

# THREE ETHICS CODES FOR PLANNERS AND PLANNING OFFICIALS

Katie Guthrie, AICP

Michael Harper, FAICP

# Session Expectations

Session will Qualify for AICP  
Certification Maintenance (CM)

Overview of 3 Ethics' Code

- AICP Code of Ethics and Professional Conduct

- APA Ethical Principles in Planning

- Modified 'Code of the West' for Planners

Dialogue, not a Lecture

# Purpose of Ethics Code

What is purpose of adhering to an ethics code for an individual?

What is the purpose of an ethics code being promulgated by an organization?

– Is there a difference between an organization that licenses and one that certifies?

# Use of an Ethics Code

- ◆ How does an individual use an ethics code?
- ◆ How does an organization use an ethics code?
- ◆ Is it used to
  - Promote professionalism among members?
  - Select those most worthy of membership?
  - Self actualization?

# Conduct

Updated in 2005  
after a four-year  
public process  
Very similar to  
the previous code



# AICP Code Highlights

Divided into  
three sections

Aspirational  
Standards

Rules of Conduct

Procedures



# Standard



- ◆ Our primary obligation is to serve the public interest and we, therefore, owe our allegiance to a conscientiously attained concept of the public interest.....

# Example of Rule of Conduct



- ◆ We shall neither deliberately, nor with reckless indifference, misrepresent qualifications, views and findings of other professionals.

# Application of AICP Code

The AICP Code must be adhered to by members of the American Institute of Certified Planners

The AICP Code can be used as a guide by non-AICP members



# Planning

adopted May 1992

This statement is a **guide** to ethical conduct for **all** who participate in the process of planning as advisors, advocates, and decision makers. It presents a set of principles to be held in common by certified planners, other practicing planners, appointed and elected officials, and others who participate in the process of planning." [emphasis added]



# Planning

principles separated into guide for

- Planning participants

- ◆ Elected & Appointed officials
- ◆ Planning professionals
- ◆ Participating public

- APA members who are practicing planners

principles are mixture of

- Aspirational guides

- Directives



# Guides and Directives

## Inspirational guide

- Strive to expand choice and opportunity for all persons, recognizing a special responsibility to pay attention for the needs of disadvantaged groups and persons
- Pay special attention to the interrelatedness of decisions and the long range consequences of present actions

## Directive

- Participate in continuing professional education
- Accurately represent the qualifications, views, and findings of colleagues

# Principles

Members of the American Institute of Certified Planners required to adhere to Principles, also

- The Code is formally subscribed to by each certified planner. It includes an enforcement procedure that is administered by AICP. The Code however, provides for more than the minimum threshold of enforceable acceptability. It also sets aspirational standards that require conscious striving to attain.

All other participants may use



# APA Ethical Principles in Planning

Section A of the Code has 3 areas of focus:

## Our Overall Responsibility to the Public

- ◆ Our primary obligation is to serve the public interest.

## Our Responsibility to Our Clients and Employers

- ◆ We owe diligent, creative, and competent performance of the work we do.

## Our Responsibility to Our Profession and Colleagues

- ◆ We shall contribute to the development of, and respect for, our profession.



# APA Ethical Principles in Planning

## APA Ethical Principles for Planners' Responsibility to the Public:

We shall always be conscious of the rights of others.

We shall have special concern for the long-range consequences of present actions.

We shall pay special attention to the interrelatedness of decisions.

We shall provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers.

We shall give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them.

Participation should be broad enough to include those who lack formal organization or influence.

<http://www.planning.org/ethics/ethicscode.html>



# APA Ethical Principles in Planning

## APA Ethical Principles for Planners' Responsibility to the Public:

We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to provide for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.

We shall promote excellence of design and endeavor to conserve and preserve the integrity and heritage of the natural and built environment.

We shall deal fairly with all participants in the planning process. Those of us who are public officials or employees shall also deal evenhandedly with all planning process participants.



# Code of the West' for Planners

The Code of the West" was first described by the famous western writer, **Zane Grey**, in his 1934 novel *The Code of the West*. While no "written" code ever actually existed, hardy pioneers who lived in the West were bound by unwritten rules that centered on hospitality, fair play, loyalty and respect for the land.

**Samson Adams**, a Western historian, once explained it in his 1969 book, *The Cowman and His Code of Ethics*, saying, in part:

- ◆ "Back in the days when the cowman with his herds made a new frontier, there was no law on the range. Lack of written law made it necessary for him to frame some of his own, thus developing a code of behavior that became known as the "Code of the West."



# Code of the West' for Planners

Inspirational Standard states our primary obligation is to serve the public interest.

Code of the West would suggest we operate under the "greatest good for the greatest number" ideal.

Rule of Conduct states we shall neither deliberately or with reckless indifference, misrepresent the qualifications, views and findings of other professionals.

Code of the West would encourage honesty always and in all matters.



# Code of the West' for Planners

Inspirational Guide requests us to pay special attention to the interrelatedness of decisions and their long range consequences of present actions.

Code of the West would require one to take the time to see the whole picture (weather, location, animal temperament, etc) then put your best foot forward.

Directive for practicing planners requires continuing professional education.

Code of the West would assert you stop learning when you're 6-feet under.



# Code of the West' for Planners

Remove your guns before sitting at the dining table.

Firearms are frowned upon at planning commission meetings.

A cowboy always helps someone in need, even a stranger or an enemy.

A planner always helps someone in need, even a developer or a realtor.

Don't make a threat without expecting dire consequences.

Don't make a threat without expecting to hear from the developer's attorney.

Never pass anyone on the trail without saying "Howdy."

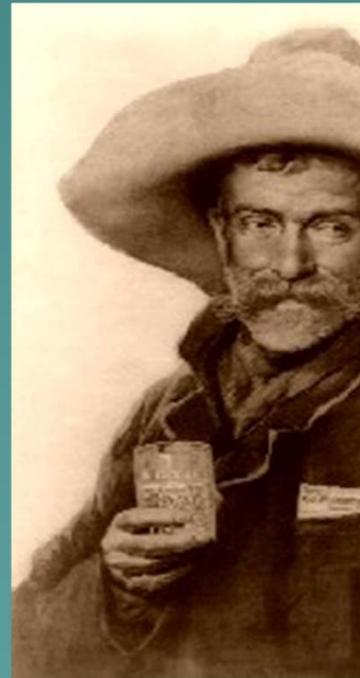
Never pass anyone in the hall without saying "Hi."

Do not practice ingratitude.

Do not plan with an attitude.

Always fill your whiskey glass to the brim.

Always fill your coffee to the rim with Brim.



# Code of the West' for Planners

A cowboy is loyal to his "brand," to his friends, and those he rides with. A planner is loyal to his community, his friends & those he lunches with. No matter how weary and hungry you are after a long day in the saddle, always tend to your horse's needs before your own, and get your horse some feed before you eat.

No matter how weary and hungry you are after a long council meeting, always tend to your elected officials' needs and organize the project file before heading for home.

Don't complain about the cooking and you become the cook.

Don't complain about the community and you become the planner.



# Code of the West' for Planners

Never order anything weaker than whiskey.

Never order anything weaker than a triple Americano with room.

Don't wave at a man on a horse, as it might spook the horse. A nod is the proper greeting.

Don't wave at the camera during televised council meetings, as it might spook the folks at home. A nod is a proper greeting.

Consideration for others is central to the code, such as: Don't stir up dust around the chuck wagon, and don't wake up the wrong man for floor duty.

Consideration for others is central, such as:

Don't leave dirty dishes in the lunchroom

and don't call the wrong planner for floor duty.



# Code of the West' for Planners

A cowboy is pleasant even when out of sorts. Complaining is for quitters and cowboys hate quitters.

A planner is pleasant even when out of sorts. Complaining is Public Works' job!

Always be courageous. Cowards aren't tolerated in any outfit worth the salt.

Daniel Burnham said it best, "Make no small plans, they have no more to stir the soul."

Respect the land and the environment by not smoking in hazardous areas, disfiguring rocks, trees, or other natural areas.

Attitude for planners.

John Wayne, an enduring American icon of the West was quoted as saying, "A man's got to have a code, a creed to live by, no matter his job."



# Enforcement of AICP Code

We adhere to the following Rules of Conduct, and understand that our Institute will enforce compliance with them. If we fail to adhere to these Rules, we could receive sanctions, the ultimate being the loss of our certification."

In brief, our Code Procedures (1) describe the ways that one may obtain either a formal or informal advisory ethics ruling, and (2) detail how a charge of misconduct can be filed, and how charges are investigated, prosecuted, and adjudicated."



# AICP Code Procedures

## Enforcement

Allegation of violation can be filed

- ◆ By AICP member or any other person
- ◆ With identification of person filing allegation, or anonymously
  - Anonymous filer does not receive results of investigation

Process after alleged violation filed

- ◆ Investigation by Ethics Officer (Paul Farmer, current AICP Executive Director)
- ◆ Results provided to person alleged to violate code of ethics, AICP Ethics Commission, AICP Commission, and person filing allegation (if not anonymous)

# AICP Code Procedures

Consequence of Finding of Violation

Private Censure

Published Censure

Dismissal from AICP



# AICP Code Procedures

Formal advice

Only the Ethics Officer (AICP Exec. Dir.)

It's binding

Findings within 21 days

Forwarded to the Ethics Committee

Informal advice

Ethics Officer (AICP Exec. Dir.)

State PDO



# Enforcement of APA Principles

no formal enforcement procedures by AP  
some appointed recommending/decision  
making bodies have incorporated Princip  
into procedures and practices adopted by  
local body

- If Procedures and Practices have  
enforcement provisions, some of the APA  
Principles' directives might be used for tak  
action against a member



# 'Code of the West'

Failure to abide by the Code of the West did not bring formal punishment per se, but the cowboy who broke it:

- ◆ was alienated by all others
- ◆ was 'hazed into the cutbacks'
- ◆ became a social outcast

Enforcement of the Code typically included an interesting blend of courtesy and violence - there were many twists in the of enforcement of the Code.

Putting fences and fencing off access rivers often lead to blood shed. Anyone caught with a stolen mount could expect to be hanged from the nearest tree.



# Enforcement of the 'Code of the West'

rancher who demanded payment for a meal from two out-of-work hands often found the message "Meals--50cts," branded on the side of his steers.

A notorious gunman or gambler might be shot in full view of witnesses and the shooter never called to account. But if a respectable citizen was the victim, the killer would most likely be hanged.

Paid gunfighters guarded cattle herds and stagecoach lines.

Impromptu posses hunted down bandits and vigilance committees dispensed unofficial justice.





Thank you for your participation in  
this session!