

Administration
Ethics

ORDINANCE NO. 548

VILLAGE OF BELLEVUE, ILLINOIS

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE
STATE OFFICIALS AND EMPLOYEES ACT

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., ("Act") which is a comprehensive revision of the State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, pursuant to Section 70-5 of the Act (5 ILCS 430/70-5), all units of local government and school districts are required to adopt an ordinance or resolution regulating the political activities of, and the solicitation and acceptance of gifts by, their respective officers and employees, "in a manner no less restrictive" than the provisions of the Act, on or before May 19, 2004; and

WHEREAS, the Village desires to come into compliance with the provisions of the Act;

NOW, THEREFORE, BE IT ORDANED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BELLEVUE, ILLINOIS AS FOLLOWS:

Section 1: State Officials and Employees Ethics Act.

A. The regulations of Section 5-15 (ILCS 430/5-15) and Article 10 (5 ILCS 430/10-10 through 10-40) of the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., (hereinafter referred to as the "Act" in this Ordinance) are hereby adopted by reference and made applicable to the officers and employees of the Village to the extent required by 5 ILCS 430/70-5.

B. The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act by any officer or any employee of the Village is hereby prohibited.

C. The offering or making of gifts prohibited to be offered or made to an officer or employee of the Village under the Act is hereby prohibited.

D. The participation in political activities prohibited under the Act by any officer or employee of the Village is hereby prohibited.

E. For purposes of this Ordinance, the terms "officer" and "employee" shall be defined as set forth in 5 ILCS 430/70-5(c).

F. The penalties for violations of this Section shall be the same as those penalties set forth in 5 ILCS 430/50-5 for similar violations of the Act.

G. This Ordinance does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of Village officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this Ordinance, however, the provisions of this Ordinance shall prevail in accordance with the provisions of 5 ILCS 430/70-5(a).

H. Any amendment to the Act that becomes effective after the effective date of this Ordinance shall be incorporated into this Ordinance by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Ordinance by reference without formal action by the corporate authorities of the Village.

I. If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this Ordinance shall be repealed as of the date that the Illinois Supreme Court's decision becomes final and not subject to any further appeals or rehearings. This Ordinance shall be deemed repealed without further action by the corporate authorities of the Village if the Act is found unconstitutional by the Illinois Supreme Court.

J. If the Illinois Supreme Court declares part of the Act unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the Act, then the remainder of the Act as adopted by this Ordinance shall remain in full force and effect; however, that part of this Ordinance relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the Village.

Section 2: Effective Date.

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

PASSED AND APPROVED THIS 10th DAY OF MAY, 2004.

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ABSENT 1

VILLAGE OF BELLEVUE, ILLINOIS

By: Ralph E. Wilson
Ralph E. Wilson, President

Attest: Carol S. Howard
Carol S. Howard, Village Clerk