

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 \$50,000.00 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 six months prior to
15 the date of the contribution or any matter that will be
16 pending before the city council or any city council
17 committee in the six 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.

18 (d) No person shall offer or make, and no candidate for city
19 office, such candidate's political committee, or PAC, or
20 person acting on behalf of either of them shall solicit
21 or accept, any contribution that is (a) anonymously
22 given; or (b) made or to be made other than in the name
23 of the true donor.

Sec 15-321 Limitation of contributing to candidates, elected officials, and Political Action Committees.

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

1. To any candidate for city office during a reporting year; or

2. To an elected official of the government of the city during any reporting year of the official's term; or

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

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

(c) For purposes of subsection (a) and (b) above, an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity

or its affiliates shall be considered a single person.

An employee, officer, director or partner of an entity
subject to these restrictions is also subject to these
campaign contribution limits if they are:

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

2. They are materially involved in bidding for,
negotiating the terms of, or managing
implementation of any agreement to do business with
the city. The contribution limits apply separately
to any entity or person subject to these
restrictions except as set forth in this subsection
(c).

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

1 elected official, shall be considered a contribution to
2 that candidate or elected official.

3 ~~(e)~~(e) Except as otherwise provided in this subsection (e),
4 any person who solicits, accepts, offers or makes a
5 financial contribution that violates the limits set
6 forth in this section shall be subject to the penalties
7 provided in this Article; provided, however, such person
8 shall not be deemed in violation of this section if such
9 person returns or requests in writing the return of such
10 financial contribution within 10 calendar days of the
11 recipient's or contributor's knowledge of the violation.
12 Notwithstanding the foregoing, any lobbyist, shall be
13 subject to a penalty equal to the amount of the
14 contribution. No person or entity who has been found in
15 violation of Section 15-321 may do business with the
16 city for a period of four years.