

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF**

Chapter 24, ETHICS, CODE OF

[HISTORY: Adopted by the Council of the City of Mount Vernon 12-24-58 as L.L. No. 7-1958, approved 1-14-59. Amendments noted where applicable.]

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-1.
Policy.**

§ 24-1. Policy.

One of the most vital concerns of a free, representative government is the maintenance of moral and ethical standards which are above cause for reproach and which warrant the confidence of the people. These standards must be practical; government is and should be fairly representative of the people who elect it. The people are entitled to expect from their public servants a standard above that of the marketplace, for such public servants are entrusted with the welfare of the city. Some conflicts of interest are clearly wrong and should be proscribed by sanctions. Some are composed of such diverse circumstances, events and intangible and indirect concerns that only the individual conscience will ever serve as an infallible guide. For matters of such complexity and close distinctions the City Council finds that standards of conduct reasonably to be expected of city officers and employees should be established.

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-2.
Definitions. [Amended 2-9-77 by L.L. No. 2-1977EN]**

§ 24-2. Definitions. [Amended 2-9-77 by L.L. No. 2-1977EN(1)]

As used in this chapter, the following terms shall have the meanings indicated:

CITY -- The City of Mount Vernon.

CITY AGENCY -- All departments, boards, committees, commissions or bureaus of the city, but not including the judicial officers or the courts of the city.

CITY EMPLOYEE -- Includes all persons employed by the city full time or part time, including

temporary, provisional, classified and unclassified employees.

CITY OFFICER -- Includes all persons elected or appointed to any office of the City of Mount Vernon established or authorized to be established by the Charter of the City of Mount Vernon or otherwise by local law, resolution or ordinance, persons performing services under contract with the city, and members of city boards, agencies, bureaus, committees or commissions who serve with or without pay, but shall not include Commissioners of Deeds, volunteer firemen or civil defense volunteers.

CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 / PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-3. Prohibited activities and transactions. [Amended 12-16-70 by L.L. No. 5-1970, approved 12-28-70]

§ 24-3. Prohibited activities and transactions. [Amended 12-16-70 by L.L. No. 5-1970, approved 12-28-70]

A. No city officer or employee shall:

- (1) Directly or indirectly solicit any gift; or accept or receive any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part. [Amended 2-9-77 by L.L. No. 2-1977]
- (2) Disclose confidential information acquired by him in the course of his official duties to unauthorized persons or use such information to further his personal interest.
- (3) Invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his official duties.
- (4) Engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.
- (5) After the termination of service or employment with such municipality, appear before any board or agency of the City of Mount Vernon in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.
- (6) Perform any professional services for others, for compensation, in relation to any

proceeding, petition or hearing before any city agency as herein defined.

- (7) Represent any person, firm or corporation being sued by the City of Mount Vernon in the defense of such suit, or represent or appear for any person, firm or corporation filing a claim against or prosecuting a legal action or proceeding against the City of Mount Vernon, in the filing of such claim or the prosecution of such action or proceeding.
 - (8) Appear for or represent any person, firm or corporation in an action involving the prosecution of such person, firm or corporation for violation of any city ordinances or codes.
 - (9) Take part in or vote or pass upon any matter before him or any board or commission of which he is a member, in which matter he has any direct or indirect pecuniary interest.
- B. Nothing herein contained shall be deemed to limit, restrict or prohibit city officers or employees from performing their official duties nor from appearing as a witness in any action, proceeding or hearing involving the City of Mount Vernon nor from applying for certificates, licenses or permits issued by city agencies without hearings.
- C. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the City of Mount Vernon or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law. [Added 2-9-77 by L.L. No. 2-1977]
- D. No full-time city officer or employee shall engage directly or indirectly in any other trade, business, occupation or profession during the regular city working hours. [Added 2-9-77 by L.L. No. 2-1977]

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-4.
Disclosure of interest in legislation. [Added 12-16-70 by L.L. No. 5-1970,
approved 12-28-70]**

§ 24-4. Disclosure of interest in legislation. [Added 12-16-70 by L.L. No. 5-1970, approved 12-28-70]

To the extent that he knows thereof, a member of the City Council and any officer or employee of the City of Mount Vernon, whether paid or unpaid, who participates in the discussion or gives official opinion to the City Council on any legislation before the Council, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private

interest he has in such legislation.

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-5.
Standards of conduct. [Amended 12-16-70 by L.L. No. 5-1970, approved 12-28-70]**

§ 24-5. Standards of conduct. [Amended 12-16-70 by L.L. No. 5-1970, approved 12-28-70]

As standards of conduct, it is deemed advisable that no city officer or employee should:

- A. Accept employment or engage in any business or professional activity which might require or induce him to disclose confidential information which he has obtained by reason of his city employment.
- B. Use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.
- C. Engage in any transaction as representative or agent of the city with any business entity in which he has a direct or indirect financial or other interest that might reasonably tend to conflict with the proper discharge of his official duties.
- D. Give reasonable basis by his conduct for the impression or belief that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties or that he is affected by the kinship, rank, position or influence of any party or person.
- E. Make any personal investments in enterprises which he has reason to believe may be directly involved in decisions or rulings to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
- F. Pursue any course of conduct which will raise or create public suspicion that he is likely to be engaged in acts that are in violation of his public trust.

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-6.
Penalties for offenses. [Amended 5-25-77 by L.L. No. 5-1977, approved 6-10-77]**

§ 24-6. Penalties for offenses. [Amended 5-25-77 by L.L. No. 5-1977, approved 6-10-77]

- A. Penalty. Subject to the provisions of the Civil Service Law and in addition to any penalty contained in any other provision of law, any city officer or employee who is found guilty, after a hearing, of violating any of the provisions of §§ 24-3 and 24-4 of this chapter may be

fined, suspended or removed from office or employment in the manner provided by law by the officer or body having the power of appointment over him or by any other manner prescribed by law.

- B. Procedure. A person against whom disciplinary action is proposed shall have written notice thereof and of the reasons therefor, shall be furnished a copy of the charges preferred against him and shall be allowed at least eight days for answering the same in writing. The hearing upon such charges shall be held by the officer or body having the power to remove the person against whom such charges are preferred or by a deputy or other employee of such officer or body designated in writing for the purpose. In case a deputy or other employee is so designated, he shall, for the purpose of such hearing, be vested with all the powers of such officer or body and shall make a record of such hearing, which shall, with his recommendations, be referred to such officer or body for review and decision. The person or persons holding such hearing shall, upon the request of the person against whom charges are preferred, permit him to be represented by counsel and shall allow him to summon witnesses in his behalf. The burden of proving a violation of §§ 24-3 and 24-4 of this chapter shall be upon the person alleging the same. Compliance with technical rules of evidence shall not be required.
- C. If such officer or employee is found guilty, a copy of the charges, his written answer thereto, a transcript of the hearing and the determination shall be filed in the office of the department, board or agency in which he has been employed, and a copy thereof shall be filed with the Municipal Civil Service Commission or other officer or body having jurisdiction over such position. A copy of the transcript of the hearing shall, upon request of the officer or employee affected, be furnished to him without charge.

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-8.
Severability.**

§ 24-8. Severability.

- A. If any clause, sentence, paragraph, section or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.
- B. Nothing herein contained shall be deemed to impair, limit or affect the provisions for dismissal and removal of city officers and employees as may be otherwise provided by law.

- C. The rules of ethical conduct of this chapter, as adopted, shall not conflict with but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees. [Added 12-16-1970 by L.L. No. 5-1970, approved 12-28-1970]

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-9.
Repealer.**

§ 24-9. Repealer.

The resolution of the City Council adopted January 21, 1956, entitled "Code of Ethics," is hereby repealed.

**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / §
24-10. When effective.**

§ 24-10. When effective.

This chapter shall take effect February 1, 1959.

Endnotes

1 (Popup - Popup)

Editor's Note: This local law was adopted over Mayor's veto.

LOCAL LAW NO. 3 - 2011

A LOCAL LAW AMENDING CHAPTER 24, OF THE CODE OF THE CITY OF MOUNT VERNON, ENTITLED "ETHICS, CODE OF"

WHEREAS, by letter dated July 12, 2011, the Board of Ethics has requested legislation amending Chapter 24 of the Code of the City of Mount Vernon entitled, "ETHICS, CODE OF" by adding political activity prohibitions and whistleblower protection; NOW THEREFORE,

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, as follows:

Section 1. Chapter 24 of Code of the City of Mount Vernon, entitled "Ethics, Code of," is hereby amended as follows:

§ 24-3. Prohibited activities and transactions.

A. No city officer or employee shall:

- (1) Directly or indirectly solicit any gift; or accept or receive any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.
- (2) Disclose confidential information acquired by him in the course of his official duties to unauthorized persons or use such information to further his personal interest.
- (3) Invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his official duties.
- (4) Engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.
- (5) After the termination of service or employment with such municipality, appear before any board or agency of the City of Mount Vernon in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.
- (6) Perform any professional services for others, for compensation, in relation to any proceeding, petition or hearing before any city agency as herein defined.
- (7) Represent any person, firm or corporation being sued by the City of Mount Vernon in the defense of such suit, or represent or appear for any person, firm or corporation filing a claim against or prosecuting a legal action or proceeding against the City of Mount Vernon, in the filing of such claim or the prosecution of such action or proceeding.
- (8) Appear for or represent any person, firm or corporation in an action involving the prosecution of such person, firm or corporation for violation of any city ordinances or codes.

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(9) Take part in or vote or pass upon any matter before him or any board or commission of which he is a member, in which matter he has any direct or indirect pecuniary interest.

B. Nothing herein contained shall be deemed to limit, restrict or prohibit city officers or employees from performing their official duties nor from appearing as a witness in any action, proceeding or hearing involving the City of Mount Vernon nor from applying for certificates, licenses or permits issued by city agencies without hearings.

C. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the City of Mount Vernon or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

D. No full-time city officer or employee shall engage directly or indirectly in any other trade, business, occupation or profession during the regular city working hours.

E. Whistle Blower Protection.

(1) Neither the city nor any person, including City officers and employees, may take or threaten to take, directly or indirectly, official or personal action, including but not limited to discharge, discipline, personal attack, harassment, intimidation, or change in job, salary, or responsibilities, against any official, employee, or other person (or against any member of their family) because that person, or a person acting on his or her behalf, (a) reports, verbally or in writing, or files a complaint with the Board of Ethics or (b) is requested by the Board of Ethics to participate in an investigation, hearing, or inquiry, or is involved in a court action relating either to the alleged violation or to evidence presented or given as part of a Board of Ethics investigation or hearing or (c) for acting or refusing to act as required by the City's Ethics Code and/or Article 18 of the General Municipal Law. The provisions of this section are not applicable when the complainant, witness, or reporter of a violation made accusations or other statements that were malicious and false.

(2) Any City officer or employee who violates section 1 has committed an ethics violation.

(3) In resolving a complaint that a City officer or employee has violated this section, the Board of Ethics may recommend that a retaliatory personnel action be reversed.

(4) With regard to making a report of information concerning conduct which any City officer, employee or other knows or reasonably believes to involve corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority by another city officer or employee, which concerns his or her office or employment, all City Officers, employees and others are hereby advised of the State of New

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York Whistleblower Laws §740 & Civil Service Law §75-b and should be guided accordingly. Those laws are hereby included by reference and are a part hereof of this section entitled Whistleblower Laws.

(5) City officers, employees and others are hereby advised that a report of information regarding issues stated in section 4 above can be made to the Board of Ethics and will be handled in accordance with the same Board of Ethics rules and regulations for reported violations of the Ethics Code and Article 18 of the General Municipal Law.

F. Political Activity

(1) An official, employee, or municipal candidate may not knowingly request, or authorize anyone else to request, that any subordinate or potential future subordinate participate in an election campaign or make a political contribution.

(2) No candidate for any elected office of the City and no City officer or employee shall knowingly request, or knowingly authorize any person to request, that any of the following persons participate in any political campaign activity in connection with any campaign for City elected office:

- (a) a City officer or employee; or
- (b) any person who has received a financial benefit from the City within the prior twelve (12) months, including but not limited to persons that have contracts to supply goods and services to the City.

Nothing in this subsection shall require that individual names of City officers and employees be deleted from general mailing lists soliciting campaign contributions from City residents, generally, or by geographic area.

(3) Disclosure is required when a person or corporation makes a campaign contribution to a City officer or employee in the prior twelve (12) months in excess of an aggregate total amount of five thousand dollars (\$5,000.00) where that person or corporation is engaged in a professional contract with the City. The disclosure shall be made in writing and shall be retained in the Office of the City Clerk as well as in the records of the Board of Ethics. Nothing herein shall require recusal by the City officer or employee; solely disclosure.

(4) No City officer or employee shall engage in any political campaign activity while on duty for the city, with the use of city funds, supplies, vehicles, or facilities, or during any period of time during which he or she is normally expected to perform services for the city, for which compensation is paid.

(5) No City officer or employee shall solicit any subordinate to engage in political campaign activity on behalf of any candidate for any elected office, including but not limited to City elected office.

(6) No City officer or employee shall request any subordinate to change their political affiliation.

(7) Nothing herein shall prevent any City officer or employee from voluntarily: engaging in any political campaign activity, voting, making a campaign contribution, engaging in free speech, assembling for political purposes, or engaging in other acts not prohibited by this section.

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Section 2. This local law shall take effect upon its filing with the New York State Secretary of State.

New matter underlined

Deleted matter in brackets []

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APPROVED AS TO FORM

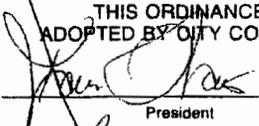

Assistant Corporation Counsel

APPROVED

Dept. _____


Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL


President

ATTEST


City Clerk

APPROVED

Date

By _____

Mayor

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**CODE OF THE CITY OF MOUNT VERNON, NEW YORK, v73 Updated 05-15-2008 /
PART I: ADMINISTRATIVE LEGISLATION / Chapter 24, ETHICS, CODE OF / § 24-7.
Board of Ethics. [Added 2-9-1977 by L.L. No. 2-1977; amended 5-25-1977 by L.L.
No. 5-1977, approved 6-10-1977]**

**§ 24-7. Board of Ethics. [Added 2-9-1977 by L.L. No. 2-1977; amended 5-25-1977 by L.L.
No. 5-1977, approved 6-10-1977]**

- A. A Board of Ethics is hereby established to be composed of five members appointed by the City Council, all of whom shall reside in the City of Mount Vernon. The members of such Board shall receive no salary or compensation for their services as members of such Board. Two of the initial members of the Board shall be appointed for terms of one year and three of the initial members of the Board shall be appointed for terms of two years; thereafter all appointments shall be for a term of two years. The members of such Board shall not otherwise be officers and employees of the city.
- B. The Board of Ethics shall act only with respect to officers, employees and agency members of the City of Mount Vernon. The Board shall render advisory opinions to such officers, employees and members of city agencies of the city, with respect to this Code of Ethics and to Article 18 of the General Municipal Law of the State of New York and amendments thereof. Such advisory opinions shall be rendered pursuant to written request of any city officer, employee or agency under such rules and regulations as the Board of Ethics may prescribe and shall have the advice and counsel of the Corporation Counsel. The Board of Ethics may also make recommendations to the City Council with respect to amendments to this Code of Ethics upon the request of the City Council. No amendment initiated by the City Council shall be adopted by the City Council without affording the Board of Ethics at least 30 days to consider such amendment.
- C. The Board of Ethics each year shall elect from its membership a Chairman and Secretary, and upon its formation shall promulgate its rules and regulations as to its forms and procedures and maintain proper records of its opinions and proceedings, for which expenses it shall be reimbursed as a city charge, and an adequate appropriation for its operation shall be budgeted.
- D. The identity of the requesting officer, employee or agency member shall be treated as confidential, but the opinion of the Board shall be a matter of public record and filed in the office of the City Clerk.
- E. The Board of Ethics shall have the power and authority, in its discretion, upon complaint being filed with it or on reference from the City Council or on its own initiative, to

investigate allegations of unethical practices in violation of this chapter or any statute, rule or regulation relating to conflicts of interest, ethical conduct and interest of municipal officers and employees in contracts, and to render reports of such investigations and recommendations to the City Council for action. Investigative proceedings shall be treated as confidential unless the subject thereof requests that they be made public. The City Council, in its discretion and consistent with statutory provisions relating to the discipline or removal of officers, employees and agency members, may publicly disclose the reports and recommendations of the Board of Ethics filed with it.

- F. All agencies of the city and all officers, employees and agency members shall furnish to the Board of Ethics in connection with its investigations such data, information and statements as may in the opinion of the Board be necessary for the proper exercise of its functions, powers and duties.
- G. [Added 4-15-1993 by L.L. No. 1-1993, approved 4-29-1993] The Board of Ethics shall have the power and authority to:
- (1) Review completed financial disclosure statements in accordance with §§ 810 through 813 of the General Municipal Law, the provisions of this chapter, the rules and regulations of the Board of Ethics and any other local law, ordinance or Code of Ethics established by the City Council of the City of Mount Vernon.
 - (2) Permit any person required to file a financial disclosure statement to request the Board to delete from the copy made available for public inspection, one or more items of information which may be deleted by the Board upon a finding that the information which would otherwise be required to be disclosed will have no material bearing on the discharge of the reporting person's official duties. If such request for deletion is denied, the Board, in its notification of denial, shall inform the person of his or her right to appeal the Board's determination pursuant to the rules governing appeals adopted pursuant to this provision and any applicable section of the General Municipal Law. The Board shall promulgate rules and regulations governing the issuance of written decisions in connection with appeals.
 - (3) Permit any person required to file a financial disclosure statement to request an exemption from any requirement to report one or more items of information which pertain to such person's spouse or unemancipated children, which item or items may be exempted by the Board upon a finding by the majority of the total members of the Board, without vacancy, that the reporting individual's spouse, on his or her own behalf or on behalf of an unemancipated child, objects to providing the information necessary to make such disclosure and that the information which would otherwise be required to be reported will have no material bearing on the discharge of the reporting person's official

duties.

- (4) Permit any person who has not been determined by the City Council to hold a policymaking position but who is otherwise required to file a financial disclosure statement to request an exemption from such requirement in accordance with the rules and regulations governing such exemptions. Such rules and regulations shall provide for exemptions to be granted either on the application of the individual or on behalf of persons who share the same job title or employment classification which the Board deems to be comparable for purposes of this section. Such rules and regulations may permit the granting of an exemption where, in the discretion of the Board, the public interest does not require disclosure and the applicant's duties do not involve the negotiation, authorization or approval of the following:
 - (a) Contracts, leases, franchises, revocable consents, concessions, variances, special permits or licenses as defined in § 73 of the Public Officers Law;
 - (b) The purchase, sale, rental or lease of real property, goods or services or a contract therefor;
 - (c) The obtaining of grants of money or loans; or
 - (d) The adoption or repeal of any rule or regulation having the force and effect of law.
- H. If a person required to file a financial disclosure statement with the Board has failed to file a disclosure statement or has filed a deficient statement, the Board shall notify the reporting person in writing, state the failure to file or detail the deficiency, provide the person with a fifteen-day period to cure the deficiency, and advise the person of the penalties for failure to comply with the reporting requirements. Such notice shall be confidential. If the person fails to make such filing or fails to cure the deficiency within the specified time period, the Board shall send a notice of delinquency to the reporting person and to the appointing authority for such person. [Added 4-15-1993 by L.L. No. 1-1993, approved 4-29-1993]
- I. If the Board determines that there is reasonable cause to believe that a violation of the reporting requirement has occurred, it shall send a notice of reasonable cause to the reporting person to the complainant, if any, and to the City Council of the City of Mount Vernon. [Added 4-15-1993 by L.L. No. 1-1993, approved 4-29-1993]
- J. A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to this section shall be assessed a civil penalty in an amount not to exceed \$10,000. Assessment of a civil penalty hereunder shall be made by the Board with respect to the persons subject to its jurisdiction. For a violation of this

subdivision, other than for conduct which constitutes a violation of Subdivision 12 of § 73 of the Public Officers Law, the Board may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and, upon such conviction, but only after such referral, such violation shall be punishable as a class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is falsely understated. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal, may be imposed for a failure to file or for a false filing of such statement. [Added 4-15-1993 by L.L. No. 1-1993, approved 4-29-1993]

- K. A copy of any notice of delinquency or notice of reasonable cause sent pursuant to this section shall be included in the reporting person's file and be available for public inspection. [Added 4-15-1993 by L.L. No. 1-1993, approved 4-29-1993]
- L. Notwithstanding the provisions of Article 6 of the Public Officers Law, the only records of the Board which shall be available for public inspection are: [Added 4-15-1993 by L.L. No. 1-1993, approved 4-29-1993]
 - (1) The information set forth in an annual statement of financial disclosure filed pursuant to this section except the categories of value or amount which shall remain confidential and any other item of information deleted pursuant to Subsection G(1) and (3) of this section.
 - (2) Notices of delinquency sent under Subsection H of this section.
 - (3) Notices of reasonable cause sent under Subsection I of this section.