

CITY OF ERLANGER, KY
Ordinance No. 2507

AN ORDINANCE AMENDING THE ERLANGER CODE OF ORDINANCES
SECTION 43 AND ORDINANCE NUMBER 2048 ESTABLISHING A CODE OF
ETHICAL CONDUCT APPLICABLE TO THE OFFICERS, BOARD MEMBERS, ,
CONTRACTORS AND EMPLOYEES OF THE CITY OF ERLANGER, KENTUCKY

WHEREAS, the officials of this City are committed to the operation of a City government that manifests the highest moral and ethical standards among its Officers, Board Members, and Employees and desire to comply with all requirements of the Commonwealth's local government ethics law.

WHEREAS, the Erlanger Ethics Ordinance has not been updated since 1994.

NOW, THEREFORE, be it ordained by the City of Erlanger, Kentucky, as follows:

UNDERLINED SECTIONS ARE ADDED AND STRUCK THROUGH SECTIONS ARE DELETED

SECTION 1. Title. This ordinance shall be known and may be cited as the "City of Erlanger Code of Ethics."

SECTION 2. Findings. The legislative body of the City of Erlanger hereby finds and declares that:

- A. Public office, Appointment, and employment with the City are public trusts.
- B. The vitality and stability of the government of this City depends upon the public's confidence in the integrity of its elected and appointed Officers and Employees. Whenever the public perceives a conflict between the private interests and public duties of a City Officer or Employee, that confidence is imperiled.
- C. The government of this City has a duty to provide its citizens with standards by which they may determine whether public duties are being faithfully performed, and to make its Officers, Board Members, and Employees aware of the standards which the citizenry rightfully expects them to comply with while conducting their public duties.

SECTION 3. Purpose and Authority.

- A. It is the purpose of this ordinance to provide a method of assuring that standards of ethical conduct and financial disclosure requirements for Officers, Board Members, and Employees of the City shall be clearly established, uniform in their application, and enforceable, and to provide the Officers, Board Members, and Employees of the City with advice and information concerning potential conflicts of interest which might arise in the conduct of their public duties.
- B. It is the further purpose of this ordinance to meet the requirements of K.R.S. 65.003, as enacted by the 1994 Kentucky General Assembly.
- C. This ordinance is enacted under the power vested in the City by K.R.S. 82.082 and pursuant to requirements of K.R.S. 65.003.

SECTION 4. Definitions. As used in this ordinance, unless the context clearly requires a different meaning:

- A. "Board of Ethics" means The Northern Kentucky Ethics Enforcement Committee as created by The Northern Kentucky Regional Ethics Authority and vested by this ordinance with the responsibility of enforcing the requirements of the City's code of ethics.

- B. "Board Member" means a member of the governing body or representative of any city agency who has been appointed to the governing body of the agency by the city.
- C. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.
- D. "Candidate" means any individual who seeks nomination or election to a City office. An individual is a candidate when the individual files a notification and declaration for nomination for office with the county clerk or secretary of state or is nominated for office by a political party. or files a declaration of intent to be a write-in candidate with the county clerk or secretary of state.
- E. "City" refers to the City of Erlanger, Kentucky.
- F. "City agency" means any Board, commission, authority, nonstock corporation, or other entity created, either individually or jointly, by this City
- G. "City Business" any discussion of specific city issues that go beyond general information.
- H. "Confidential information" means information obtained in the course of holding public office or employment, or as a contractor to the city, which is not available to members of the public and which the officer or employee is not authorized to disclose, except to designated individuals or bodies, including written and non-written information. When such information is also available through channels open to the public, officers and employees are not prohibited from disclosing the availability of those channels.
- I. "Contractor" means anyone under contract to perform services for the City.
- J. "Employee" means any whether full-time or part-time, seasonal or temporary full-time paid Employee of the City. The term "Employee" shall not include any of the volunteers of the City, or any Contractor of the City, professional or otherwise, or any of their subcontractors or Employees.
- K. "Ethics Enforcement Committee" is the membership established by the Northern Kentucky Regional Ethics Authority to ensure comprehensive enforcement of the ethics ordinance.
- L. "Family member" means domestic partner, spouse, parent, child, brother, sister, mother-in-law, father-in-law, son-in-law, grandparent or grandchild.
- M. "Financial benefit" includes any money, service, license, permit, contract, authorization, loan, discount, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. This term does not include campaign contributions authorized by law.
- N. "Financial interest" is a relationship to something such that a direct or indirect financial benefit has been, will be, or might be received as a result of it.
- O. "Immediate family member" means a domestic partner, spouse, an unemancipated child residing in the Officer's or Employee's household, or a person claimed by the Officer or Employee, or the Officer's or Employee's spouse, as a dependent for tax purposes.

- P. "Officer" means any person, whether full-time or part-time, and whether paid or unpaid, who is one of the following:
- a. The mayor.
 - b. A legislative body member.
 - c. The City clerk.
 - d. The City administrator.
 - e. Any person who occupies a non elected office created under K.R.S. 83A.080.
- Q. "Transaction" means any matter, including but not limited to, contracts, work or business with the city, the sale or purchase of real estate by the city, and any request for zoning amendments, variances, or special permits pending before the city, upon which a public officer or employee performs an official act or action.

STANDARDS OF CONDUCT

SECTION 5. Conflict of Interest in General. Every Officer and Employee of the City shall comply with the following standards of conduct:

- A. No Officer, Board Member, or Employee, or any immediate family member of any Officer, Board Member, or Employee, shall have an interest in a business, transaction, or activity, which is in substantial conflict with the proper discharge of the Officer's, Board Member's, or Employee's public duties.
- B. No Officer, Board Member, or Employee shall intentionally use or attempt to use his or her official position with the City to secure unwarranted privileges or advantages for himself or herself or others.
- C. No Officer, Board Member, or Employee shall intentionally take or refrain from taking any discretionary action, or agree to take or refrain from taking any discretionary action, or induce or attempt to induce any other Officer, Board Member or Employee to take or refrain from taking any discretionary action, on any matter before the City in order to obtain financial benefit for any of the following:
 - a. The Officer, Board Member, or Employee.
 - b. A family member.
 - c. An outside employer.
 - d. Any business in which the Officer, Board Member, or Employee, or any family member has a financial interest, including but not limited to:
 - i. An outside employer or business of his or hers, or his or her family member, or someone who works for such employer or business;
 - ii. A customer or client; or
 - iii. A substantial debtor or creditor of his or hers, or of his or her family member.
- e. A person or entity from whom the Officer, Board Member, or Employee has received an election campaign contribution of a total of more than two hundred dollars (\$200) during the past election cycle (this amount includes contributions from a person's immediate family or business as well as contributions from an entity's owners, directors, or officers, as well as contributions to the Officer, Board Member, or Employee's party committee or non-candidate political committee).
- f. A nongovernmental civic group, social, charitable, or religious organization of which he or she, or his or her immediate family member is an officer or director.
- g. Any business with which the Officer, Board Member, or Employee or any family member is negotiating or seeking prospective employment or other business or professional relationship.

- D. No Officer, Board Member, or Employee shall be deemed in violation of any provision in this section if, by reason of the Officer's, Board Member's or Employee's participation, vote, decision, action or inaction, no financial benefit accrues to the Officer, Board Member or Employee, a family member, an outside employer, or a business as defined in SECTION 5 subsection (C)(d) and (C)(e) of this section, as a member of any business, occupation, profession, or other group, to any greater extent than any gain could reasonably be expected to accrue to any other member of the business, occupation, profession, or other group.
- E. Every Officer, Board Member, or Employee who has a prohibited financial interest which the Officer, Board Member or Employee believes or has reason to believe may be affected by his or her participation, vote, decision or other action taken within the scope of his or her public duties shall disclose the precise nature and value of the interest to the governing body of the City or City agency served by the Officer, Board Member or Employee, and the disclosure shall be entered on the official record of the proceedings of the governing body. The Officer, Board Member or Employee shall refrain from taking any action with respect to the matter that is the subject of the disclosure.
- F. No Officer, Board Member, Employee or Contractor shall receive any money owed to the City, without a formal written policy adopted by the Executive Branch of the City.
- G. An officer or employee must refrain from acting on or discussing, formally or informally, a matter before the city, if acting on the matter, or failing to act on the matter, may personally or financially benefit any of the persons or entities listed in Section 5(C) above. Such an officer or employee should join the public if the withdrawal occurs at a public meeting or leave the room if it is a legally conducted closed meeting (executive session) under KRS 61.810 and KRS 61.815.
- H. An Officer, Board Member, or Contractor with a conflict of interest must withdraw from discussion or vote at a meeting by public announcement, on the record, with reason for withdrawal.

SECTION 6. Conflicts of Interest in Contracts.

- A. No Officer, Board Member, or Employee of the City or any City agency shall directly or through others undertake, execute, hold, or enjoy, in whole or in part, any contract made, entered into, awarded, or granted by the City or a City agency, except as follows:
- a. The prohibition in subsection (A) of this section shall not apply to contracts entered into before an elected Officer filed as a candidate for City office, before an appointed Officer was appointed to a City or City agency office, before a Board Member was appointed to a City Board, or before an Employee was hired by the City or a City agency. However, if any contract entered into by a City or City agency Officer or Employee, or Board Member, before he or she became a candidate, became a Board Member, was appointed to Officer, or was hired as an Employee, is renewable after he or she becomes a candidate, assumes the appointed office, or is hired as an Employee, then the prohibition in subsection (A) of this section shall apply to the renewal of the contract.

- b. The prohibition in subsection (A) of this section shall not apply if the contract is awarded after public notice and competitive bidding, unless the Officer, Board Member, or Employee is authorized to participate in establishing the contract specifications, awarding the contract, or managing contract performance after the contract is awarded. If the Officer or Employee has any of the authorities set forth in the preceding sentence, then the Officer or Employee shall have no interest in the contract, unless the requirements set forth in subpart (3) below are satisfied.
- c. The prohibition in subsection (A) of this section shall not apply in any case where the following requirements are satisfied:
 - i. The specific nature of the contract transaction and the nature of the Officer's, Board Member, or Employee's interest in the contract are publicly disclosed at a meeting of the governing body of the City or City agency.
 - ii. The disclosure is made a part of the official record of the governing body of the City or City agency before the contract is executed.
 - iii. A finding is made by the governing body of the City or City agency that the contract with the Officer, Board Member, or Employee is in the best interests of the public and the City or City agency because of price, limited supply, or other specific reasons.
 - iv. The finding is made a part of the official record of the governing body of the City or City agency before the contract is executed.

~~B. 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 in accordance with any applicable provisions of state law and ordinances, rules or regulations of the City.~~

SECTION 7. Receipt of Gifts.

No Officer of the City shall directly, or indirectly through any other person or business, solicit or accept any gift having a fair market value of more than One Hundred Dollars (\$100.00), per calendar year, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence the Officer or Employee in the performance of his or her public duties, unless the gift is disclosed to the City council at a public meeting thereof, and authorized and approved by the mayor and City council.

SECTION 8. Use of City Property, Equipment, and Personnel.

- A. No Officer, Employee, or Board Member of the City shall use or permit the use of any City time, funds, personnel, equipment, or other personal or real property for the private use of any person, unless:
 - a. The use of is specifically authorized by a stated City policy; or
 - b. The use is available to the general public, and then only to the extent and upon the terms that such use is available to the general public; or
 - c. The use is disclosed to the City council, at a public meeting thereof, and authorized and approved by the mayor and City council.

- B. Nothing in this section shall prohibit an Officer, Employee or Board Member, of the City or any City agency from receiving and retaining from the City or on behalf of the City actual and reasonable out-of-pocket expenses incurred by the Officer, Board Member, or Employee in connection with an appearance, speech or article, provided that the Officer, Board Member, or Employee can show by clear and convincing evidence that the expenses were incurred or received on behalf of the City agency and primarily of the benefit of the City or City agency and not primarily for the benefit of the Officer, Employee, or Board Member or any other person.

SECTION 9. Representation of Interests Before City Government.

- A. No Officer, Employee, or Board Member of the City shall represent any person or business, other than the City or constituent of the Officer, in connection with any cause, proceeding, application or other matter pending before the City or any City agency.
- B. Nothing in this section shall prohibit an Employee from representing another Employee or Employees where the representation is within the context of official labor union or similar representational responsibilities.
- C. Nothing in this section shall prohibit any Officer, Board Member, or Employee from representing himself or herself in matters concerning his or her own interests.
- D. No elected Officer shall be prohibited by this section 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 Officer, whether directly or indirectly, in return for the inquiry.

SECTION 10. Misuse of Confidential Information.

~~No Officer of the City shall intentionally use or disclose information acquired in the course of his or her official duties, if the primary purpose of the use or disclosure is to further his or her personal financial interest or that of another person or business. Information shall be deemed confidential, if it is not subject to disclosure pursuant to the Kentucky Open Records Act, K.R.S. 61.872 to 61.884, at the time of its use or disclosure.~~

- A. Closed Meetings. If an exception to the Open Meetings Act applies, and the City goes into closed (executive) session to conduct the meeting pursuant to KRS 61.815, all attendees within the Closed Meeting shall refrain from discussing any subject other than what was publicly announced prior to convening the closed session and there shall be no public dissemination of the Closed Meeting discussion other than when formal action is taken in an Open Meeting and only the minimal information needed to explain the formal action taken. Nothing in this section shall preclude any Officer to argue or debate in the public meeting for or against the matter requiring formal action.
- B. An Officer, Board Member, Employee, or a Contractor, may not use confidential information, obtained formally or informally as part of his or her work for the City or due to his or her position with the City, for his or her own benefit or for the benefit or disadvantage of any other person or entity, or make such information available in a manner where it would be reasonably foreseeable that a person or entity would benefit from it or be harmed by it.

SECTION 11. Post-Employment Restriction.

No Officer or Employee of the City or any City agency shall appear or practice before the City or any City agency with respect to any matter on which the Officer or Employee personally worked while in the service of the City or City agency for a period of one (1) year after the termination of the Officer's or Employee's service with the City or City agency.

SECTION 12. Honoraria.

No Officer of the City or a City agency shall accept any compensation, honorarium or gift with a fair market greater than \$100 in consideration of an appearance, speech or article unless the appearance, speech or article is both related to the Officer's activities outside of municipal service and is unrelated to the Officer's service with the City, unless the compensation, honorarium or gift is disclosed to the City council at a public meeting thereof, and authorized and approved by the mayor and City council.

FINANCIAL DISCLOSURE

SECTION 13. Who Must File?

The following classes of Officers of the City shall file an annual statement of financial interests with the Board of Ethics:

- A. Elected City officials.
- B. Board Members
- C. Non Elected Officers and Employees of the City or any City agency who are authorized to make purchases of materials or services, or award contracts, leases or agreements involving the expenditure of more than ~~one thousand (\$1,000.00)~~ five thousand (\$5,000) dollars.

SECTION 14. When to File Statements; Amended Statements.

- A. The initial statement of financial interests required by this section shall be filed with the Board of Ethics, or the administrative official designated as the custodian of its records by the Board of Ethics, no later than 4:00 P.M. on June 30, ~~2020~~ of each year. All subsequent statements of financial interest shall be filed no later than 4:00 P.M. on June 30 each year, provided that:
 - a. An Officer newly appointed to fill an office with the City shall file his or her initial statement no later than thirty (30) days after the date of the appointment.
 - b. A candidate for City office shall file his or her initial statement no later than thirty (30) days after the date on which the person becomes a candidate for elected City office.
- B. The Board of Ethics may grant a reasonable extension of time for filing a statement of financial interests for good cause shown.
- C. In the event there is a material change in any information contained in a financial statement that has been filed with the Board of Ethics, the Officer or Employee shall, no later than thirty (30) days after becoming aware of the material change, file an amended statement with the Board of Ethics.

SECTION 15. Form of the Statement of Financial Interests. The statement of finance interest shall be filed on a form prescribed by the Board of Ethics, or the administrative official designated by the Board of Ethics. The Board of Ethics, or the designated administrative official, shall deliver a copy of the form to each Officer and Employee required to file the statement, by first class mail or hand delivery, no later than January 31st of each year. The failure of the Board of Ethics, or the designated administrative official, to deliver a copy of the form to any Officer shall not relieve the Officer of the obligation to file the statement.

SECTION 16. Control and Maintenance of the Statements of Financial Interests.

- A. The Board of Ethics shall be the "official custodian" of the statements of financial interests and shall have control over the maintenance of the statements of financial interests. The statements of financial interests shall be maintained by the Board of Ethics, or the administrative official designated by the Board of Ethics as the custodian, as public documents, available for public inspection immediately upon filing.
- B. A statement of financial interests shall be retained by the Board of Ethics, or the designated administrative official, for a period of five (5) years after filing, provided that:
 - a. Upon the expiration of three (3) years after a person ceases to be an Officer of the City or a City agency, the Board of Ethics shall cause to be destroyed any statements of financial interests or copies of those statements filed by the person.
 - b. Upon the expiration of one (1) year after any election at which a candidate for elected City office was not elected or nominated, the Board of Ethics shall cause to be destroyed any statements of financial interests or copies of those statements filed by the person.

SECTION 17. Contents of the Financial Statement.

- A. The statement of financial interests shall include the following information for the preceding calendar year:
 - a. The name, current business address, business telephone number, and home address of the filer.
 - b. The title of the office of, or sought by, the filer.
 - c. The occupation of the filer and the filer's spouse or domestic partner.
 - d. Information that identifies each source of income of the filer, and the filer's immediate family member, which is in excess of Five Thousand (\$5,000.00) Dollars during the preceding calendar year, and the nature of the income (e.g. salary, wages, commissions, dividends, interest, etc.); but with the exclusion of:
 - i. Income from the federal government or any state government; and
 - ii. Distributions from IRA accounts, or interest on accounts at any bank, savings and loan or other financial institution, which is regulated or insured by the federal government or any agency thereof.
 - e. The name and address of any business in which the filer, or any member of the filer's immediate family, has an ownership interest which either has a fair market value of more than Ten Thousand (\$10,000.00) dollars, or is more than five (5%) percent of the total ownership interest therein; and which is located within the City, or has conducted any business in the City during the preceding calendar year, or is anticipated by the filer to conduct business in the City during the calendar year of the filing of the financial interest statement.
 - f. The location of any real estate in the City, other than the primary residence of the filer, in which the filer or any member of the filer's immediate family has, or, during the preceding calendar year, had an ownership interest therein, with a fair market value of more than Ten Thousand (\$10,000.00) Dollars.

- g. The name and address of each source of gifts or honoraria having an aggregate fair market value of one Hundred (\$100.00) Dollars or more from any single source, excluding gifts received from family members, received by the filer or any member of the filer's immediate family during the preceding calendar year.
- B. Nothing in this section shall be construed to require any Officer or Employee to disclose any specific dollar amounts nor the names of individual clients or customers of businesses listed as sources of income.

SECTION 18. Noncompliance with Filing Requirement.

- A. The Board of Ethics, or the designated administrative official shall notify by certified mail each person required to file a statement of financial interest who fails to file the statement by the due date, files an incomplete statement, or files a statement in a form other than that prescribed by the Board of Ethics. The notice shall specify the type of failure or delinquency, shall establish a date by which the failure or delinquency shall be remedied, and shall advise the person of the penalties for a violation.
- B. 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 of Ethics 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 of Ethics under this section may be recovered by the City in a civil action in the nature of debt if the offender fails or refuses to pay the penalty within a prescribed period of time.
- C. Any person who intentionally files a statement of financial interest which he or she knows to contain false information or intentionally omits required information shall be guilty of violating Board of Ethics policy and appropriate action may be taken by the Board of Ethics to ensure compliance.

NEPOTISM

SECTION 19. Nepotism Prohibited.

- A. No Officer, Board Member or Employee of the City or a City agency shall advocate, recommend or cause the:
- a. employment;
 - b. appointment;
 - c. promotion;
 - d. transfer; or
 - e. advancement
- of a family member to an office or position of employment with the City or a City agency.
- B. No Officer shall participate in any action relating to the employment or discipline of a family member, except that this prohibition shall not prevent an elected or appointed official from voting on or participating in the development of a budget which includes compensation for a family member, provided that the family member is included only as a member of a class of persons or a group, and the family member benefits to no greater extent than any other similarly situated member of the class or group.
- C. The prohibitions in this section shall not apply to any relationship or situation that would violate the prohibition, but which existed prior to the effective date of this ordinance.

POLITICAL SOLICITATION AND PATRONAGE

SECTION 20. Political Solicitation.

- (A) An officer, employee, or municipal candidate may not request, or authorize anyone else to request, that any subordinate or potential future subordinate participate, or not participate, in any political activity, including the making of a campaign contribution.
- (B) An officer, employee, or municipal candidate may not engage in any political activity for the city, while on duty, or in uniform, using city funds, supplies, vehicles, or facilities, or during any period of time during which he or she is normally expected to perform services for the city, for which compensation is paid.

SECTION 21. Patronage.

No officer or employee may promise an appointment or the use of his or her influence to obtain an appointment to any position as a reward for any political activity or contribution.

ENFORCEMENT

SECTION 22. Interlocal Cooperation Agreement.

Attached hereto and incorporated herein by reference is an Interlocal Cooperation Agreement authorized by K.R.S. 65.210 et. seq., which the Mayor of the City of Erlanger is hereby authorized and directed to sign on behalf of the City and the provisions of this ordinance shall be enforced by the Northern Kentucky Regional Ethics Authority and the Northern Kentucky Ethics Enforcement Committee according to the provisions thereof.

SECTION 23. ~~Reprisals~~ Retaliation Against Persons Disclosing Violations Prohibited.

- A. No Officer, Board Member or Employee of the City or any City agency shall subject to ~~reprisal~~ retaliation, or directly or indirectly use, or threaten to use, any official authority or influence in any manner whatsoever which tends to discourage, restrain, deter, prevent, interfere with, coerce, or discriminate against any person who in good faith reports, discloses, divulges, or otherwise brings to the attention of the Northern Kentucky Ethics Enforcement Committee or any other agency or official of the City or the Commonwealth any facts or information relative to an actual or suspected violation of this ordinance.
- B. This section shall not be construed as prohibiting disciplinary or punitive action if an Officer, Board Member, or Employee of the City or any City agency discloses information which he or she knows to be false or which he or she discloses with reckless disregard for its truth, or falsity.

SECTION 24. Penalties.

- A. ~~Each violation and every other failure to comply with the provisions of this ordinance shall be a misdemeanor; and each day of the continuation thereof shall be a separate and distinct offense for which:~~
- a. ~~Everybody convicted thereof in a court of competent jurisdiction shall be sentenced to pay a criminal fine not to exceed the maximum amount set forth in K.R.S. 534.040 (2) (a) or a term of imprisonment not to exceed the maximum period set forth in K.R.S. 532.00 (1), or both; and~~

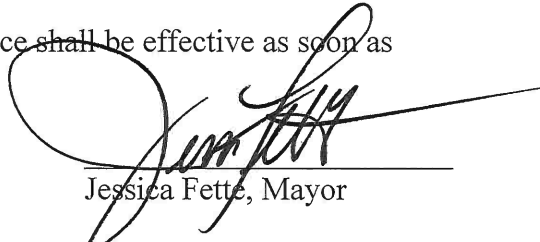
- A. Any Officer (as defined in Section 4, Subsection P (a)(b)(e)) or Board Member found by the Board of Ethics to have violated any provisions of this chapter shall be deemed guilty of a civil offense and may be subject to a civil fine imposed by the Board of Ethics. The offender shall be subject to a civil penalty of one Thousand (\$1,000.00) Dollars of up to one month's pay for each offense, which shall be recovered by the City of Erlanger in a civil action in the nature of debt if not paid by the offender within thirty (30) days after citation for the violation or other failure to comply with the provisions of this ordinance.
- B. In addition to all other penalties which may be imposed under this chapter or in the Ethics Enforcement Committee procedures, a finding by the Board of Ethics that an Officer or Board Member of the City or any City Board is guilty of a violation of this chapter shall be sufficient cause for removal, suspension, demotion, or other disciplinary action by the agency or person having the power of removal or discipline. Any action to remove or discipline any Officer or Board Member for a violation of this chapter shall be taken in accordance with all applicable ordinances and regulations of the City and all applicable laws of the Commonwealth.

SECTION 25. Severability. If any provision of this ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provision of this ordinance shall continue in full force and effect.

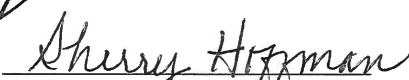
SECTION 26. Conflicting Ordinances Repealed. All other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

SECTION 27. An acknowledgement of this Code of Ethics will be signed at the start of each Officers and Board Members term and the start of each Employee's employment and at each revision.

SECTION 258. Effective Date. This ordinance shall be effective as soon as possible according to law.



Jessica Fette, Mayor



Sherry Hoffman, Clerk

CERTIFICATION

The undersigned, Sherry Hoffman, City Clerk of the City of Erlanger, in Kenton County, Kentucky, hereby certifies as follows:

1. The foregoing Ordinance No. 2507 was introduced in writing and read to the City Council for the City of Erlanger at regular or special meetings thereof on the 10th day of November, 2020, and at which quorums were present; and said ordinance was enacted by the City Council of the City of Erlanger upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 1st day of December, 2020, with the vote of each member of the City Council entered upon the official record of such meeting; and
2. After the passage and adoption of the foregoing Ordinance by the City Council of the City of Erlanger, it was submitted to the Mayor of the City of Erlanger who approved said Ordinance by affixing his signature thereto within ten (10) days after the submission thereof to him; and
3. The foregoing Ordinance was published on the 14th day of December, 2020, in THE KENTUCKY ENQUIRER, a newspaper qualified therefore, pursuant to the provisions of K.R.S. Chapter 424.


Sherry Hoffman
City Clerk

ENQUIRER MEDIA

PART OF THE USA TODAY NETWORK

Advertiser:

CITY OF ERLANGER
505 COMMONWEALTH AVE

ERLANGER KY 41018

**LEGAL NOTICE
ATTACHED**

This is not an invoice
Account #: CIN-620034
Total Cost of the Ad \$45.40
Last Run Date: 12/14/2020

of Affidavits 1

AFFIDAVIT OF PUBLICATION

Newspaper: CIN-EN Kentucky Enquirer

State of Wisconsin

RE: Order # 0004499729

I, Vicky Felty
of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper times, once in each issue as follows:

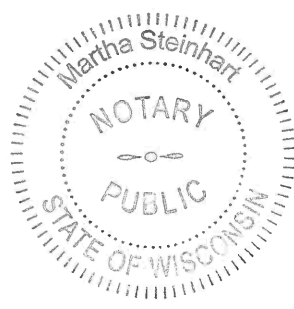
The City of Erlanger has adopted Ordinance No. 2507 amending the Erlanger Code of Ordinances Section 43 and Ordinance No. 2048 establishing a code of ethical conduct applicable to the officers, board members, contractors, and employees of the City of Erlanger. The ordinance may be viewed in full at www.erlangerkentucky.gov or 505 Commonwealth Avenue, Erlanger, KY 41018, 859-727-2525.
KY, Dec 14, '20 #4499729

12/14/2020

.....
Vicky Felty
Subscribed and sworn to before me this
14th day of December, 2020

Martha Steinhart
Notary Public

10.13.24
Commission expires



The City of Erlanger has adopted Ordinance No. 2507 amending the Erlanger Code of Ordinances Section 43 and Ordinance No. 2048 establishing a code of ethical conduct applicable to the officers, board members, contractors, and employees of the City of Erlanger. The ordinance may be viewed in full at www.erlangerky.gov or 505 Commonwealth Avenue, Erlanger, KY 41018, 859-727-2525.



AFFIDAVIT OF POSTING OF CITY ACTION

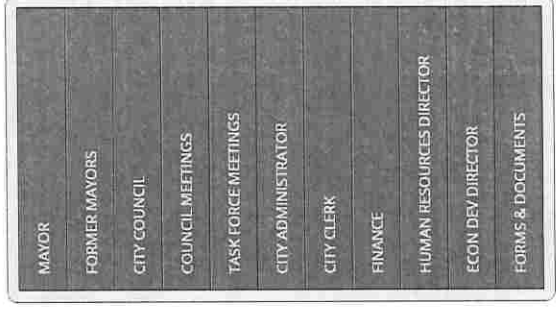
Sherry Hoffman, upon being duly sworn and states as follows:

1. I am the City Clerk for the City of Erlanger, Kentucky.
2. My official duties include advertising official city actions on the City's website (www.erlangerky.gov) in compliance with the publication requirements under KRS Chapter 424.
3. On December 1, 2020, the City adopted Ordinance No. 2507 with online publication on December 14, 2020, URL reference published in the Kentucky Enquirer on December 14, 2020, The adoption of the above Ordinances is action subject to the publication requirements in KRS 424.130(1)(a).
4. The City elects to publish this official action by alternative means to full newspaper publication pursuant to KRS 424.110-424.370, by posting the advertisement on the City's website for a period of one year from the dates reflected above at <https://erlangerky.gov/legal-ads/>.
5. A copy of the captured posting in paper format is attached to this affidavit.

Sherry Hoffman
Sherry Hoffman, City Clerk

SUBSCRIBED and SWORN to before me this 31 day of December, 2020.

[Signature]
603298
EXPIRES 06/20/2022
NOTARY PUBLIC Signature



LEGAL ADS / BIDS

2020

- 1-8-2021 Security Cameras Bid and Newspaper Ad
- Ordinance #2512 FY21 Budget Amendment and Summary
- Ordinance #2512 FY21 Budget Amendment Attachment
- Ordinance #2511 Erlanger Natural Gas Franchise and Summary
- Ordinance #2510 Erlanger Electric Franchise and Summary
- Ordinance #2508 Nuisance Amendment and Summary
- Ordinance #2508 Erlanger Animal Ordinance and Summary
- Ordinance # 2507 Code of Ethics Ordinance Revision and Summary
- City of Erlanger Ordinance #2506 Right of Way Closure and Summary
- City of Erlanger Solicitation of Bids for Energy Franchise 11-6-20
- City of Erlanger Ordinance #2505 Small Business Incentive Grant and Summary
- City of Erlanger Small Business Incentive Grant Application
- City of Erlanger Solicitation of bids for 10-23-2020 Energy Franchise
- City of Erlanger Ordinance #2504 FY20-21 Tax Rate and Summary
- City of Erlanger Ordinance #2503 Code of Ordinances and Summary
- City of Erlanger Updated Wage Scale Ordinance and Summary
- City of Erlanger Cardiac Monitors / Defibrillators Bid Information and Legal Ad
- City of Erlanger Public Street Striping and Markings Bid 9-3-2020
- City of Erlanger Board of Adjustments Hearing Legal Ad 8-24-20
- City of Erlanger Board of Adjustments Hearing Notice for 8-24-20

CITY OF ERLANGER, KY
Ordinance No. 2507

AN ORDINANCE AMENDING THE ERLANGER CODE OF ORDINANCES SECTION 43 AND ORDINANCE NUMBER 2048 ESTABLISHING A CODE OF ETHICAL CONDUCT APPLICABLE TO THE OFFICERS, BOARD MEMBERS, CONTRACTORS AND EMPLOYEES OF THE CITY OF ERLANGER, KENTUCKY

WHEREAS, the officials of this City are committed to the operation of a City government that manifests the highest moral and ethical standards among its Officers, Board Members, and Employees and desire to comply with all requirements of the Commonwealth's local government ethics law.

WHEREAS, the Erlanger Ethics Ordinance has not been updated since 1994.

NOW, THEREFORE, be it ordained by the City of Erlanger, Kentucky, as follows:

UNDERLINED SECTIONS ARE ADDED AND STRUCK THROUGH SECTIONS ARE DELETED

SECTION 1. Title. This ordinance shall be known and may be cited as the "City of Erlanger Code of Ethics."

SECTION 2. Findings. The legislative body of the City of Erlanger hereby finds and declares that:

- A. Public office, Appointment, and employment with the City are public trusts.
- B. The vitality and stability of the government of this City depends upon the public's confidence in the integrity of its elected and appointed Officers and Employees. Whenever the public perceives a conflict between the private interests and public duties of a City Officer or Employee, that confidence is imperiled.
- C. The government of this City has a duty to provide its citizens with standards by which they may determine whether public duties are being faithfully performed, and to make its Officers, Board Members, and Employees aware of the standards which the citizenry rightfully expects them to comply with while conducting their public duties.

SECTION 3. Purpose and Authority.

- A. It is the purpose of this ordinance to provide a method of assuring that standards of ethical conduct and financial disclosure requirements for Officers, Board Members, and Employees of the City shall be clearly established, uniform in their application, and enforceable, and to provide the Officers, Board Members, and Employees of the City with advice and information concerning potential conflicts of interest which might arise in the conduct of their public duties.