

ORDINANCE NO. BG2018 - 40

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTERS 2
(ADMINISTRATION), 18 (OCCUPATIONAL
LICENSE FEES AND TAXES) AND 25 (CODE OF
ETHICS) OF THE CITY OF BOWLING GREEN
CODE OF ORDINANCES TO REFLECT CHANGES
IN ORGANIZATIONAL STRUCTURE

WHEREAS, with the recent establishment of positions related to Assistant City Manager/Chief Financial Officer and City Clerk, and moving purchasing back under the Finance Department, revisions to the Code of Ordinances are recommended; and,

WHEREAS, it is in the best interest of the City to approve these revisions to Chapter 2, Chapter 18 and Chapter 25 to align with the new departmental organizational structure for the Office of City Manager and Department of Finance; and,

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

1. Chapter 2 (Administration) of the Code of Ordinances is hereby amended as follows:

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2-4 DEPARTMENTAL ORGANIZATION OF CITY.

2-4.01 Departments, Divisions, Offices Established; Enumerated.

The following named departments, divisions and offices are hereby established for the administration of the affairs of the City:

- a. Office of City Manager.
 1. Office of [~~Assistant City Manager~~]/City Clerk.
 2. Office of Internal Auditor.
 3. Office of Public Information.
- b. Department of Finance.
 1. Assistant City Manager/Chief Financial Officer.

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2. ~~[Treasury]~~ Revenue Division.

~~[3. License Division.]~~

~~3~~[4]. Accounting ~~[and Payroll]~~ Division.

4. Procurement Division.

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2-5 OFFICE OF CITY MANAGER.

2-5.01 Office of City Manager.

As chief administrative officer, the City Manager shall carry out those duties and responsibilities assigned to his office by ordinance and State law. He shall coordinate the activities of all departments and agencies of the City. All requests for appropriations shall be approved by the City Manager.

2-5.02 Office of ~~[Assistant City Manager/]~~City Clerk.

~~[a.]~~The ~~[Assistant City Manager/]~~City Clerk shall be responsible for the performance of all acts and duties assigned to the City Clerk by State law, ordinances and City regulation. This office shall be responsible for maintaining the official records of the City of Bowling Green~~[,]~~ and recording the actions of the Board of Commissioners and other assigned boards or commissions of the City~~[,]~~ and ~~coordinating and managing the budget process, including the planning and preparation of the annual operating budget~~].

~~[b. The Purchasing Agent shall operate under the Office of Assistant City Manager/City Clerk and shall be responsible for ensuring compliance with applicable City, State and federal regulations and laws with regard to purchasing activities.]~~

2-5.03 Office of Internal Auditor.

The Internal Auditor shall be responsible for the examination, investigation and analysis of internal controls for City operations.

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2-5.04 Office of Public Information.

The Executive Assistant/Public Information Officer shall be responsible for the dissemination of public information to create a positive image of City government by informing citizens through various means, including but not limited to the City's cable government access channel and social media websites, about the projects, programs and people associated with local government. This office is also responsible for the planning, coordinating and fulfillment of the City government's public relations activities, such as special events, informational programming, promotional literature, news releases and similar related matters.

2-6 DEPARTMENT OF FINANCE.

2-6.01 Assistant City Manager/Chief Financial Officer.

a. The Assistant City Manager/Chief Financial Officer (ACM/CFO) shall be in charge of the Department of Finance subject to the supervision of the City Manager. The ACM/CFO [~~Chief Financial Officer~~], with the assistance of the Assistant Chief Financial Officers, shall be responsible for the general supervision of all financial affairs of the City[, ~~including but not with limitation nor restriction, accounting, auditing, financial reporting, multi-year financial forecasting and custodianship of receipts and expenditures, tax assessment, billing and collection, payroll activities and all other related duties as may be required~~]. The ACM/CFO shall also be responsible for coordinating and managing the budget process, including the planning and preparation of the annual operating budget, developing the multi-year capital improvement plan, and managing project finances and bidding.

b. The Assistant City Manager/Chief Financial Officer is also hereby designated as the City Treasurer for the City of Bowling Green and shall be responsible for the performance of all acts and duties assigned to the City Treasurer by State law, ordinances and City regulations[, ~~including the preparation of budgetary revenue forecasts and monitoring revenue estimates against actual collections~~].

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2-6.02 [Treasury] Revenue Division.

The [Treasury] Revenue Division, managed by the Assistant Chief Financial Officer, shall be responsible for the billing, collection and recording of all City receipts, including occupational license fees, property taxes, special assessments, transient room taxes and other miscellaneous municipal receipts. Within the Division, the Office of Occupational License, managed by the Occupational License Manager, is responsible for the registration of individuals, partnerships, limited liability companies, corporations, and other entities undertaking business activity inside the corporate limits of the City, enforcing the City's occupational license fee codes, and auditing of employee withholding tax and net profit license fee. Furthermore, this Division works with the Alcoholic Beverage Control Administrator in the collection of all alcohol license fees.

~~[2-6.03 — License Division.~~

~~The License Division, managed by the Occupational License Manager, shall be responsible for the registration of individuals, partnerships, limited liability companies, corporations, and other entities undertaking business activity inside the corporate limits of the City and enforcing the City's occupational license fee codes, including the billing and auditing of employee withholding taxes and net profit license fees. This Division also works with the Alcoholic Beverage Control Administrator in the collection of all alcohol license fees.]~~

2-6.03[4] Accounting [~~and Payroll~~] Division.

The Accounting [~~and Payroll~~] Division, managed by the Assistant Chief Financial Officer, shall provide the necessary accounting controls for all City departments, manage the City's accounts payable processes, and manage the City's compensation systems, including the distribution of payroll checks and/or direct deposits, processing related payments and processing special payrolls, and serving as plan administrator for the closed Police and Firefighter's Retirement Fund. The Division shall be responsible for the daily operation and management of the City's accounting, accounts payable and

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payroll activities, plus maintaining the official general ledger, including accounting entries, budget transfers, budget amendments, bank reconciliations, preparation of financial statements and financial reporting.

2-6.04 Procurement Division.

The Procurement Division, managed by the Procurement Manager, shall be responsible for ensuring compliance with applicable City, State and Federal regulations and laws with regard to purchasing activities and disposition of surplus assets and property.

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2. Chapter 18 (Occupational License Fees and Taxes) of the Code of Ordinances is hereby amended as follows:

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18-1.02 Occupational License Application and Registration Fee Required.

a. Each business or business entity engaged in any occupation, trade, profession or other business activity conducted for gain or profit in the City, except those activities described hereinbelow as Transient Businesses, Transient Professional Services, Peddlers and Transient Contractors, shall first make application in writing to the Chief Financial Officer through the Office of Occupational License [~~Division~~] on forms provided by the City before the applicant shall be authorized to do business. A one-time occupational license registration fee of fifty (\$50.00) dollars shall be made at the time of application. A business changing its name shall notify the Chief Financial Officer of the name change, but shall not be required to pay a new occupational license registration fee. Licensees are required to notify the city of any changes in address, the cessation of business or any other changes which render the information supplied to the City in the license application inaccurate. Businesses changing entity type shall complete an application and pay the registration fee under the new entity name.

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18-2.04 Issuance of Permit, Duration and Identification.

a. A representative of a transient business, transient professional service, peddler or transient contractor desiring to engage in business within the City shall first make application in writing to the Chief Financial Officer through the Office of Occupational License [~~Division~~] on forms provided by the City before the applicant shall be authorized to do business. Such application shall state the name, permanent address and telephone number of the business, entity type and federal identification number of the business, and the name, address, telephone number, social security number and other personal data of every business representative to be engaging in activity in the City and the type or nature of the goods or services to be provided.

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18-3.02 Work Permit Card Required.

Each dancer performing at establishments holding an alcohol beverage control license and governed by the provisions of Chapter 4 (Alcoholic Beverage Control) of the City's Code of Ordinances who is either an employee or contract labor shall make application for a work permit card to the Chief Financial Officer through the Office of Occupational License [~~Division~~] before conducting such business in the City. The work permit card fee shall be a one-time fee of one hundred (\$100.00) dollars and shall be issued subject to the provisions set forth in Chapter 24 (Sexually Explicit Business License Regulations) of the City's Code of Ordinances. Any request for a replacement work permit card shall be subject to a fee of twenty-five (\$25.00) dollars. Such dancers working as contract labor shall be exempt from the other provisions as set forth in this Chapter.

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3. Chapter 25 (Code of Ethics) of the Code of Ordinances is hereby amended as follows:

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25-6 OFF-DUTY EMPLOYMENT.

1. A public official or employee shall not accept any employment or enter into any contracts that result in a conflict of interest with their duties as an official or employee of the City.
2. An employee of the City may be self-employed or may take occasional or part-time jobs if, in the opinion of his or her department head, there is no conflict with working hours, the employee's efficiency in his or her City work, or other interests of the City.
3. Employees wishing to take off-duty employment shall have the written approval of their department head.
4. Management level positions (Directors of the Departments of Finance, Human Resources and Risk Management, Information Technology, Law, Neighborhood and Community Services, Public Works, Parks and Recreation, Police and Fire, and the [~~Assistant City Manager/City Clerk and~~] Internal Auditor) shall notify the City Manager prior to creating, contracting with, or being employed by any agency or business firm other than the City. The City Manager shall provide written approval or disapproval, which shall be forwarded to the Board of Commissioners. Any request by the City Manager shall receive prior approval by the Board of Commissioners.

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25-12 FINANCIAL DISCLOSURE.

1. The following classes of public officials and employees of the City shall file an annual statement of financial interests with the Board of Ethics:
 - A. Elected City Officials.
 - B. City Manager and Department Heads.
 - ~~C. Assistant City Manager/City Clerk.~~
 - C~~[D]~~. Assistant Chief Financial Officer(s).
 - D~~[E]~~. Internal Auditor.

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E[F]. Candidates for elected office.

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4. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

5. Any and all written policies, procedures, forms or official documentation that are inconsistent with this Ordinance are hereby amended to reflect the appropriate changes approved herein.

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

7. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on September 4, 2018, and given final reading on September 26, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: September 26, 2018

APPROVED: Bruce Wilkinson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 08/28/2018, 7:30 a.m.