

ORDINANCE NO. 344-0405

**AN ORDINANCE REGULATING THE CONDUCT, POLITICAL ACTIVITIES
AND ACCEPTANCE OF GIFTS BY OFFICERS AND EMPLOYEES OF THE
VILLAGE OF MENDON, ILLINOIS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Mendon, Adams County, Illinois, as follows:

SECTION 1. The purpose of this Ordinance is to implement the provisions of the State Officials and Employees Ethics Act, 5 ILCS 430/1-1, et seq. regulating ethical conduct, political activities and the solicitation and acceptance of gifts by officers and employees of the municipality.

SECTION 2. **Definitions.**

2.1 As used in this Ordinance, "**Officer**" means an elected or appointed official of the Village of Mendon, regardless of whether the official is or is not compensated.

2.2 As used in this Ordinance, an "**Employee**" means a full-time, part-time or contractual employee of the Village of Mendon.

2.3 "**Intra-Governmental Gift**" means any gift given to an Officer or Employee of the Village of Mendon from another Officer or Employee of the Village of Mendon.

2.4 "**Inter-Governmental Gift**" means any gift given to an Officer or Employee of the Village of Mendon by an officer or employee of another municipality, state agency or federal agency or of any governmental entity.

SECTION 3. **Prohibited Political Activities.**

3.1 Officers and Employees shall not perform any political activity on behalf of any political candidate or cause during the time that the Officer or Employee is being compensated by the Village of Mendon, other than during vacation, personal or compensatory time off, nor shall they misappropriate any Village property or resources for the benefit of any campaign for elective office or for any political organization.

3.2 No Officer or Employee shall require any other Officer or Employee to perform any prohibited political activity as a part of the Officer's or Employee's duties nor shall they be required to participate in any prohibited political activity in consideration of being awarded additional compensation or benefits.

3.3 An Officer or Employee shall not be awarded any additional compensation or benefits or continued employment in consideration for the Officer's or Employee's participation in any prohibited political activity.

3.4 Nothing in this Section shall prohibit an Officer or Employee from engaging in political activities which are undertaken by the Officer or Employee on a voluntary basis on their own time.

3.5 No person shall be denied or deprived of employment with the Village of Mendon solely because of his or her membership in a political party, political committee or political organization.

SECTION 4. **Gift Ban.**

Except as otherwise provided in this Section, no Officer or Employee may solicit or accept any gift from any prohibited source or in violation of any federal or state statute, rule or regulation. This ban applies to and includes the spouse and immediate family members living with the Officer or Employee. No prohibited source shall intentionally offer or make a gift that violates this Section. The restrictions of this Section do not apply to the following:

4.1 Opportunities, benefits and services that are available on the same conditions as for the general public;

4.2 Anything for which the Officer or Employee pays the market value;

4.3 Any contribution that is lawfully made under the Election Code of the State of Illinois or activities associated with a fundraising event in support of a political organization or candidate;

4.4 Educational materials and missions;

4.5 Travel expenses for a meeting to discuss Village business;

4.6 A gift from a relative;

4.7 Anything provided by an individual on the basis of a personal friendship unless the Officer or Employee has reason to believe that under the circumstances the gift was provided because of the office or employment of the Officer or Employee rather than because of the personal friendship where prior to the individual becoming an Officer or Employee there was a history of giving gifts between the donor and the Officer or Employee;

4.8 Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided they are consumed on the premises where they were purchased or prepared;

4.9 Food, refreshments, lodging, transportation and other benefits resulting from the outside business or employment activities not connected to the duties of the Officer or Employee as an office holder or employee of the Village of Mendon;

4.10 Intra-governmental and inter-governmental gifts;

4.11 Bequests, inheritances and other transfers at death;

4.12 Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

SECTION 5. Gift Ban; Disposition of Gifts.

An Officer or Employee does not violate this Ordinance if the Officer or Employee promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered or succeeded.

SECTION 6. False Reports

No person shall intentionally make a false report alleging a violation of any provision of this Ordinance to any Village official or to any other law enforcement official.

SECTION 7. Penalties.

7.1 A person is guilty of Class A misdemeanor if that person intentionally violates any provision of this Ordinance;

7.2 A person who intentionally violates any provision of this Ordinance is subject to a fine of not less than \$1,000 and not more than \$5,000 and may in addition, in the case of an Employee, be subject to discipline or discharge by the Village of Mendon;

SECTION 8. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

SECTION 9. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance shall be, and the same are, to the extent of such conflict, hereby repealed.

ADOPTED: 6-7, 2004
APPROVED: 6-7, 2004

Randy Ranson
Village President

ATTEST:

Ausan Woodruff
Village Clerk

PUBLISHED: _____, 2004