and responsible for the property, resources and reputation of the city. They are obligated to make decisions and implement policies free of coercive or other improper influence. Any exchange of gifts or favors may be interpreted as exerting improper influence on the behavior of representatives of the city of Langley and shall be governed by the following guidelines:

1. To avoid the appearance of improper influence, an official, employee, consultant, volunteer or vendor and ~~his or her~~ **their** spouse or domestic partner shall not, directly or indirectly, solicit or accept a gift from any person or entity that has any of the following relationships with a city entity where ~~he or she is~~ **they are** in a position to exert any influence:

a. Has sought a financial benefit from the city entity within the past 12 months;

b. Is currently seeking a financial benefit from the city entity; or

c. Seeks a financial benefit from the city entity within 12 months of the date of a gift.

2. A person or entity may not give or seek to give a gift to any official, employee, consultant, volunteer or vendor, or to ~~his or her~~ **their** spouse or domestic partner, who is in a position to exert any influence over a city entity with which they have any of the following relationships:

a. Have sought a financial benefit from the city entity within the past 12 months;

b. Is currently seeking a financial benefit from the city entity; or

c. Seeks a financial benefit from the city entity within 12 months of the date of a gift.

3. This section is not intended to prohibit officials, employees, consultants, volunteers and vendors from exchanging minor gifts with their personal friends or family in the course of ordinary social interaction; provided, that those persons do not have business before the city, or their business is with a city entity where the official, employee or consultant is not advising on or participating in the decision-making process, or has previously withdrawn from participation in the matter.

4. This section is not intended to prevent any person from making gifts of property, money, or services to the city as a whole; provided, that such gifts are unconditional in nature; and further provided, that gifts to the city valued in excess of \$20.00 must be approved by the city council.

D. Misuse of Public Resources. Employees, elected officials, consultants and contracted vendors recognize their responsibility to conserve and/or judiciously deploy public resources, making every effort to use official time and city property for and on behalf of the city alone.

1. An official, employee, consultant, volunteer or vendor shall not use or lend, or permit others to use or lend, any city funds, property, or staff for the personal or financial benefit of ~~himself or herself~~ **themselves** or of a related party. This includes, but is not limited to, city funds, office space, supplies, stationery, postage, telephones, equipment and vehicles.

2. Travel and other expense reimbursements shall be for official business only and only for the employee, official, consultant, volunteer or vendor directly involved.

3. The work hours of a city employee should not be requisitioned for an official's electoral or personal life.

4. Persons employed by or elected to city governance consequently will not use or lend, or permit others to use or lend, any public resource. Public resources include, but are not limited to, city funds, office space and supplies, telephones, computers and internet access, equipment and vehicles as well as one's own or another city employee's work hours.

5. Officials, employees, consultants, volunteers and vendors may use any city resources that are generally available to the public, provided this use is on the same terms and conditions as those applicable to the public.

6. Officials, employees, consultants, volunteers and vendors may use city resources when, in the conduct of official business, they are used in a minor way for personal convenience; provided, that this use is according to the city's written policies or has been authorized by the mayor.

7. The use of nonpublic information gained by working for the city – e.g., property sales, redrawing of city boundaries, etc. – should not be used to further one's own personal financial or business ventures or shared with another who could gain fiscal benefit.

8. A public employee, elected official or contracted consultant or vendor may not use his or her **their** signature solely to validate any contract, financial disbursement or any other legal, financial or legislative documents where two signatures are required for validation.

9. Computers and internet access will not be used for political and/or charitable activities or for anything other than de minimis personal use. A de minimis use policy authorizes minimal personal (not business) usage (in terms of frequency and/or duration of occasion), which has little or no impact on public expenses and does not impinge upon human work hours. In the same way that phones can be used by an employee, elected official or contracted individual for a short personal message, so may computers. However, use of internet access for dating services, pornography, on-line education, gambling or religious devotions would constitute misuse of not only public equipment but of work hours.

E. Representation of Private Interests. Officials, employees, consultants, volunteers and vendors must exercise caution when representing the interests of the city and/or themselves. Specifically:

1. Officials, employees, consultants, volunteers and vendors shall not represent any private interests in matters before any city entity. They may, however, appear before a city entity on their own behalf or on behalf of the city.

2. Officials, employees, consultants, volunteers and vendors who appear before the meeting of any city entity as a private citizen **member of the public**, and not in an official capacity, must comply with subsection (A) of this section.

3. Officials, employees, consultants, volunteers will not use their official titles or office ~~stationary~~ **stationery** outside of the necessary work of the city.

4. Officials, employees, consultants, volunteers or vendors will not attempt to persuade any citizen **member of the public** to use a personally preferred vendor or contractor.

5. Officials, employees, consultants, volunteers and vendors who publicly disseminate information relating to the city (e.g., social media, blogs) are strongly encouraged to disclose in such dissemination his or her **their** relationship to the city, and that the views expressed in such dissemination are his or her **theirs** individually and not those of the city, unless authorized by the mayor to act on behalf of the city. Such disclosure will further the important public policy of distinguishing between the actions of individuals who may have some official relationship with the city and the official actions of the city itself. If any such public dissemination is in response to criticism or other communication directed at or regarding his or her **their** official role, the official, employee or consultant is strongly encouraged to respond only in his or her **their** official role.

6. An elected official may always represent his or her **their** constituents in matters of public advocacy, provided no element of additional compensation from the constituent is involved.

7. Unpaid volunteer members of a city entity may represent persons and entities before, and appear before, any city entity other than their own, subject to compliance with subsection (A) of this section.

F. Disclosure. City of Langley officials, employees, consultants, volunteers or vendors have a duty to disclose nonconfidential information on request and in accordance with current rules and guidelines pursuant to its own laws and rules or those of any state or federal government including those set forth in the Public Records Act. They must do so in a reasonable and timely manner under the circumstances existing at the time.

G. Workplace Harassment and Discrimination. The city of Langley flourishes when its elected officials, employees, contractors and/or vendors can anticipate and do comparably offer civil dignity in our human-to-human exchanges. The city seeks to be a workplace, a political organism and civic arena in which persons can appropriately expect to work and to live free from discrimination and unlawful harassment. As such:

1. Officials, employees, consultants, volunteers and vendors shall not use their position to harass, intimidate or discriminate against any co-worker or member of the public based upon a person's sex, sexual identity, race, nationality, age, appearance, religious or ideological beliefs.

2. It is unethical for an official, employee, consultant, volunteer or vendor to disregard any complaints of harassment or discrimination that may have been reported to them, unless they have promptly and in writing referred such complaints to a more appropriate investigatory body.

3. No official, employee, consultant, volunteer or vendor shall take any kind of retaliatory action against any employee because that employee has made a complaint of harassment. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

1.25.060 Administrative provisions.

Ethics complaints and violations shall be directed to the mayor, who will consult with city attorneys for advice on to how to proceed. If the complaints or violations involve the mayor, the mayor pro tempore will consult with the city attorneys for advice on to how to proceed. Final actions, if required, shall be put to the city council for approval.

~~A. Ethics Training and Advisory Board.~~

1. An ethics training and advisory board of not less than three members, appointed by the mayor and confirmed by the city council, is hereby created. Each member shall serve for a three-year term which shall be staggered so that at least one member is appointed each year. A simple majority of the members of the board shall constitute a quorum.

2. All members of the board shall have their primary residence on Whidbey Island south of Classic Road and a majority shall be residents of the city of Langley. No member of the board shall be an official, employee or consultant of the city in any other capacity. Board members shall not receive any remuneration from the city but may be entitled to reimbursement of out-of-pocket expenses on the same basis as volunteer members of other city agencies.

3. Selection of members to the city of Langley ethics training and advisory board and chair appointment shall be in accordance with provisions of Chapter [2.34](#).

4. As an added provision to Chapter [2.34](#), an ethics training and advisory board selection committee shall be appointed by the mayor and include the mayor, the chief of police and one city council member. Candidates must be able to pass a background check requested by the Langley police department. Automatic disqualifiers include:

a. Any prior felony convictions.

b. Any crime committed that would require someone to register as a sex offender.

c. Any crime of moral turpitude.

d. Anyone currently under court ordered supervision for any crime.

e. Any misdemeanor committed within the previous five years.

f. Anyone who is currently the respondent in any domestic violence related court order.

g. Anyone who is currently prohibited by federal or state law from possessing a firearm.

5. The functions of the board shall be to:

a. Provide an ethics orientation and training program for officials related to this ethics code;

b. To the extent requested by the mayor, provide such educational and training resources as may be necessary so that officials, employees, consultants, volunteers and vendors understand their responsibilities and required conduct under this ethics code;

c. Provide advisory opinions about the application of the code at the request of officials, employees, consultants, volunteers, vendors and citizens.

B. Advisory Opinions. If an official, employee, consultant, volunteer, vendor or citizen has any doubt as to whether or not a proposed course of action is in opposition to this code of ethics, they may ask the ethics training and advisory board for an advisory opinion on the matter. Advisory opinions are non-legally binding opinions and educational in nature only. They may not be used as defense against a legal challenge to the situations described in the advisory opinion. The process for requesting an advisory opinion of the ethics training and advisory board follows:

1. Informal discussions with members of the ethics board regarding ethical dilemmas will not be entertained.

2. Advisory opinions will only be rendered after a completed advisory opinion request form as provided on the city's website is sent to the city clerk. The request must be based on the circumstances of the ethical dilemma in relation to the current code of ethics (this chapter) and specifically cite relevant provisions in the principles of conduct (Section [1.25.050](#)).

3. All requests for advisory opinions will be forwarded by the city clerk to the ethics and training advisory board for their review and opinion.
4. Request forms will be reviewed by the chairman or a designated board member for completeness. An incomplete form will be returned to the sender stating the reasons for its return. Board members will not assist in filling out advisory request forms.
5. Complete advisory request forms will be reviewed at the next scheduled ethics board meeting when they will be either accepted or rejected by the board.
6. For each accepted request, the board will endeavor to produce a draft opinion within 30 days from the date of the board's decision to accept the advisory request. The board may take additional time as the circumstances may reasonably warrant. The request must be based on the circumstance of the ethical dilemma in relation to the current code of ethics (this chapter).
7. All draft advisory opinions rendered by the ethics board will be forwarded to the city council for review, comment, and final acceptance.
8. All advisory opinions will become a matter of public record and may be used as instructional case studies to emphasize various principles of the code of ethics. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1030 § 1, 2016; Ord. 1028 § 2, 2016)

1.25.070 Review of ethics training and advisory board and the current code of ethics:
The ethics training and advisory board and this code of ethics shall come under review annually for effectiveness and prevalence. (Ord. 1046 § 1, 2018; Ord. 1035 § 1, 2017; Ord. 1028 § 2, 2016)

The Langley Municipal Code is current through Ordinance 1115, passed August 5, 2024.

Disclaimer: The City Clerk's office has the official version of the Langley Municipal Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.langleywa.org/>

City Telephone: (360) 221-4246

Codification services provided by [General Code](#)