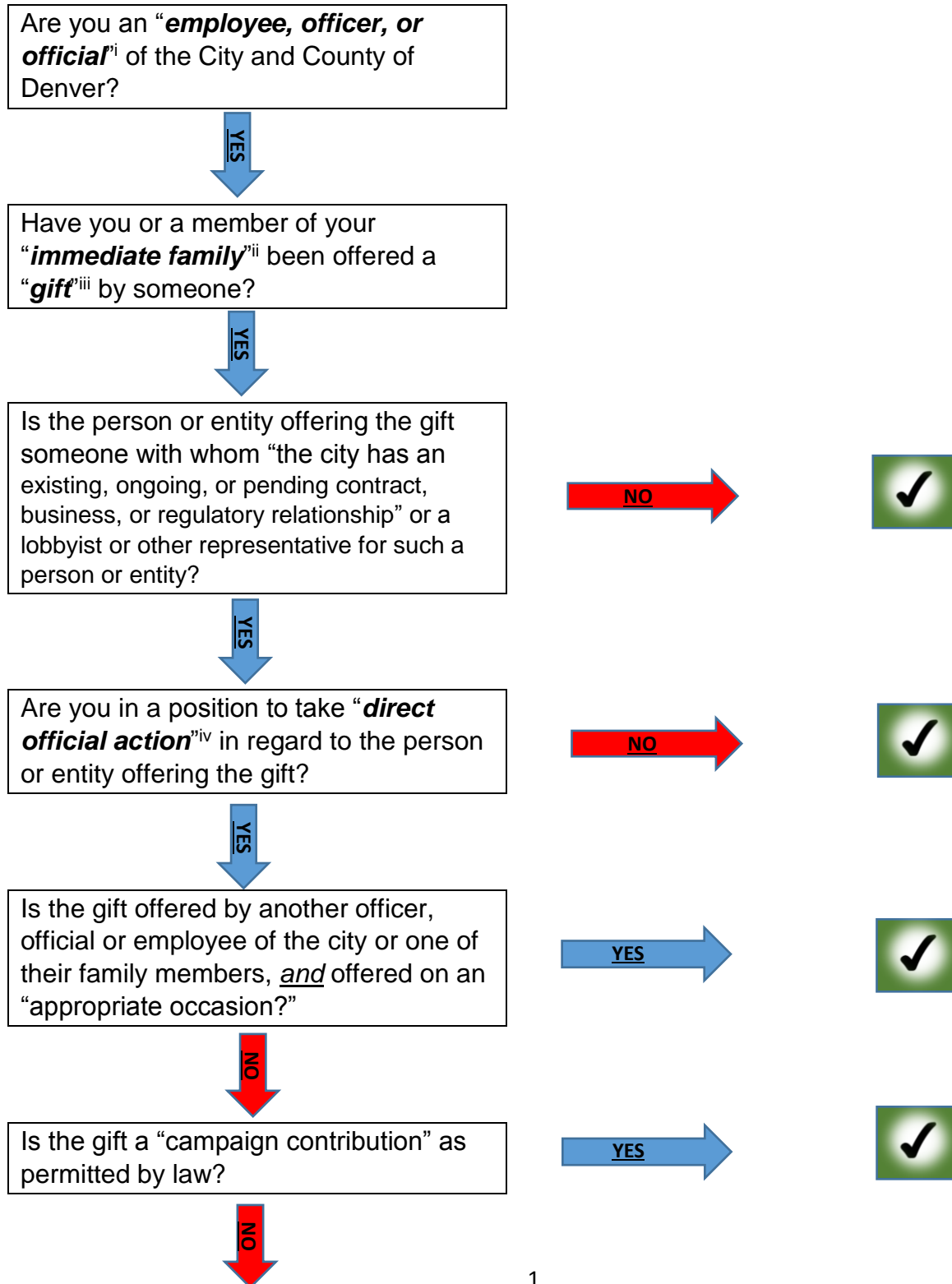


How to determine whether you or your family members are allowed to accept a “gift” under the Denver Code of Ethics

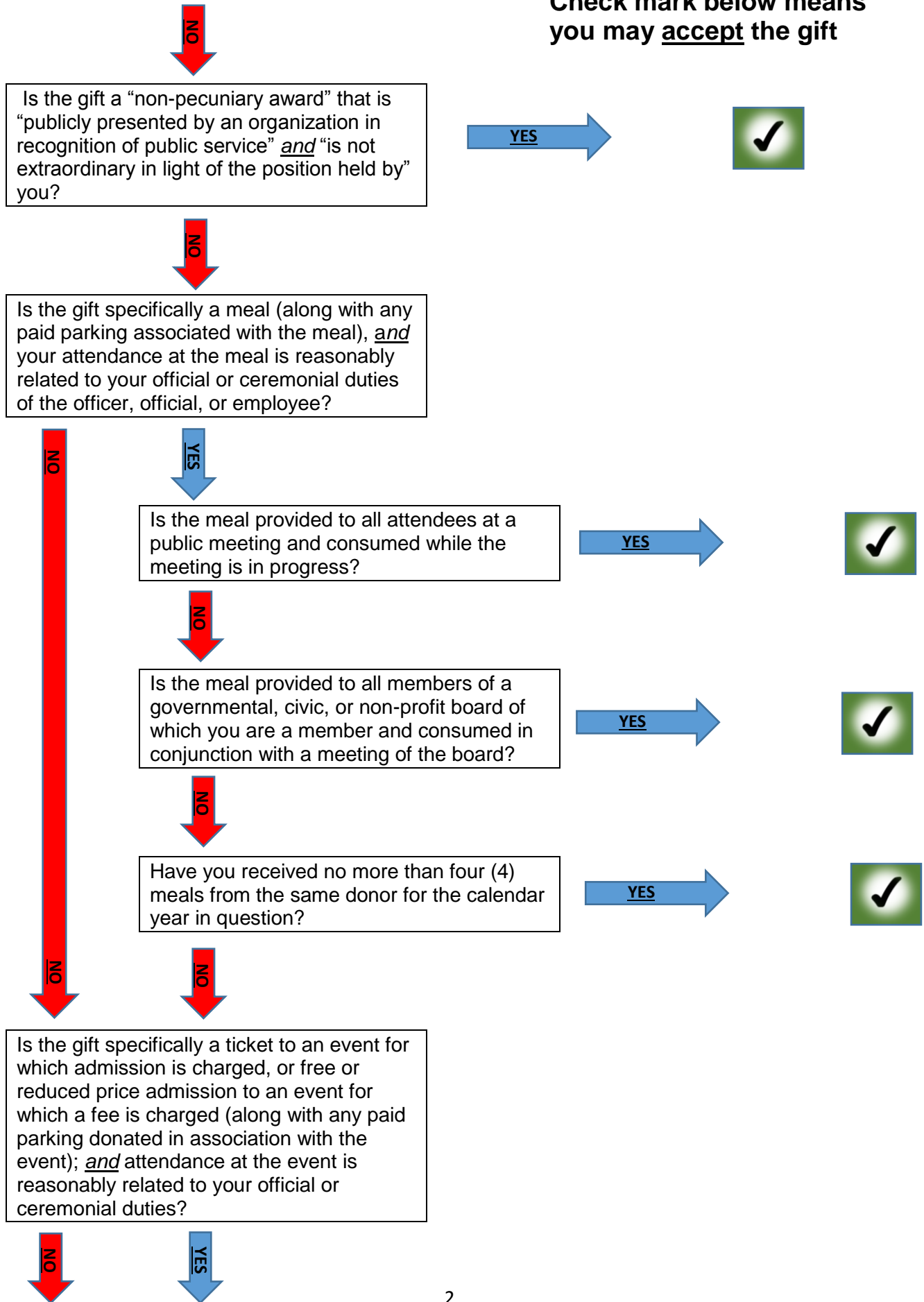
(Diagram reflects Sec. 2-60, D.R.M.C., with proposed amendments by CM Flynn)

Just answer these questions:

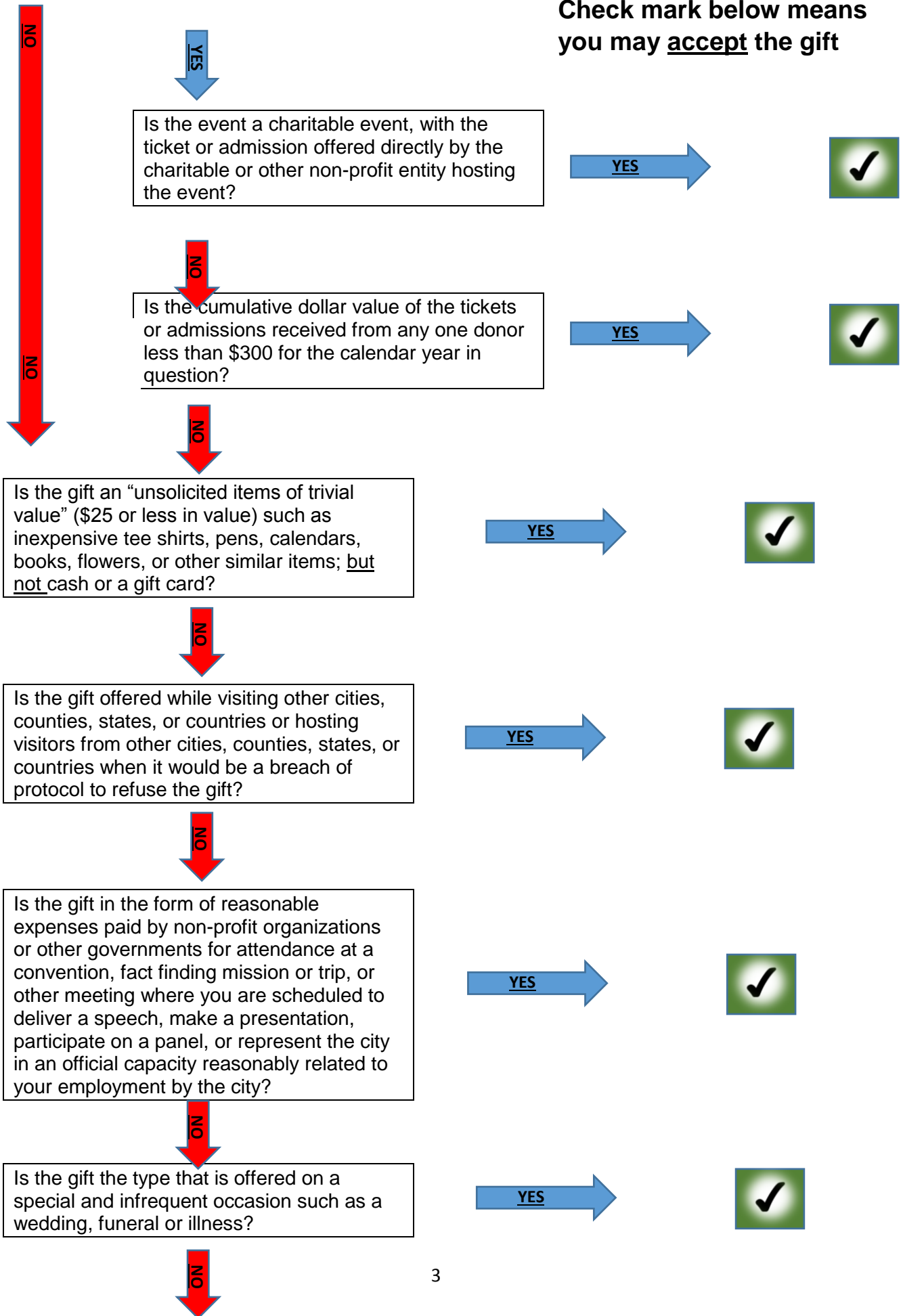
Check mark below means you may accept the gift



Check mark below means you may accept the gift



Check mark below means you may accept the gift



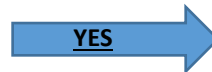
Check mark below means you may accept the gift



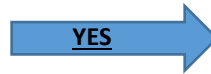
Does the gift commemorate a public event in which you participated in an official capacity, such as a ground breaking or ribbon cutting ceremony; and the gift is appropriate to the occasion?



Is the gift a membership or pass from the Denver Art Museum, Denver Botanic Gardens, Denver Museum of Nature and Science, or Denver Zoo?



Is the gift from one of your own family members?



Is the gift an item which is similarly available to all employees of the city or the general public on the same terms and conditions



YOU ARE PROHIBITED FROM ACCEPTING THE GIFT!

ⁱ The terms “**employee, officer or official**” are very broadly defined in the Ethics Code and include even persons employed by the city without compensation and unpaid members of boards and commissions.

ⁱⁱ The code defines “**immediate family**” to include: “husband, wife, son, daughter, mother, father, step-son, step-daughter, step-mother, step-father, father or mother in-law, son or daughter in-law, brother or sister in-law, aunt, uncle, nephew, niece, grandmother, grandfather, grandchildren, brother, sister, domestic partner, any person with whom he or she is cohabiting and any person to whom he or she is engaged to be married.”

ⁱⁱⁱ The word “**gift**” is not specifically defined in the Ethics Code. However, the code offers a list of nine examples of things that would be considered a gift, the broadest and most inclusive example being: “Any money, property, service, or thing of value that is given to a person without adequate and lawful compensation.”

^{iv} The code defines “**direct official action**” in regard to the donor to mean:

(1) Negotiating, approving, disapproving, administering, enforcing, or recommending for or against a contract, purchase order, lease, concession, franchise, grant, business loan or other similar instrument in which the city is a party. With regard to "recommending," direct official action occurs only if the person making the recommendation is in the formal line of decision making.

(2) Enforcing laws or regulations or issuing, enforcing, or regulating permits, licenses, benefits or payments;

(3) Selecting or recommending vendors, concessionaires, or other types of entities to do business with the city;

(4) Appointing and terminating employees, temporary workers, and independent contractors.

(5) Doing research for, representing, or scheduling appointments for an officer, official, or employee, provided that these activities are provided in connection with that officer's, official's, or employee's performance of (1) through (4) above.

Prepared by: David W. Broadwell, Asst. City Attorney, 12-20-16