

1.15.090 Contemporaneous Employment or Service.

- A. Employee: A municipal employee shall not render services to, or accept employment with, persons or organizations other than the municipality, if the contemporaneous service or employment is incompatible or in conflict with the proper discharge of the employee's municipal duties.
- B. Elected officials:
1. Except where authorized by ordinance, an elected official shall not hold other municipal employment or elected state office.
 2. An elected official of the municipality other than the mayor may serve as a non-elected employee of the state.
 3. The mayor holds a full time position of employment with municipal authority presumed incompatible and in conflict with serving as an employee to another person or entity.
 - a. If due to specific circumstances or unfairness, the mayor seeks relief from this presumption, the mayor shall present the circumstances and proposal for management of the potential conflict of interest to the board of ethics for an advisory opinion.
 - b. Absent factors that clearly present a potential for adversely affecting the mayor's availability, productivity, or independence of judgment in performing municipal duties, a financial interest or corporate office, held by the mayor in a business or economic enterprise managed by others is not other employment under this chapter and the presumption does not apply.
 - c. The mayor's request and the board's advisory opinion to the mayor are public records.
- C. Independent Contractor: An independent contractor engaged through competitive bidding does not hold municipal employment for purposes of this section.