

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 1, 2022

AN ORDINANCE DEFINING RULES FOR DEPARTMENT HEADS WITH REGARDS TO CONFLICTS OF INTEREST, COMPLIANCE WITH THE STATE CONSTITUTION AND RESIDENT PRIVACY AND ASSOCIATED EXTERNAL ORGANIZATIONS

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 2 Administration
Division 1 Generally
Article I In General

Insert Section 2 – 127

Definitions:

Department Head – An employee of the City of Newburyport employed as the leader of any department of the City of Newburyport.

Associated External Organization – Any organization whether for profit or non-profit (also referred to as a 501(c)(3)) that participates in fundraising activities in support of City departments.

Department Head Conflicts

The following rules are meant to promote transparency and avoid potential conflicts of interest, whether real or perceived, between city departments and external organizations that may form to raise funds in support of these departments.

- (a) *Department Heads* shall be prohibited from serving on the board of directors or in any position of leadership of any *associated external organization*.
- (b) *Department Heads* shall be prohibited from the handling, the allocation, or the disbursing, of Funds raised, or otherwise act in a controlling way toward any *associated external organization*.

- (c) *Department Heads* shall be prohibited from sharing City resources, including contact lists, with any *associated external organization*, consistent with the State Constitution's anti-aid amendment codified in Article CII.
- (d) While this section may not be overridden by City policy, it is not intended to supplant or replace other obligations for *Department Heads* that may be created via employment agreements or other City ordinances or City policies.
- (e) City addresses, whether they be physical or email, may not be authorized for use by *associated external organizations*.

Councillor Sharif I. Zeid

In City Council November 1, 2022:

Motion to refer collectively ODNC00129 and ODNC00130 to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor Vogel. So voted.