
ORDINANCE NO. 2016-17-35
*An Ordinance Amending Section 3.05, Code of Ethics,
of the Johnsburg Municipal Code*

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON FEBRUARY 21, 2017
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry
Kyle Frost
John Huemann
Mary Lou Hutchinson
Greg Klemstein
Kevin McEvoy

Village Administrator

Claudett E. Peters

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WHEREAS, the Village of Johnsburg is an Illinois municipal corporation in McHenry County (“Village”) and pursuant to the Illinois Municipal Code, the Village has the authority to amend the official Johnsburg Municipal Code; and

WHEREAS, the Village was required by the 2003 State Officials and Employees Ethics Act, 5 ILCS 430/1-1 *et seq.* (hereinafter referred to as the “Act”) to adopt an ordinance no less restrictive than that contained in Section 5-15 and Article 10 of the Act and the Village did so in a manner consistent with an ordinance recommended by the Illinois Attorney General’s office and those changes were codified as Chapter 3, Section 3.05 of the Johnsburg Municipal Code as the Code of Ethics; and

WHEREAS, since that time, the applicable definitions of the Act have been modified in a manner that could, potentially, apply to the Village; and

WHEREAS, it is appropriate to amend Section 3.05, Code of Ethics, to reflect those changes; and

WHEREAS, it is appropriate to ensure that Section 3.05, Code of Ethics, remains in compliance with the Act to the extent mandated by statute going forward.

BE IT ORDAINED by the VILLAGE BOARD of the VILLAGE OF JOHNSBURG, McHenry County, Illinois, as follows:

SECTION 1: Section 3.05, Paragraph B, Code of Ethics, of the Johnsburg Municipal Code shall be amended to read as follows:

- B. Code of Ethics: The requirements set forth herein shall constitute a Code of Ethics establishing reasonable standards and guidelines for the ethical conduct of Officers and Employees of the Village. The provisions of this Code of Ethics are intended to comply with the applicable provisions of the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 *et seq.* (hereinafter referred to as the “Act” in this Section) to the extent that the Act applies to municipalities. Any amendments to Article 5-15 (5 ILCS 430/5-15, Prohibited Political Activities) and Article 10 (5 ILCS 430/10-10 through 10-40, Gift Ban) of the Act and any applicable definitions under the Act (contained in 5 ILCS 430/1-5) are hereby adopted by refer-

ence and made applicable to the officers and employees of the Village to the extent required by 5 ILCS 430/70-5 (Adoption by Governmental Entities). However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Section by reference without formal action by the Village Board.

SECTION 2: Section 3.05, Paragraph C, Definitions, of the Johnsburg Municipal Code shall be amended to add the following definition:

EMPLOYMENT BENEFITS include but are not limited to the following: modified compensation or benefit terms; compensated time off; or change of title, job duties, or location of office or employment. An employment benefit may also include favorable treatment in determining whether to bring any disciplinary or similar action or favorable treatment during the course of any disciplinary or similar action or other performance review.

SECTION 3: Paragraph 3 in the definition of “Prohibited Source” in Section 3.05, Paragraph C of the Johnsburg Municipal Code shall be amended by deleting “or” after the semicolon.

SECTION 4: Paragraph 4 in the definition of “Prohibited Source” in Section 3.05, Paragraph C of the Johnsburg Municipal Code shall be amended by replacing the period with a semicolon.

SECTION 5: The following paragraphs shall be added to the definition of Prohibited Source in Section 3.05, Paragraph C of the Johnsburg Municipal Code:

5. Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act (25 ILCS 170/1 *et seq.*), except that an entity not otherwise a Prohibited Source does not become a Prohibited Source merely because a registered lobbyist is one of its members or serves on its board of directors; or
6. Is an agent of, a spouse of, or an immediate family member who is living with a “Prohibited Source.”

SECTION 6: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.


SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8: This Ordinance shall be known as Ordinance 2016-17-35 and shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees Hutchinson, McEvoy, Klemstein, Frost, Huemann and Curry
Voting Nay: None
Abstain: None
Absent: None



APPROVED:



Village President Edwin P. Hettermann

Passed: February 21, 2017

Approved: February 21, 2017

Published: February 21, 2017

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CERTIFICATION

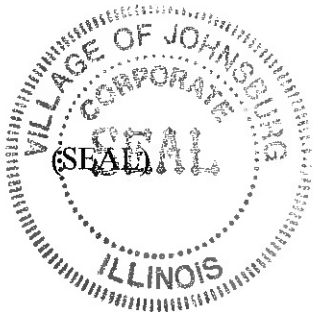
I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.


I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 21st day of February, 2017 the foregoing Ordinance entitled *An Ordinance Amending Section 3.05, Code of Ethics, of the Johnsburg Municipal Code*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2016-17-35 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 21st day of February, 2017, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 21st day of February, 2017.





Claudett E. Peters, Village Clerk
Village of Johnsburg,
McHenry County, Illinois