

ORDINANCE NO. **BG2011 - 50**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 25 (CODE OF ETHICS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO AMEND THE SUBCHAPTER DEALING WITH STANDARDS OF CONDUCT AND TO MAKE RELATED AMENDMENTS

WHEREAS, the Ethics Board recommended amendments to the Code of Ethics to add language in the Subchapter, Standards of Conduct, and to make related changes; and,

WHEREAS, the Board of Commissioners reviewed those recommendations and made modifications to the recommendations; and,

WHEREAS, the proposed amendments as recommended by the Board of Commissioners 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:

25-3 PUBLIC OFFICIAL AND EMPLOYEE CONDUCT.

1. Public officials and employees must in all instances maintain their conduct at the highest standards. ~~No public official or employee shall continue in his or her City position or employment when he or she engages in activities which are found more than likely to lead to the diminishing of the integrity, efficiency or discipline of the City service.~~

2. No public official or employee or a person seeking to become a public official or employee shall make any false statement, certificate, mark, rating or report in regard to any test, certification, appointment or investigation, or in any manner commit any fraud, conceal any wrongdoing or knowingly withhold information about wrongdoing in connection with employment or service with the City or in connection with the work-related conduct or service of any City public official or employee.

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25-4 STANDARDS OF CONDUCT

No public official or employee of the City or members of the board of any City agency as defined hereinabove shall knowingly:

1. Engage in any business or transaction or have a financial or other personal interest, *direct or indirect, which is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties;*

2. Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his independence of judgment or action in the performance of his or her official duties;

3. Disclose confidential information concerning the property, government or affairs of the governmental body for which he or she serves or is employed without proper legal authorization, or use such information to advance the business, financial or other private interests of himself or herself or others. Information shall be deemed confidential if it is not subject to disclosure pursuant to the Kentucky Open Records Act at the time of its use or disclosure;

4. Accept any valuable gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City; provided, however, that any such public official or employee who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;

5. Represent private interests in any action or proceeding before the governmental body for which he or she serves or is employed without consulting and receiving written consent from the City. This standard of conduct shall not be construed to prevent a public official or employee

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from appearing, without compensation, before any governmental body of the City to express his or her personal views as a private citizen. No elected official shall be prohibited from making any inquiry for information on behalf of a constituent, if no compensation, reward or other thing of value is promised to, given to, or accepted by the official, whether directly or indirectly, in return for the inquiry;

6. Use or attempt to use his or her official position to secure special privileges, exemptions, personal or financial gain, or to avoid consequences of illegal acts for himself or herself, any family member, or others;

7. Become delinquent for a period of more than 45 days to the City or to any city board or agency; or

8. Vote to be reimbursed for funds expended in the performance of duties related to the City or City Agency; or

9. Engage in illegal or unethical behavior, whether committed on or off duty, including, but not limited to:

a. conduct that violates a federal, state or local law or ordinance, (excluding traffic violations) whether or not the violation relates directly to the duties of the public official;

b. conduct that violates City policies related to theft or misuse of public funds or property; or

c. conduct that violates City ordinances and regulations applicable to the general public including, but not limited to, the property maintenance code, the zoning ordinance and the payment of property tax, net profit license fees and occupational license fees.

2. 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.

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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 December 6, 2011, and given final reading on December 20, 2011, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: December 20, 2011

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Shaole
City Clerk

SPONSORED BY: Mayor Bruce Wilkerson and Commissioner Bill Waltrip, 11/28/2011, 4:05 p.m.