

ORDINANCE NO. _____

AN ORDINANCE GOVERNING NEPOTISM AND
CONFLICT OF INTEREST IN CONTRACTS

BE IT ORDAINED by the City Council of the City of Harrisburg, Illinois:

SECTION 1:

No person shall be employed, promoted or transferred when as a result he or she would be supervising, or receiving supervision from a member of his/her immediate family.

SECTION 2: DEFINITIONS

The term "immediate family" as used herein shall mean the persons who are included within any person's natural, step, foster, or adopted relationship with the following persons: husband, wife, mother, father, brother, sister, child, grandchild, grandfather, grandmother, cousin, aunt, uncle, and the spouse of any and all of said persons and all other persons living in the same household of any of said persons.

SECTION 3: EXEMPTIONS

This ordinance shall not be applied to any persons of the same immediate family who are employed by the City on the effective date hereof. However, this ordinance shall apply to each and every subsequent application for City employment, promotion or transfer by anyone who is employed by the City on the effective date hereof.

This ordinance shall further not apply to those hired as summer employees.

SECTION 4: INTEREST IN CONTRACTS

When the City is contracting with any individual or firm whose principal owner or owners are a member of a City Council member's immediate family or a member of the Mayor's immediate family, that Council Member or Mayor shall not vote on the issue of entering into a contract with said person or firm, and shall not supervise, oversee, or have final approval of said person or firm as a contractor or subcontractor.

SECTION 5: REMEDY FOR VIOLATION OF ORDINANCE

When an immediate family relationship, as described above, occurs during employment as a result of a marriage or other circumstance, the employees affected may remain in their positions, provided they are not in conflict with the prohibitions stated in this ordinance. If a conflict is created by the immediate family relationship, the City will arrange a transfer or a change in position. Every reasonable effort will be made to effect transfer or change on the basis of agreement between the employees involved and the City, but the City retains management rights to determine the most effective use of employees and their assignment to jobs within the City. If a mutual agreement is unattainable, the City Council will make the final determination regarding the transfer or change in position.

SECTION 6: Should any portion of this ordinance hereafter be declared by a court of competent jurisdiction to be invalid, such declaration shall not affect the validity or enforceability of the remaining provisions of this Ordinance.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval and publication according to the laws of the State of Illinois.

DAILY REGISTER
Proposed
Not Enacted

Adopted at a regular meeting on this _____ day of _____, 2010, on roll call vote as follows:

_____ Ayes
_____ Nays
_____ Absent

MAYOR VALERIE ROSE MITCHELL

ATTEST:

SARAH WOFFORD

	<u>Aye</u>	<u>Nay</u>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Duncan	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner McPeck	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Mitacek	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Rice	<input type="checkbox"/>	<input type="checkbox"/>