



Della G. Rucker, AICP
Jacobs Edwards and Kelcey

**AICP Ethics in
Action:**

***What would
you do?***

David J. Allor Planning and
Zoning Workshop

Ohio Planning Conference,
Cincinnati Section

October 19, 2007

What Is the AICP Code of Ethics?

- A statement of standards according to which professional planners are supposed to operate.
 - “A guide to the ethical conduct required of members of the American Institute of Certified Planners.”
 - “The Code also aims at informing the public of the principles to which professional planners are committed.”
- When you become AICP, you are agreeing to adhere to these ethical standards.
- Revised periodically by member committees; last revision was in 2005.



What does the Code of Ethics say?

Three parts:

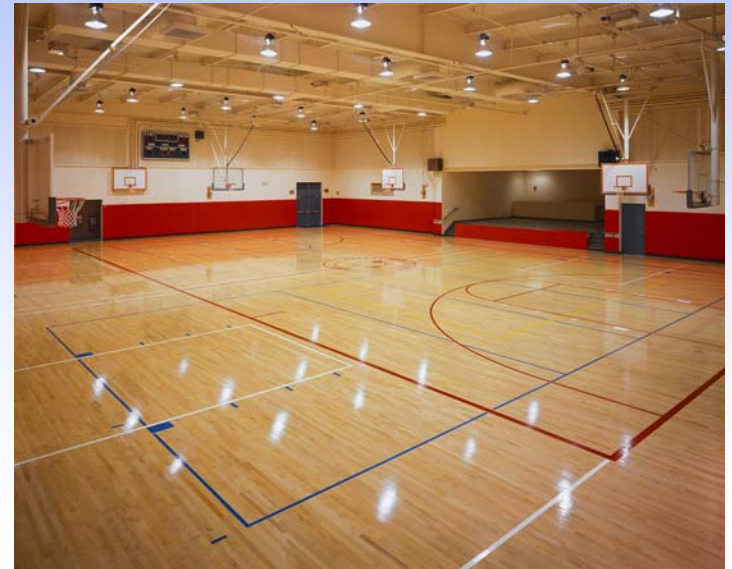
- **Part A: “Principles to Which We Aspire”**
 - “We shall...”
- **Part B: “Our Rules of Conduct”**
 - More “We shall...” But more specific.
 - Mix of ethical standards and “don’t break the law”
- **Part C: “Our Code Procedures”**
 - Review/hearing process
 - Note that B can be enforced, but not A



So... what do you do with all that?

Here's our process:

1. Divide up (just like gym class...)
2. Get your scenario
3. Appoint a recorder and a presenter
4. Answer your questions – consensus required!
5. Get ready to present.



Scenario A:



You are the City Planning Director. The local airport authority, which is operated jointly by the City and County, is proposing an expansion to the airport. The airport serves general aviation, such as private pilots, helicopters and commuter jets. The city's Comprehensive Plan identifies this site as a future nature park because of its wetlands and its proximity to a school. But the county's Economic Development Director asserts that the airport has to be expanded to attract new businesses. Your county has been hit by some downsizing and could certainly use some new businesses. The Economic Development Director has a close working relationship with the County Commissioners, who value his insight. Your City Council is divided.

- What is the potential ethical dilemma in this scenario?
- What does the AICP Code of Ethics have to say that is relevant to this situation?
- What is the most ethical position for you to take?
- What is the most ethical way for you to manage this situation?
- What do you think would be the most effective way to resolve this? How does that agree with or differ from the ethical approaches you identified before?

Scenario B:



You are a consultant. A city has issued a Request for Proposals for a comprehensive plan. The city has included no information regarding the budget for the project, but they are requiring a cost proposal. Since the City's budget is a public record, you are able to determine approximately how much money the planning department has available for studies in the current budget year. Based on your understanding of the extent of the services they desire, you do not think that their budget is adequate. You would like to work with this community, but there are several other firms that are likely to submit proposals (and at least one has a reputation among other consultants for purposely low-balling cost proposals and then demanding more money later).

- What is the potential ethical dilemma in this scenario?
- What does the AICP Code of Ethics have to say that is relevant to this situation?
- What is the most ethical position for you to take?
- What is the most ethical way for you to manage this situation?
- What do you think would be the most effective way to resolve this? How does that agree with or differ from the ethical approaches you identified before?
- Was it ethical of you to look up the budget?

Scenario C:



You are the city Community Development Director. There is a property with significant environmental contamination near your downtown. The property is owned by an elderly and cantankerous widower who refused to do anything to remediate the property. It is likely, but not known, that the costs to clean up the site exceed the property's current value. This property is having a serious negative impact on the historic area surrounding it. Your Comprehensive Plan identified this area as a priority for commercial redevelopment, and you are working on rezoning it as part of a comprehensive zoning overhaul.

While you are in process on this, a developer approaches you. The developer is interested in rehabilitating the property for retail development, but she claims that she cannot afford to do the redevelopment if the property owner thinks he can get retail price per square foot for the property. She wants you to hold off on rezoning until she gets the property under contract.

- What is the potential ethical dilemma in this scenario?
- What does the AICP Code of Ethics have to say that is relevant to this situation?
- What is the most ethical position for you to take?
- What is the most ethical way for you to manage this situation?
- What do you think would be the most effective way to resolve this? How does that agree with or differ from the ethical approaches you identified before?
- Does your answer change if you live in the historic neighborhood that is being impacted?

Scenario D:



You are the zoning director in a fast-growing community, and in your spare time you serve as a volunteer board member for a downtown revitalization nonprofit corporation. The corporation has lost a major corporate funder, and all of the board members are under intense pressure to raise additional donations. You are debating asking some of the developers you know. They have plenty of money, they are one of the most affluent industries in the area, and you know all of them personally and cordially. No one else would be as effective as you in convincing them to donate. But you have heard a story about a board member in another town who was a judge and received a reprimand from the Bar Association because she got some of the local defense attorneys to donate, and some people claimed they were coerced because she was in a position of power over them. You are deeply invested in the nonprofit's vision, and the organization really needs the money.

- What does the AICP Code of Ethics have to say that is relevant to this situation?
- What is the most ethical position for you to take?
- What is the most ethical way for you to manage this situation?
- What do you think would be the most effective way to resolve this? How does that agree with or differ from the ethical approaches you identified before?
- Under what circumstances is it OK for you to do fundraising?

Scenario E:



You are a senior staff member for the County Planning Commission. At a public hearing on the Department budget, you are shocked to hear one of the County Commissioners completely misinterpret some of the cost data in the previous year's budget report. You know that the full set of data indicates that your department's costs have risen, but the Commissioner is citing that data selectively and using it to indicate that costs have not risen. You do not know if the Commissioner is misunderstanding the data or intentionally misrepresenting it. No one knows that you know this.

- What is the potential ethical dilemma in this scenario?
- What does the AICP Code of Ethics have to say that is relevant to this situation?
- What is the most ethical position for you to take?
- What is the most ethical way for you to manage this situation?
- What do you think would be the most effective way to resolve this? How does that agree with or differ from the ethical approaches you identified before?
- Would it make a difference if it was your department head who was making the presentation, rather than an elected official? How would that change your response?

Hmmm....

- **What common characteristics do you notice among the responses?**
- **What seemed to take precedence the majority of the time: the AICP Ethics code, some other ethical standard, or expediency?**
- **Which Scenario seemed easiest? Why?**
- **Which Scenario seemed most difficult? Why?**
- **What do *you* think is the most important thing to learn about the AICP Code of Ethics?**



Other Insights? Good ideas?



Thank you!

For more information:

**Della G. Rucker, AICP
Jacobs Edwards and Kelcey**

**895 Central Ave. Suite 800
Cincinnati, OH 45202**

Phone: 513-272-5531

Fax: 513-272-5522

Della.Rucker@Jacobs.com

