

CITY OF DAYTON, TEXAS
CODE OF ETHICS
for City Council, Boards, and Commissions

Preamble

The citizens and businesses of Dayton are entitled to a fair, ethical, and accountable local government that earns public confidence through integrity and transparency. To preserve this trust, the City Council adopts this Code of Ethics to guide the conduct of its elected and appointed officials.

All city officials and members of City boards and commissions (collectively 'members') shall:

- Comply with both the letter and spirit of applicable laws;
- Act with independence, impartiality, and fairness;
- Use public office for the public good, never personal gain;
- Conduct deliberations openly and respectfully, except where confidentiality is legally required.

1. Act in the Public Interest

Members will place the welfare of Dayton above personal or private interests and ensure fair and equal treatment of all persons, claims, and transactions.

2. Compliance with the Law

Members shall comply with federal, state, and local laws, including but not limited to the U.S. and Texas Constitutions, the Dayton City Charter, conflict-of-interest statutes, open-government laws, and City ordinances and policies.

3. Conduct of Members

Members shall maintain conduct above reproach and avoid even the appearance of impropriety. Personal attacks, abusive behavior, or disparagement of individuals or motives are prohibited.

4. Respect for Process

Members shall respect rules of order, deliberative processes, and the policy-making authority of the City Council. They shall encourage meaningful public participation and allow staff to implement policy decisions without interference.

5. Conduct of Public Meetings

Members shall prepare for issues, listen courteously, focus on business at hand, and refrain from interruptions or personal commentary unrelated to the agenda.

6. Decisions Based on Merit

Decisions must be based solely on the merits of the matter at hand.

7. Communication

Members shall publicly share substantive, relevant information they receive outside the public decision-making process that could influence deliberations.

8. Conflicts of Interest

Members shall comply with Texas Local Government Code Chapter 176 and disclose financial interests, gifts, and property holdings as required by law. They shall abstain from deliberations where conflicts exist.

9. Gifts and Favors

Members shall not solicit or accept gifts, favors, or promises of future benefit that may compromise or appear to compromise independence of judgment.

10. Confidential Information

Members shall not disclose confidential City information, including but not limited to discussions, documents, or deliberations from executive (closed) sessions, without explicit legal authorization. Unauthorized disclosure of executive session information to any outside party is strictly prohibited and constitutes a serious violation of this Code. Members shall not use such information for personal or financial gain. Executive session discussions shall remain confidential.

11. Use of Public Resources

City resources, staff time, equipment, and facilities may only be used for City purposes, not private gain.

12. Advocacy

When representing the City, members shall uphold official City policies. When expressing personal views, they must clearly state they do not speak on behalf of the City or their board.

13. Policy Role of Members

Members shall respect, preserve, and uphold the Council–Manager form of government as established in the Dayton City Charter. In this structure, the City Council, with input from residents, boards, commissions, and staff, determines policy direction for the City.

- Council’s Role: The Council sets goals, priorities, and policies.
- Staff’s Role: The City Manager and staff are charged with carrying out and administering those policies in daily operations.

Accordingly:

- Members shall not direct, supervise, or interfere with the professional duties of City employees. This includes any attempt to manage, direct, or influence the day-to-day operations, personal decisions, or administrative actions of staff.
- All requests for information, projects, or services from staff shall be made through the City Manager, or as otherwise authorized by Council rules.
- Members shall refrain from giving individual instructions to staff, attempting to pressure or influence staff into recommendations or actions contrary to their

professional judgment, bypassing the City Manager, or using their position to secure special treatment for themselves or others. All interactions with staff must respect the Council-Manager structure.

Any action by a member that undermines or disregards this structure constitutes a violation of the City of Dayton Code of Ethics. Such conduct shall be subject to review under the Compliance and Enforcement provisions of this Code. The City Council may impose sanctions including reprimand, formal censure, removal from committees, or removal from boards and commissions, as authorized by law.

14. Independence of Boards and Commissions

Council members shall refrain from unduly influencing or directing the work of boards and commissions.

15. Positive Work Environment

Members shall support a constructive work environment for staff, residents, and businesses, avoiding conduct that could be perceived as inappropriate direction to staff. Members shall also refrain from making personal attacks against staff and other Members.

16. Implementation

This Code shall be included in orientation for elected officials, board applicants, and commission members. Members shall affirm in writing that they have read and understood it. Council shall review it annually and update as needed.

17. Training

Members shall be responsible for obtaining training on the Texas Open Meetings Act and the Texas Public Information Act. Additionally, Members shall also be responsible for obtaining and participating in all trainings deemed necessary and appropriate for the relevant Council, Board or Commission upon which they serve.

18. Compliance and Enforcement

Members bear primary responsibility for upholding this Code. Any member who has reasonable cause to believe that a violation has occurred shall promptly report it in writing to the Mayor (or, if the Mayor is the subject, to the Mayor Pro Tem).

The Mayor (or Mayor Pro Tem) shall ensure a fair and impartial review. For allegations involving disclosure of confidential/executive session information or improper interference with staff, the City Attorney shall be consulted immediately to determine if external reporting (e.g., to the Texas Attorney General or District Attorney) is required under open government or ethics laws.

Potential violations will be addressed through the following progressive process:

- Informal resolution (where appropriate): Discussion with the member by the Mayor or Board Chair.

- Formal Review: The City Council may appoint an ad hoc committee or engage an independent investigator/third-party attorney to investigate. The accused member shall receive notice and an opportunity to respond.

Sanctions: Upon a finding of violation, the City Council may impose one or more of the following (as authorized by the City Charter, Texas law, and this Code):

- Private or public reprimand
- Formal censure
- Removal from one or more committees or assignments
- Removal from boards and commissions (for appointed members)
- Other sanctions permitted by law, including referral for possible criminal or civil penalties (particularly for knowing violations of executive session confidentiality under Texas Government Code Chapter 551).

Additional safeguards:

- All reviews shall respect due process and confidentiality to the extent permitted by law.
- Retaliation against anyone reporting a good-faith violation is itself a violation of this Code.
- A violation shall not invalidate any official City action taken in good faith.