

**AN ORDINANCE OF THE CITY OF CHARLESTON, MISSOURI, ENACTED PURSUANT TO SECTION 105.485.4 RSMo., TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN MUNICIPAL OFFICIALS AS REQUIRED BY SECTION 105.450 RSMo.**

BE IT INACTED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON, MISSOURI, AS FOLLOWS:

**SECTION 1. Declaration of Policy**

The proper operation of municipal government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the city.

**SECTION 2. Conflicts of Interest**

A. All elected and appointed officials as well as employees of a political subdivision must comply with Chapter 105 of the Missouri Revised Statutes (RSMo) on conflicts of interest as well as any other state law governing official conduct.

B. Any member of the governing body of a political subdivision who has a “substantial or private interest” in any measure, bill, order, or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly, of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more per year from any individual, partnership, organization or association within any calendar year.

**SECTION 3. Disclosure Reports**

Each elected official, each candidate for elective office, the city manager, the chief purchasing officer, and the general counsel (if employed full-time), shall disclose the following information by May 1, or the appropriate deadline as referenced in Section 105.487 RSMo., if any such transactions occurred during the previous calendar year:

- (a) For such person, and all other persons within the first degree of consanguinity or affinity of such person, the date and identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee, or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.

- (b) The date and the identities of the parties to each transaction known to the person with a total value in excess to five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee, or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.
- (c) The city manager, chief purchasing officer, and candidates for either of these positions also shall disclose by May 1, or the appropriate deadline as referenced in Section 105.487 RSMo., the following information for the previous calendar year:
  - 1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
  - 2. The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture with the Secretary of State; the name address, and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units, or other equity interests;
  - 3. The name and address of each corporation for which such person served in the capacity of a director, officer, or receiver.

#### SECTION 4. Filing of Reports

- A. The financial interest statements shall be filed at the following times, but no person shall be required to file more than one financial interest statement in any calendar year;
  - 1. Each candidate required to file a personal disclosure statement shall file no later than fourteen (14) days after the close of filing at which he seeks nomination or election, or nomination by caucus. The time period of this statement shall cover the twelve (12) months prior to the closing date of filing for candidacy, except that in the event an individual does not become a candidate until after the date for certification of candidates, then the statement shall be filed within ten (10) days of his becoming a candidate.
  - 2. Each person appointed to office shall file the statement within thirty (30) days of such appointment or employment covering the calendar year ending the previous December 31;
  - 3. Every person required to file a financial interest statement (except candidates and appointed officials subject to subparagraphs (a) and (b) above shall file the statement annually, not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the city council may supplement the financial interest statement to

report additional interest acquired after December 31 of the covered year until the date of filing of the financial interest statement.

- B. Financial disclosure reports giving the information required in Section 3 shall be filed with the Charleston city clerk and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

SECTION 5. Filing of Ordinance

A certified copy of this ordinance adopted prior to September 15<sup>th</sup> shall be sent within ten (10) days of its adoption to the Missouri Ethics Commission.

SECTION 6. Effective Date

This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the city council.

SECTION 7. Conflicting Ordinance

All ordinances or parts thereof in conflict herewith are hereby repealed.

COPIES OF THIS ORDINANCE HAVE BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS CONSIDERATION BY THE CITY OF CHARLESTON CITY COUNCIL AND THE SAME HAS BEEN READ TWO TIMES BY TITLE AS REQUIRED BY SECTION 77.080 RSMo. (1988).

THE FOREGOING ORDINANCE IS PASSED BY A MAJORITY OF THE CITY OF CHARLESTON, MISSOURI, CITY COUNCIL ON THIS \_\_\_\_ DAY OF AUGUST 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
City Clerk