

Chapter 15: Ethics

Sec 15-120 Application Of Ordinance

This chapter applies to the following entities and persons upon its effective date:

(a) The mayor and city council.

(b) All governmental boards, commissions, committees or other entities created by the city council.

(c) All governmental boards, commissions, committees or other entities for which the city council may by law define powers and duties, or to which ordinances adopted by the city council are generally applicable.

(d) All officers and employees of any of the above entities.

Nothing in this chapter is meant to contradict Illinois Public Act 104-0443.

Sec 15-130(b) Definitions

For purposes of this ordinance, the following terms are defined as follows:

~~(b) Candidate means an individual who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 13 of the Election Code (10 ILCS 5/13-1).~~

1 "Candidate" is defined the same as in the Illinois
2 Election Code, 10 ILCS 5/9-1.3, or as subsequently
3 amended.

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5 (h) "Doing business" means any one or any combination of
6 sales, purchases, leases or contracts to, from or with
7 the city or any city department in an amount in excess
8 of \$5,000.00 in any 12 consecutive months; and "seeking
9 to do business" means (1) taking any action within the
10 past six months to obtain a contract or business from
11 the city when, if such action were successful, it would
12 result in the person's doing business with the city; and
13 (2) having any matter pending before the city council or
14 any city council committee in the sixthree months prior
15 to the date of the contribution or any matter that will
16 be pending before the city council or any city council
17 committee in the sixthree months after the date of the
18 contribution, if that matter involved the award of loan
19 funds, grant funds or bond proceeds, bond inducement
20 ordinances, leases, land sales, zoning matters, the
21 creation of tax increment financing districts,
22 concession agreements or establishing or changing
23 property tax classifications.~~Reserved.~~

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~~(w) Does business or seeks to do business with the city or in the case of an employee, by the employee, or by the officer, or another employee directing the employee;~~

~~1. Conducts activities regulated by the officer or in the case of an employee, by the employee, by the city, or by the officer, or another employee directing the employee;~~

~~2. Has interests that may be substantially affected by the performance or nonperformance of the official duties of the city officer or employee;~~

~~3. Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act or ordinance pertaining to the registration of lobbyists enacted by the city, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one (1) of its members or serves on its board of directors; or~~

~~4.1. Is an agent of, a spouse or civil union partner of, or a family member who is living with a "prohibited source."~~

1 Sec 15-320 Political Contributions.

2 (a) All officers and employees who hold elective city office
3 or become candidates for election to any public office
4 of this State or any of its subdivisions shall comply
5 with the applicable limitations on campaign
6 contributions as set forth in Article 9 of the Election
7 Code of Illinois and as may be adjusted by the State
8 Board of Elections as provided by State law.

9 (b) No officer or employee, individually or through a
10 political committee acting at his or her behest, shall
11 knowingly accept a campaign contribution or
12 contributions in excess of the amounts authorized by law.

13 (c) No public official, city employee, candidate for an
14 elective office, lobbyist, officer, employee, or agent
15 of any political organization shall intentionally
16 solicit, accept, offer or make contributions on city
17 property. Nothing in this paragraph shall prohibit
18 fundraising events at city parks for political campaigns
19 provided that the fundraiser pays the same park fees
20 charged to the public.

21 (d) No person shall offer or make, and no candidate for city
22 office, such candidate's political committee, or PAC, or
23 person acting on behalf of either of them shall solicit
24 or accept, any contribution that is (a) anonymously

1 given in violation of state law; or (b) made or to be
2 made other than in the name of the true donor.
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1 Sec 15-321 ~~Limitation of contributing to candidates, elected~~
2 ~~officials, and Political Action Committees~~Contribution Limits
3 for Entities Doing Business with the City of Aurora.

4 (a) No entity who has done business with the city during the
5 preceding ~~four reporting~~calendar years or who is seeking
6 to do business with the city shall make contributions in
7 an aggregate amount exceeding \$1500.00:

8 1. To any candidate for city office during a
9 ~~reporting~~calendar year; or

10 2. To an elected official of the government of the
11 city during any ~~reporting~~calendar year of the
12 official's term; or

13 3. During a ~~reporting~~calendar year, to any official or
14 employee of the city who is seeking election to any
15 other office.

16 ~~(a) No lobbyist or government relations specialist shall~~
17 ~~make a direct or in-kind contribution to any elected~~
18 ~~official or their authorized political committee or PAC,~~
19 ~~or to any candidate for elected office or that~~
20 ~~candidate's authorized political committee or PAC.~~

21 (b) For purposes of subsection (a) ~~and (b) above~~, an entity
22 and its subsidiaries, parent company or otherwise
23 affiliated companies, and any of their employees,
24 officers, directors and partners who make a political

1 contribution for which they are reimbursed by the entity
2 or its affiliates shall be considered a single person.
3 An employee, officer, director or partner of an entity
4 subject to these restrictions is also subject to these
5 campaign contribution limits if they are:

6 1. A general partner, managing member, executive
7 officer, or any individual with a similar status or
8 function; or

9 2. They are materially involved in bidding for,
10 negotiating the terms of, or managing
11 implementation of any agreement to do business with
12 the city.

13 The contribution limits apply separately to any entity
14 or person subject to these restrictions except as set
15 forth in this subsection (b).

16 (c) For purposes of subsection (a) ~~(b)~~ above, ~~(i)~~ A a
17 contribution to any political fund-raising committee of
18 a candidate for city office or elected official; or (ii)
19 any political fundraising committee which, during the
20 reporting year in which the contribution is to be made,
21 has itself made contributions or given financial support
22 in excess of 33 percent of that committee's total
23 receipts for the reporting year to a particular
24 candidate for city office, elected official, or the

~~authorized fundraising committee of that candidate or
elected official,~~ shall be considered a contribution to
that candidate or elected official.

(d) Except as otherwise provided in this subsection ~~(e)~~, any
person who solicits, accepts, offers or makes a
financial contribution that violates the limits set
forth in this section shall be subject to the penalties
provided in this Article; provided, however, such person
shall not be deemed in violation of this section if such
person returns or requests in writing the return of such
financial contribution within ~~40-30~~ calendar days of the
recipient's or contributor's knowledge of the violation.
~~Notwithstanding the foregoing, any lobbyist, shall be
subject to a penalty equal to the amount of the
contribution.~~ No person or entity who has been found in
violation of Section 15-321 may do business with the
city for a period of four years.

1 Sec 15-322 Contribution Limits for Lobbyists

2 ~~(d)~~ No lobbyist or government relations specialist who lobby
3 the city or any elected official of the city shall make
4 a direct or in-kind contribution to any elected official
5 or their authorized political committee or PAC, or to
6 any candidate for elected office or that candidate's
7 authorized political committee or PAC.

8 (a) Any person who solicits, accepts, offers or makes a
9 financial contribution that violates the limits set
10 forth in this section shall be subject to the penalties
11 provided in this Article; provided, however, such person
12 shall not be deemed in violation of this section if such
13 person returns or requests in writing the return of such
14 financial contribution within 30 calendar days of the
15 recipient's or contributor's knowledge of the violation.
16 Notwithstanding the foregoing, any lobbyist shall be
17 subject to a penalty equal to the amount of the
18 contribution.