

CITY OF MADISON, WISCONSIN

A SUBSTITUTE ORDINANCE _____

PRESENTED
REFERRED

April 13, 2010
Ethics Board

Amending Section 3.35(13) of the Madison General Ordinances to increase the penalty and clarify available sanction in the Ethics Code.

DRAFT

Drafted by: Michael May

Date: June 7, 2010

SPONSOR: Ald. Verveer

DRAFTER'S ANALYSIS: This ordinance clarifies the sanctions available under the Ethics Code and increases the penalty in the Ethics Code to per violation and a maximum penalty of \$2,500.

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (13) entitled "Sanctions" of Section 3.35 entitled "Code of Ethics" of the Madison General Ordinances is amended to read as follows:

- "(13) Sanctions. Violation of any provisions of this code should raise conscientious questions for the incumbent concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the City of Madison. If the Ethics Board determines that any person or entity has violated any provision of this code, the Board may, as part of its report to the Common Council, make any of the following recommendations to be considered by the Council:
 - (a) In the case of an elected official, that the Common Council consider sanctioning, censuring, reprimanding or expelling the elected official;
 - (b) In the case of a member of a board, committee or commission, that the Mayor or other appointing authority consider removing the member from the board, committee or commission, or otherwise sanctioning, censuring or reprimanding the member;
 - (c) In the case of an employee, that the employee's appointing authority consider disciplining or discharging the employee;
 - (d) As an alternative or in addition to the sanctions imposed herein, that any person or entity violating Sec. (5)(a)2. of this ordinance not be awarded any City contract, grant, loan or any other thing of value for a period of 12 months from the date of finding of the violation or that any such contract, grant, loan or things of value be terminated, repaid, forfeited or called in.
 - (e) As an alternative or an addition to the sanctions imposed herein, that any person violating the provisions of this section shall be subject to a nonreimbursable forfeiture of not more than ~~\$500~~ two thousand five hundred dollars (\$2,500) per violation in an action brought by the City in municipal court. Each day of a violation may be considered a separate offense."

Approved as to form: