

ACKNOWLEDGEMENT OF ETHICAL RULES  
FOR MEMBERS OF BOARDS, AGENCIES, AND COMMISSIONS

**General Information**

As a member of a board, agency, or commission, you are subject to ethical rules set forth in the Code of Laws of the Metropolitan Government of Nashville and Davidson County. A brief synopsis of the ethical rules is provided below for general reference purposes only. You should not rely upon the synopsis in lieu of the actual rules set out in the Metro Code.

**Synopsis**

- If you have or are likely to have a conflict of interest regarding a matter pending before your board or commission, you must disqualify yourself from further action on the matter or disclose fully the nature of your conflict and continue to participate and vote.
- If you have or are likely to have a conflict of interest in connection with any official matter other than one pending before your particular board or commission, you must disqualify yourself from further participation in the proceeding or conduct yourself in accordance with an advisory opinion or judicial determination of the board of ethical conduct.
- You may not, either in person or through an affiliate, represent any person or firm before the board or commission on which you serve.
- You may not exert, or attempt to exert, influence because of your position that interferes with the official function or independent exercise of judgement of an official or agency of Metro Government, unless the exercise or influence is within the legal authority of your office.
- A board member shall not vote or take any other action in his official capacity under the influence of a benefit of the type specified in Section 2.72.060, which is received by, promised to or expected by himself or any other person designated in his behalf, regardless of the intention of the parties at the time the benefit was received or promised.
- You may not derive or attempt to derive any unjustified enrichment from your office or solicit or arrange for another person to receive a prohibited benefit.
- You may not enter into, or derive any benefit, directly or indirectly, from any contractual arrangement with the board, agency, or commission of which you are a member.
- You must report to the district attorney general any solicitation amounting to an attempt to bribe you. You should avoid creating the appearance or raising the suspicion that you are or likely will violate Metro's ethical rules.

**Metro Code Provisions**

The pertinent provisions of sections 2.72.010 - 2.72.090 of The Code of The Metropolitan Government of Nashville and Davidson County, Tennessee provide as follows:

**Chapter 2.72 ETHICAL STANDARDS**

**2.72.010 Applicability of chapter provisions.**

This chapter shall apply to all members of boards and commissions of the metropolitan government, whether created by the Metropolitan Charter, established by ordinance of the metropolitan council, or appointed by the mayor or vice-mayor. (Prior code § 2-1-47.1)

**2.72.020 Conflicts of interest–Disclosure or disqualification.**

A. Whenever a board member has or is likely to have a conflict of interest in connection with a matter pending before his particular board, he shall either:

1. Disqualify himself from further action on the matter, in which event he need not disclose the reason for his disqualification; or
2. Disclose fully the nature of his conflict of interest, in which event he may continue to participate in the deliberations and to vote on the matter.

B. Whenever a board member has or is likely to have a conflict of interest in connection with any official matter other than one pending before the particular board, he shall either:

1. Disqualify himself from further participation in the proceeding; or
2. Conduct himself in accordance with an advisory opinion or judicial determination of the board of ethical conduct. (Prior code § 2-1-47.7)

2.72.030 Representation for compensation.

A board member shall not, either in person or through an affiliate, represent any person or firm before the board on which he is a member. (Prior code § 2-1-47.6)

2.72.040 Exercising improper influence of office.

A board member shall not exert, or attempt to exert, influence which derives from his position as board member and which interferes with the performance of an official function by an officer or agency of metropolitan government or with the independent exercise of judgment and discretion by the officer or agency in the performance of an official function, unless the exercise or influence is within the legal authority of the office of board members. (Prior code § 2-1-47.5)

2.72.050 Voting or taking other action under improper influence.

A board member shall not vote or take any other action in his official capacity under the influence of a benefit of the type specified in Section 2.72.060, which is received by, promised to or expected by himself or any other person designated in his behalf, regardless of the intention of the parties at the time the benefit was received or promised. (Prior code § 2-1-47.3)

2.72.060 Deriving unjustified enrichment from office—Prohibited activities.

A. A board member shall not derive or attempt to derive any unjustified enrichment from his office. This section forbids:

1. The solicitation or acceptance of any bribe, or any gift or other economic benefit, or of any promise of similar benefit, which he believes or reasonably should believe was intended to influence his vote or other action to be taken in his official capacity; or
2. The solicitation or acceptance of any gift or other economic benefit conferred because of any vote or other action in his official capacity already taken by him; or
3. The acquisition or use for personal purposes of any property, services or funds of metropolitan government, unless authorized by law; or

4. The use for personal gain of information pertaining to metropolitan government which is not a matter of common knowledge, at a time when it is treated as confidential by metropolitan government.

B. A board member shall not solicit or arrange for a benefit of any type prohibited in subsection A of this section to be conferred on any other person. (Prior code § 2-1-47.2)

2.72.070 Contract restrictions.

A board member shall not enter into, nor derive any benefit, directly or indirectly, from any contractual arrangement with the particular board, agency or commission of which he is a member. (Prior code § 2-1-47.4)

2.72.080 Affirmative responsibilities.

A. A board member shall promptly report to the district attorney general any solicitation amounting to an attempt to bribe him.

B. In the spirit of these standards of ethical conduct, a board member shall constantly bear in mind:

1. The advisability of avoiding the creation of an appearance, or the raising of a suspicion, that he is engaged in or is likely to engage in conduct that is in violation of the standards set forth in this chapter; and
2. The prudence of using careful foresight to insure that he is not placed in a situation which will subject him to undue temptation to violate the standards. (Prior code § 2-1-47.8)

2.72.090 Board of ethical conduct—Authority and responsibilities.

The board of ethical conduct, created pursuant to Ordinance 74-1055 (See Article II of Chapter 2.04 of this code), shall have the authority to review complaints lodged against members of boards and commissions and to issue advisory opinions as requested by members of boards and commissions. Those responsibilities of the board of ethical conduct as in regard to members of the metropolitan council shall likewise be applicable to members of boards and commissions of the metropolitan government. Those procedures established for the functioning of the board of ethical conduct shall also apply to members of boards and commissions. Those powers and responsibilities vested in the metropolitan council with regard to reviewing the action of the board of ethical conduct shall likewise be applicable to members of boards and commissions. (Prior code § 2-1-47.9)

**Acknowledgement**

I have read, or have had read to me, the above synopsis of Metro Government's ethical rules for members of boards, agencies, and commissions. I have also read, or have had read to me, sections 2.72.010 - 2.72.090 of The Code of The Metropolitan Government of Nashville and Davidson County, Tennessee, containing Metro Government's ethical rules for members of boards, agencies, and commissions.

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Date

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Board, Agency, or Commission  
Nominee or Candidate