

~~EL~~
~~MTC~~

ETHICS COMMISSION - CITY OF COLLEGE PARK

Advisory Opinion 94-2

June 23, 1994

Opinion prepared by Oleh Podryhula

Recently, a letter was received by the chairman of the Ethics Commission of the City of College Park requesting an advisory opinion from a person subject to Chapter 38, Code of Ethics, City of College Park (hereinafter referred to as "City Code").

By way of background, the inquisitor asks the following question regarding the application of §38-9(J) of the City Code: "Would it be a violation of that section, or any other applicable ethics rule, for city staff to distribute coupons providing a discount on parking ticket fines to all freshmen students, based solely on the fact that they are freshmen students, when other students, city residents and visitors who break our parking laws must pay the full fine?" This question arises from the inquisitor's understanding that staff currently provides a coupon, good for \$10.00 off a parking ticket fine, to every student attending freshmen orientation. The pertinent code section provides that persons enumerated in §38-2 shall not: "Grant any special consideration, treatment or advantage to any

citizen beyond that which is available to every other citizen in the same circumstances."

After notice, the Chairman and members of the Ethics Commission convened a meeting on Monday, June 13, 1994 to discuss the query. Needless to say, a healthy debate ensued and cursory informal fact finding was conducted.

The fact finding process disclosed that in order to provide an incentive for freshmen students to attend orientation sessions held at the municipal center, City employees did in fact distribute numbered coupons to persons in attendance which could be redeemed as payment toward a first parking fine received from City parking enforcement officials. The face value of the coupon is \$10.00 and is only redeemable for parking tickets obtained during the period of September 1st through December 31st of the year in which the coupons were issued and thereafter such coupons are void. Further, information revealed that this policy was made known to the then City Administrator and by memo, was made known to the then Mayor and City Council. To our knowledge, no formal action adopting or restraining the policy was taken by the Mayor and City Council. A proffered purpose for such policy was to disclose to freshmen students, provisions of certain parts of the City Code regulating, among other things, rights and responsibilities within City boundaries.