

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE # 1285

BEING AN ORDINANCE ESTABLISHING RULES OF CONDUCT  
AND ETHICS FOR ALL TOWN OFFICIALS, PUBLIC SERVANTS,  
AND INDEPENDENT CONTRACTORS ACTING ON BEHALF OF  
THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

WHEREAS, the Town Council of the Town of St. John, Indiana recognizes that it has the duty of leadership for responsible and trustworthy behavior in Town government activities; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana desires to perform its governmental duties at all times in an ethical, professional, responsible and open manner so as to meet the highest standards of ethical and respectable behavior; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, desires that all members of Boards, Commissions, Committees and similar organizations who were appointed through the authority of the Town Council will perform their governmental duties at all times in an ethical, professional, responsible and open manner so as to meet the highest standards of ethical and respectable behavior; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, desires that all independent contractors and their associates who perform duties on behalf of the Town of St. John, Indiana will perform those duties at all times in an ethical, professional, responsible and open manner so as to meet the highest standards of ethical and respectable behavior.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, as follows:

SECTION ONE. That the provisions of this ordinance shall be broadly construed to assure that all persons working on behalf of the municipal government of the Town of St. John, Indiana ("Town") perform their duties for the Town at all times in an ethical, professional, responsible and open manner so as to meet the highest standards of ethical and respectable behavior.

SECTION TWO: That as used herein, the definitions of the following terms shall apply;

"Associate" shall mean any spouse, parent, child, sibling or member of the same household; or any partner, coworker, or business associate.

"Appointed Town Official" shall mean any person occupying a position on a Board, Commission, Committee or similar organization for the municipal government, any such appointment being made through the direct or indirect authority of the Town Council, including, without limitation, any person appointed to serve as recording secretary or other official function.

"Compensation" shall mean any item of economic value including money, any benefit, service, discount, rebate, privilege, food, beverage, gratuity, or entertainment, whether sporting or otherwise, given to or received by a person in return for goods or services, but excluding funds paid to an "Independent Contractor" under the terms of a lawful contract with the Town.

"Conflict of Interest" shall have the meaning as set forth in IC 35-44-1 *et. seq.*

"Disclosure" shall mean the prompt filing of a public statement when a "Town Official" or "Independent Contractor" should have reason to believe that either a conflict with their actions under this ordinance or a "Conflict of Interest" is either certain or plausible. Such "Disclosure" shall, in all other respects, conform to the requirements of IC 35-44-1 *et. seq.*

"Elected Town Official" shall mean any person occupying an elected position in the government of the Town of St. John, Indiana, whether the result of an election by voters or the result of appointment to fill a vacant position.

"Gift" shall mean any item of economic value including money, any benefit, service, discount, rebate, privilege, food, beverage, gratuity, or entertainment, whether sporting or otherwise, given to or received by a person when not associated with the transfer of goods or services, but excluding:

- a. Those items of value customarily known by the general public to be provided in the ordinary course of business to any member of the general public;
- b. Food or beverage paid by an "Independent Contractor" on an occasion where the "Town Official" is acting in an official capacity for the Town of St. John, Indiana so long as the total paid for the food and beverage does not exceed \$10 on any given occasion nor more than \$30 during any calendar year.

"Independent Contractor" shall mean any company, organization or person, including, without limitation, attorneys, engineers, accountants, and consultants, who is engaged by an agreement with the Town of St. John, Indiana to perform duties for or on behalf of the Town of St. John, Indiana town government, whether such engagement was authorized by its Town Council, a "Town Official", or by any "Town Employee".

"Petitioner" shall mean any person with governmental business before the Town or any "Town Official" that was concluded within the last ninety (90) days, or is either proposed or pending.

"Town Assets" shall mean any funds or property, whether tangible or intangible, owned by the Town of St. John, Indiana.

"Town Council" shall mean any one or more members of the Town Council of the Town of St. John, Indiana, acting individually or collectively.

"Town Employee" shall mean any person whose "Compensation" is governed by a salary ordinance of the Town.

"Town Official" shall mean an "Elected Town Official" or an "Appointed Town Official".

**SECTION THREE:** The provisions of this ordinance shall apply to all Town Officials and Independent Contractors of the Town of St. John, Indiana while they serve in those capacities and for a period of ninety (90) days following termination of their duties as Town Officials or Independent Contractors.

**SECTION FOUR:** No Town Official shall accept employment as an Independent Contractor for the Town of St. John until at least ninety (90) days following termination of duties as a Town Official.

**SECTION FIVE:** No Town Official shall solicit or accept from an Independent Contractor, Associate of an Independent Contractor, Petitioner, or Town Employee, any Compensation, Gifts or loans for any reason, including, without limitation, gift baskets, golf outings, food, beverages, parties, and entertainment of a sporting nature or other.

**SECTION SIX:** No Town Official or Independent Contractor shall knowingly use or permit the use of any Town Employee or Town Assets, for any purpose which a reasonable person might conclude is not authorized Town business; nor shall they instruct or induce any Town Employee to engage in conduct prohibited by other ordinances of the Town of St. John, Indiana, including the use of Town Employees or Town Assets for any activity related to the political campaign of any person.

SECTION SEVEN: No Independent Contractor or Associate of an Independent Contractor shall represent a Petitioner in business before the Town of St. John, Indiana while engaged under an agreement with the Town, nor for a period of ninety (90) days following termination of their duties with the Town. The foregoing provision does not apply if the Independent Contractor or its Associate first established a written agreement with the Petitioner prior to executing its agreement with the Town.

SECTION EIGHT: In the event the conduct of any Town Official or Independent Contractor could cause a reasonable person to conclude that there may be a conflict with this ordinance, such Town Official or Independent Contractor shall file a Disclosure statement with the Office of the Clerk-Treasurer within fifteen (15) days of learning of such possible conflict. The content of such Disclosure shall indicate the provision(s) of this ordinance that may or do result in a conflict, and shall conform in all other respects to the requirements of IC 35-44-1 *et. seq.*

SECTION NINE: The Town Council shall review this ordinance and make any recommended changes at least once every four (4) years, and may do so more frequently if needed. The Town Council shall make changes in this policy (ordinance), as it deems reasonable and necessary to do.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 27th day of March, 2003.

Aye 5 Nay \_\_\_\_\_


TOWN COUNCIL, TOWN OF ST. JOHN,  
LAKE COUNTY, INDIANA



MICHAEL S. FORBES, President



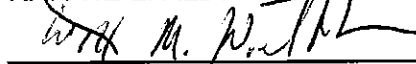
JEROME J. RUDY



GREGORY J. VOLK

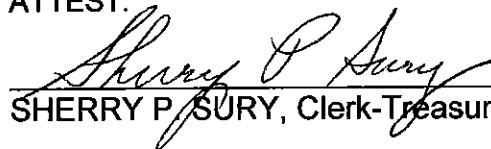


KRISTIE L. ALDRIDGE



WILLIAM M. WINTERHALER

ATTEST:



SHERRY P. SURY, Clerk-Treasurer