

**CITY OF ALBION
ORDINANCE #2019-09**

AN ORDINANCE TO AMEND CHAPTER 1, SECTION 1-28, ETHICS

Purpose and Finding:

As the City Council is aware, at the council's most recent meeting, the Mayor proposed a modification to subsection (N) of the ordinance which relates to the timeframe in which a hearing is to be held regarding a potential ethics violation. The new language would require the hearing to be held within 30 days of when the three council persons calling for the public hearing notify the mayor, mayor pro tem, City Attorney, and the City Manager. Additionally, in reviewing the original ordinance, a typo was noted in sub-section (n)(12). It references a super majority vote while sub-section (n)(13) references a majority vote. Sub-section (n)(12) is also being amended to reflect a simple majority vote.

THE CITY OF ALBION ORDAINS:

Section 1. Chapter 1, Section 1-28, Sub-sections (N)(2) and (N)(12) of the Codified Ordinances of the City of Albion, are hereby amended as follows:

Section 1-28: ETHICS

- (N) *Enforcement and penalties:* All city council members and the mayor shall have the primary responsibility to assure that they understand and meet the standards set forth in this ordinance and that the public can continue to have full confidence in the integrity of government. The disciplinary procedure shall be as follows:
- (2) In the event the meeting as described in subsection (n)(i) does not satisfactorily resolve the issue, or in the event the suspected council member has repeatedly violated this section, or if the violation is viewed to be especially serious, any three council members may call for a public hearing before council to determine whether the alleged violation has occurred, and if so, what sanctions, if any should be imposed. Said public hearing shall be scheduled within 30 days of the date the three council persons notify the Mayor, the Mayor Pro Tem, the City Attorney, and the City Manager, in writing, of their call for a public hearing. Said public hearing shall be held not more than 60 days from the date of the notice provided to the Mayor, the Mayor Pro Tem, the City Attorney, and the City Manager.
- (12) At the conclusion of the presentation of evidence or the closing comments of the accused council member, whichever is later, council members, excluding the accused council member, shall

vote to determine whether or not there is a violation by a majority vote.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

This Ordinance shall take effect on December 18, 2019 after publication.

First Reading:

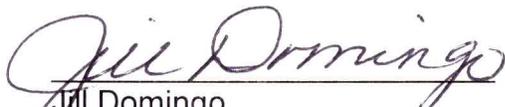
Second Reading & Adoption:

November 4, 2019

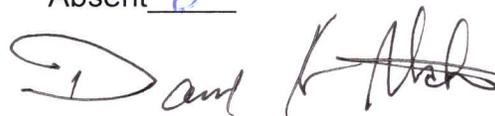
November 18, 2019

Ayes 6
Nays 0
Absent 1 (Clark)

Ayes 7
Nays 0
Absent 0



Jill Domingo,
Clerk



David Atchison,
Mayor.