

ORDINANCE NO. **BG2015 - 11**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 25 (CODE OF ETHICS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO AMEND SUBCHAPTERS RELATED TO GIFTS AND OTHER ADMINISTRATIVE REVISIONS AS RECOMMENDED BY THE BOARD OF ETHICS

WHEREAS, the City of Bowling Green Board of Ethics met for a regular meeting on March 24, 2015 and is recommending amendments to the Code of Ethics to revise language in Subchapters 25-2 (Definitions), 25-8 (Gifts) and 25-12 (Financial Disclosure); and,

WHEREAS, the proposed amendments as recommended by the Board of Ethics are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 25 (Code of Ethics) is hereby amended as follows:

25-2 DEFINITIONS.

...

“City Agency” for purposes of this Chapter means those agencies whose board of directors is appointed entirely by the City of Bowling Green, that receive funding directly from the City or whose board members are expected to comply with the same requirements as City officials and employees, i.e., Bowling Green Municipal Utilities, Bowling Green Code Enforcement and Nuisance Board, Bowling Green Audit Committee [~~], Bowling Green Enterprise Community, Inc. Board of Directors~~] and Hobson House Commission.

...

25-8 GIFTS.

1. No public official, employee or board member of a City agency as defined hereinabove shall solicit directly or indirectly any gratuity regardless of value from any person

(Ordinance No. BG2015 - 11)

and not for any intended or actual personal gain or benefit.

2. No public official, employee or board member of a City agency as defined shall accept directly or indirectly any gratuity, regardless of value, which is offered based upon any understanding that the vote, official act, or judgment of the public official, employee or board member would be influenced thereby or if it may reasonably be inferred that the purpose of the gift was to influence the action of the public official or employee or board member or to affect the performance or nonperformance of an official act or that the gift-giver has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official act.

3. Subject to the above prohibitions, a public official, employee or board member of a City agency as defined may accept unsolicited gratuities of a value up to and including [~~fifty~~ dollars] one hundred dollars (~~[\$50.00]~~ \$100.00).

4. Public officials, employees and board members of city agencies as defined may accept gratuities without regard to value when such gratuities are offered to the City or City agency and are accepted on behalf of the City or City agency, with the gratuity to remain the property of the City or City agency.

5. Public officials, employees and board members of city agencies as defined may accept, regardless of value, actual and reasonable out-of-pocket expenses incurred and admission to events to which they are invited in their official, representative capacity as an official of the City or City agency and may accept noncash gratuities valued at no more than \$100.00 offered in appreciation for that official or employee speaking or making any presentation before any group.

(Ordinance No. BG2015 - 11)

25-12 FINANCIAL DISCLOSURE.

...

2. Members of the board of the appropriate city agencies, as defined in Section 25-2 above, and members of the boards of any other entity that receives State or Federal money through the City of Bowling Green~~[, including but not limited to the Greenways Commission of Bowling Green and Warren County and Downtown Redevelopment, Inc.,]~~ will be required to sign a sworn Conflict of Interest Statement. This statement will note that some board members, because of their interest in that particular board, property of ownership, business interests and other reasons may gain personal or professional benefits from their service to that board. The statement will also require the board member to state that neither they nor any member of their family shall derive any benefit or profit from inside information obtained in closed sessions of that board. The board member shall further be required to disclose in open session meetings any potential conflict of interest regarding an issue before the board, abstain from any discussion on that issue, leave the meeting room prior to any closed session on that issue and shall abstain from voting on that issue.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on April 21, 2015, and given final reading on May 5, 2015, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

(Ordinance No. BG2015 - 11)

ADOPTED: May 5, 2015

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Schaller
City Clerk

SPONSORED BY: Kevin D. DeFebbo, City Manager, 03/24/2015, 4:15 p.m.