

ORDINANCE NO. 12 - 1 1
**AN ORDINANCE AMENDING ORDINANCE #04-05 AN ETHICS ORDINANCE IN
CONFORMITY WITH P.A. 93-617**

PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, eff. November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE LISLE-WOODRIDGE FIRE PROTECTION DISTRICT, DUPAGE AND WILL COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: That the Lisle-Woodridge Fire Protection District's Ethics Ordinance #04-05 is amended to enact the attached revisions, to wit:

ARTICLE 1 DEFINITIONS

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by the Lisle-Woodridge Fire Protection District, whether on a fulltime or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means the Lisle-Woodridge Fire Protection District.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

"Prohibited source" means any person or entity who:

- (1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
- (2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
- (3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
- (4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 2
PROHIBITED POLITICAL ACTIVITIES

Section 2-1. Prohibited political activities.

- (a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Lisle-Woodridge Fire Protection District in connection with any prohibited political activity.
- (b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
- (c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- (d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
- (e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 3 GIFT BAN

Section 3-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 3-2. Exceptions. Section 3-1 is not applicable to the following:

- (a) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (b) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (c) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (d) Educational materials and missions.
- (e) Travel expenses for a meeting to discuss business.
- (f) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (g) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was

offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

- (h) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- (i) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
- (j) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
- (k) Bequests, inheritances, and other transfers at death.
- (l) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 3-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

**ARTICLE 4
POLITICAL CONTRIBUTION LIMIT**

Except as otherwise provided in this Ordinance, no member of the Board of Trustees shall intentionally solicit or accept cumulative campaign contributions of more than \$1,000 per calendar year from any contractor, union and vendor or their affiliated Political Action Committee who has obtained or is seeking contracts or change orders, or from lobbyists, agents or representatives in which their owners, officers, managers, lobbyists, agents or consultants are members who have obtained or are seeking contracts or change orders with the District. This prohibition applies to contracts for and vendors of all goods and services, including those for professional services and those otherwise exempt from bid under the District Purchasing Policy.

Except as otherwise provided in this Ordinance, no member of the Board of Trustees shall intentionally solicit or accept a campaign contribution in excess of \$1000 from any individual appointed or applying for appointment by the Board of Trustees to serve on a board, commission, authority, task force, advisory committee or other governmental entity.

**ARTICLE 5
ETHICS ADVISOR**

Section 5-1. The President of the Board of Trustees, may, at its option, with the advice and consent of the Board of Trustees designate an Ethics Advisor for the Lisle-Woodridge Fire Protection District. The duties of the Ethics Advisor may be delegated to an officer or employee of the Lisle-Woodridge Fire Protection District unless the position has been created as an office by the Lisle-Woodridge Fire Protection District.

Section 5-2. The Ethics Advisor shall provide guidance to the officers and employees of the Lisle-Woodridge Fire Protection District concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the Lisle-Woodridge Fire Protection District.

**ARTICLE 6
ETHICS COMMISSION**

Section 6-1. The Board of Trustees, at its option, may create a commission to be known as the Ethics Commission of Lisle-Woodridge Fire Protection District. The Commission shall be comprised of three members appointed by the President of the Board of Trustees with the advice and consent of the Board of Trustees. No person shall be appointed as a member of the

Commissioner who is related, either by blood or by marriage up to the degree of first cousin, to any elected or appointed trustee of Lisle-Woodridge Fire Protection District.

Section 6-2. At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve 2-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to 2-year terms. Commissioners may be reappointed to serve subsequent terms.

At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 commissioners. A quorum shall consist of two commissioners, and official action by the commission shall require the affirmative vote of two members.

Section 6-3. The President of the Board of Trustees, with the advice and consent of the Board of Trustees, may remove a commissioner in case of incompetence, neglect of duty or malfeasance in office after service on the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days notice. Vacancies shall be filled in the same manner as original appointments.

Section 6-4. The Commission, if created, shall have the following powers and duties:

- (a) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.
- (b) Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 25-1(c) of this Ordinance and refer violations of Article 2 or Article 3 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.
- (c) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.
- (d) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the Lisle-Woodridge Fire Protection District to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.
- (e) The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

Section 6-5. Complaints.

- (a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Advisor.
- (b) Within 3 business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 3 business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.
- (c) Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within 7 business days after receiving the complaint.

If the complaint is deemed sufficient to allege a violation of Article 3 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Article 5 of this Ordinance, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

- (d) On the scheduled date and upon at least 48 hours public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties

the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

- (e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline to the alleged violator and to the fire chief, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.
- (f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the fire chief or impose a fine upon the violator, or both.
- (g) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of that election, if possible.
- (h) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

ARTICLE 7 PENALTIES

Section 7-1. Penalties.

- (a) A person who intentionally violates any provision of Article 2 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- (b) A person who intentionally violates any provision of Article 3 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.
- (c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of

incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

- (d) A violation of Article 2 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the Lisle-Woodridge Fire Protection District by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 3 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the Lisle-Woodridge Fire Protection District, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

- (e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 2 or Article 3 of this Ordinance is subject to discipline or discharge.

ARTICLE 8 TRAINING

The Board of Trustees and employees must complete, within six months after adoption of this amended Ordinance and at least regularly thereafter, an ethics training program conducted by the Training/Safety Division or in conjunction with other appropriate ethics training officials. A new employee must complete his or her initial ethics training during orientation within the first month of employment. The Board of Trustees shall attend a training program within six months of being elected or appointed (or as soon thereafter as an ethics training is offered) and at least regularly thereafter, an ethic training program provided by an appropriate state association or law firm. The Executive Secretary shall assist the Training/Safety Division in maintaining records indicating each employee's attendance at such training programs.

ARTICLE 9 CONTRACTOR DISCLOSURE

Prior to award, every contractor or vendor who is seeking or who has obtained contracts or change orders to contracts or two or more individual contracts with the District resulting in an amount greater than the Board level approval amount shall disclose to the Finance Department, in writing, all cumulative campaign contributions, (which includes multiple candidates) made within the previous 12 months of awarding of the contract made by that contractor, union or

vendor to any current Board of Trustees Member, whose office the contract to be awarded will benefit. Disclosure shall be updated annually during the term of a multi-year contract and prior to any change order or renewal requiring Board level approval.

For purposes of this disclosure requirement, “contractor or vendor” shall include owners, officers, managers, lobbyists, agents, consultants, bond counsel and underwriters counsel, subcontractors and corporate entities under the control of the contracting person, and Political Action Committees to which the contracting person has made contributions.

All Contractors and Vendors who have obtained or are seeking contracts with the District must disclose the names and contact information of their lobbyists, agents and representatives and all individuals who are or will be having contact with District employees or officials in relation to the contract or bid. This information disclosure must be updated when any changes to the information should occur. Penalties for knowingly violating disclosure requirements will potentially result in immediate cancellation of the contract, and possible disbarment from future District contracts.

ARTICLE 10 BOARD OF TRUSTEES DISCLOSURE

The members of the Board of Trustees shall disclose their financial interests and holdings in any business seeking a relationship with the District where the Board Member has an ownership interest of 7 ½% or greater. These disclosures shall be in compliance with the Public Officer Prohibited Activities Act, 50 ILCS 105/.01 et seq. and shall include (i) publicly disclosing the nature and extent of interest prior to or during deliberations concerning the proposed award of the contract and (ii) withdrawing from discussion and shall not vote on the award of the contract.

ARTICLE 11 CONFLICT OF INTEREST

1. No member of the Board of Trustees who adopts this Ordinance, nor any of their employees, while representing the District or employed by the District, shall engage in any act that is in conflict with the performance of his or her official duties. A conflict of interest exists whenever official action could result in a personal advantage or disadvantage to the interested employee or member of the Board of Trustees as the case may be, including, but not limited to the following:
 - (a) receives or has any financial interests in any purchase, sale or lease to or by the District
 - (b) represents, or whose firm represents, any person who would receive direct financial benefit as a result of the official action under consideration;

- (c) accepts or seeks any employment, travel, compensation or gift from any person doing business or seeking to do business with the District for which the employee has responsibility;
 - (d) receives or accepts a gift, compensation, or travel that was given for the purpose of obtaining special consideration or to influence District action where a reasonable and prudent person would believe that the purpose was to obtain special consideration or to influence District action;
 - (e) violates any provision of the Public Officer Prohibited Activities Act. (50 ILCS 105/0.1, et seq.)
2. The member of the Board of Trustees or employee who has a conflict situation should abstain from discussion and shall not vote on any contract with the person or business involved in the conflict. If the conflict situation is an action that is prohibited by the Public Officer Prohibited Activities Act, a member cannot avoid the conflict by abstaining from discussion or vote on the contract.
3. Any employee who becomes aware that he or she may have a conflict of interest that arises in the course of his or her official duties shall notify, in writing, his or her Ultimate Jurisdictional Authority or the Ethics Officer of such conflict. The disposition of the potential conflict shall be stated in writing and maintained by the Ethics Officer. A member of the Board of Trustees shall not participate in deliberations where they have a conflict of interest as defined under this Ordinance and must not participate in the decision making in any manner.
4. Notwithstanding any other law or ordinance, on and after February 1, 2004, a person, his or her family members living with that person is ineligible to serve on a board, commission, authority, or task force authorized or created by the District (i) if that person is entitled to receive more than 7 ½% of the total income under a District contract other than an employment contract or (ii) that person together with his or her family member living with that person are entitled to receive more than 15% in the aggregate of the total distributable income under a District contract other than an employment contract; except this provision does not apply to any of the following:
- (a) a person, his or her family member living with that person, who is serving in an elective public office, whether elected or appointed to fill a vacancy; and
 - (b) a person, his or her family member living with that person, who is serving on a District advisory body that makes non-binding recommendations to the District but does not make binding recommendations or determinations or take any other substantive action.

**ARTICLE 12
FUTURE EMPLOYMENT**

No member of the Board of Trustees who adopts this ordinance, nor any of their respective employees, may accept or discuss an offer of future employment with any person or entity doing or seeking to do business with the District if either:

1. A member of the Board or employee knows or has reason to believe that the offer of employment was intended as compensation or reward or to influence District action pertaining to the business;
2. The employee has decision making responsibility for a matter and that person or entity is offering employment to the decision maker; the exception will be if the employee has disclosed in writing to his or her Ultimate Jurisdictional Authority that the employee intends to discuss future employment with this person or business. In this case, the employee shall be removed from any decision-making relative to this person or business. A decision maker shall have approval authority, or input on approval or selection, and shall not include those employees who fill a review or compliance function in the approval/selection process.
3. In the situation where a member of the Board or employee, is offered future employment by a person doing business with District, Board member or employee must disclose, in writing, the intention of discussing future employment. The Board member or employee shall withdraw from discussion and shall not vote on any contract with this business or person.

**ARTICLE 13
FORMER EMPLOYMENT RELATIONSHIPS**

No employee, within one year of entering District employment, may participate in the decision making or awarding of a contract to a business or a person by whom they were formerly employed unless the employee, in writing, has disclosed the prior employment relationship to his or her superior before participating in any decision making regarding the former employer.

Prohibited Employment. No Officer or Employee of the District shall be employed in any other business, position or occupation (including self-employment) or have an ownership interest in any company that interferes with his/her position at the District or the full and proper performance of his/her duties, including, but not limited to:

- (a) Employment with any vendor, individual or entity that transacts any business with the District.
- (b) Any employment that interferes with or compromises the employee(s) position with the District to further their own personal interests.

- (c) Any employment that may be interpreted by the public to be in conflict with the employee's position with the District.
- (d) Any employment that conflicts with the District's purpose, duties and interests.
- (e) Any ownership interest in any company or entity which transacts or engages in any business with the District.

ARTICLE 14

That all ordinances and parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed to the extent of any such conflict or inconsistency.

ARTICLE 15

That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.

ARTICLE 16

That this ordinance shall be in full force and effect from and after its passage and approval.

ADOPTED this 25 day of September, 2012 by a roll call vote.

AYES: Lawrence, Urasky, Lowe, Filipello, Kagann

NAYS: Ø

ABSENT: Ø



President, Board of Trustees
Lisle-Woodridge Fire Protection District

ATTEST:



Secretary, Board of Trustees
Lisle-Woodridge Fire Protection District

STATE OF ILLINOIS)
COUNTIES OF DUPAGE) SS
AND WILL)

SECRETARY'S CERTIFICATE

I, **LAURIE KAGANN**, the duly qualified and acting Secretary of the Board of Trustees of the Lisle-Woodridge Fire Protection District, DuPage and Will Counties, Illinois, and the keeper of the records thereof, do hereby certify that attached hereto is a true and correct copy of a Resolution entitled:

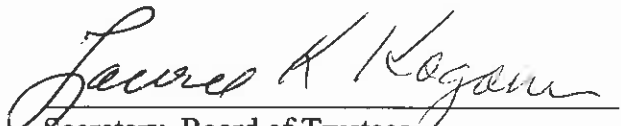
ORDINANCE NO. 12-11

**AN ORDINANCE AMENDING ORDINANCE #04-06 AN ETHICS ORDINANCE
IN CONFORMITY WITH P.A. 93-617**

which ordinance was duly adopted by said Board of Trustees at its meeting held on the 25th day of September 2012.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of September , 2012.


Secretary, Board of Trustees
Lisle-Woodridge Fire Protection District