

Smiths
CITY OF Grove, KENTUCKY

ORDINANCE NO94-1 210.1

An ordinance establishing a code of ethical conduct applicable to the officers and employees of the city and city agencies.

SECTIONS 1-4.

Set forth the title of the ordinance; the findings of the legislative body declaring the merits of the code of ethics; the purpose and authority; and definitions of words and phrases as used in the code of ethics.

STANDARDS OF CONDUCT

SECTIONS 5.

Sets forth standards of conduct related to conflicts of interest in general.

SECTION 6.

Subsection (A). Sets forth standard of conduct related to conflicts of interest in contracts between officers and employees of the city and the city itself.

Section (B). Establishes a penalty and reads in full as follows:

Any violation of this section shall constitute a Class A misdemeanor, and upon conviction, the court may void any contract entered into in violation of this section. Additionally, a violation of this section shall be grounds for removal from office or employment with the city accordance with any applicable provision of state law and ordinances, rules or regulations of the city.

SECTIONS 7-11.

Set forth standards of conduct of officers and employees related to receipt of gifts; the use of city property, equipment and personnel; the representation of interests before city government; the misuse of confidential information; and post-employment restrictions.

FINANCIAL DISCLOSURE

SECTIONS 12-17

Set forth who must file a financial interest statement; when it must be filed; the form of the financial interests statement; the official custodian of the statements; the contents of the statement; and the procedure for notifying those who fail to file the statement.

SECTIONS 17(B) establishes a penalty and reads in full as follows:

Any person who fails or refuses to file the statement or who fails or refuses to remedy a deficiency in the filing identified in the notice under subsection (A) within the time period established in the notice shall be guilty of a civil offense and shall be subject to a civil fine imposed by the Board in an amount not to exceed twenty-five dollars (\$25) per day, up to a maximum total civil fine of five hundred dollars (\$500). Any civil fine imposed by the Board under this section may be recovered by the city in a civil action in the nature of debt in the offender fails or refuses to pay the penalty within a prescribed period of time.

SECTION 17(C) establishes a penalty and reads in full as follows:

Any person who intentionally files a statement of financial interests which he or she knows to contain false information or intentionally omits required information shall be guilty of a Class A misdemeanor.

NEPOTISM

SECTION 18.

Set forth guidelines concerning the employment of family members of officers and employees of the city.

SECTIONS 19-20

Pursuant to the Memorandum of Agreement setting forth the **Barren River Regional Board of Ethics**, all authority of the establishment of procedures for formation and maintenance of the **Barren River Board of Ethics** appropriate thereto are hereby delegated provided; the filing and investigation of complaints; the notice of hearings; the hearing procedure; the appeals process; the time frame in which a violation may be prosecuted; the rendering of advisory opinions and the prohibitions against reprisals directed towards anyone disclosing a potential violation of the code.

SECTION 21

Establishes penalties and reads in full as follows:

(A) Except when another penalty is specifically set forth in this ordinance, any officer or employee of the city or any city agency who is found by the Barren River Board of Ethics to have violated any provision of this ordinance shall be deemed guilty of a civil offense and may be subject to a civil fine imposed by the Board of Ethics not to exceed one thousand dollars (\$1,000), which may be recovered by the city in a civil action in the nature of the a debt if the offender fails to pay the penalty within a prescribed period of time.

(B) In addition to all other penalties which may be imposed under this ordinance, any officer or employee of the city or any city agency who is found by the Board of Ethics to have violated any provision of this ordinance shall forfeit to the city or city agency an amount equal to the economic benefit or gain which the officer or employee is determined by the Board to have realized as a result of the violation. The amount of any forfeiture may be recovered by the city in a civil action in the nature of a debt, if the offender fails to pay the amount of forfeiture within a proscribed period of time.

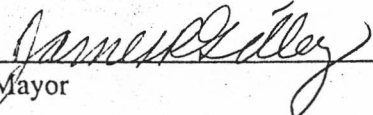
(C) In addition to all other penalties which may be imposed under this ordinance, a finding by the Board of Ethics that an officer or employee of the city or any city agency is guilty of a violation of this ordinance shall be sufficient cause of removal, suspension, demotion, or other disciplinary action by the executive authority of the city or city agency, or by any other officer or agency having the power of removal or discipline. Any action to remove or discipline any officer or employee for a violation of this ordinance shall be taken in accordance with all applicable ordinances and regulations of the city and all applicable laws of the Commonwealth.

SECTIONS 32-34.

Set forth a severability clause; provides for the repeal of conflicting ordinances; and establish an effective date of the ordinance.

Given first reading on the 28th day of November, 1994.

Given second reading and duly enacted by the legislative body of the city of Smiths Grove on the 29th day of November, 1994.



Mayor

ATTEST:



City Clerk

IT IS HEREBY CERTIFIED that the above summary of Ordinance No. 94-1210.1 of the City of Smiths Grove, Kentucky, has been prepared in accordance with the requirements of KRS 83A.060(9) by the undersigned, who is an attorney licensed to practice law in the Commonwealth of Kentucky.



Attorney