

CHAPTER 8

ETHICS

(Adopted, Ordinance No. 2004-44, May 17, 2004)
Effective May 19, 2004

1. **ADOPTION.** The regulations of Sections 5-15 (5 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 Section) are hereby adopted by reference and made applicable to the officers and employees of the City to the extent required by 5 ILCS 430/70-5.

2. **GIFT ACCEPTANCE PROHIBITED.** The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any officer or any employee of the City, is hereby prohibited.

3. **GIFT OFFERING PROHIBITED.** The offering or making of gifts prohibited to be offered or made to an officer or employee of the City under the Act, is hereby prohibited.

4. **POLITICAL ACTIVITY PARTICIPATION PROHIBITED.** The participation in political activities prohibited under the Act, by any officer or employee of the City, is hereby prohibited.

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

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

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

8. **AMENDMENTS.** Any amendment to the Act that becomes effective after the effective date of this Chapter shall be incorporated into this Chapter 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 Chapter by reference without formal action by the corporate authorities of the City.

9. **ILLINOIS SUPREME COURT ACTION.** (A) If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this Chapter shall be repealed as of the date that the Illinois Supreme Court's decision becomes final and not subject to any further appeals or rehearings.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 Chapter shall be deemed repealed without further action by the Corporate Authorities of the City if the Act is found unconstitutional by the Illinois Supreme Court.

(B) 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 Chapter shall remain in full force and effect; however, that part of this Chapter relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the Corporate Authorities of the City.