

Sponsored By: Staff
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Bill No. 24-2024
Ordinance No. 2024-23

AN ORDINANCE READOPTING ORDINANCE NO. 93-39, SECTIONS 117.010—117.050 OF THE OVERLAND CODE OF ORDINANCES RELATING TO FINANCIAL DISCLOSURE.

WHEREAS, The General Assembly adopted the ethics/personal financial disclosure in 1991; and

WHEREAS: the Missouri Ethics Commission requires each municipality with an operating Budget in excess of \$1 Million to readopt their ordinances by September 15th of each year,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVERLAND, MISSOURI, AS FOLLOWS:

Section 1: Ordinance No. 93-39, Chapter 117, Sections 117.010 –117.050 of the Overland Code of Ordinances is hereby readopted in its entirety as follows:

“Chapter 117: FINANCIAL DISCLOSURE

SECTION 117.010: DECLARATION OF POLICY

The proper operation of 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 governmental 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 readopted a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

SECTION 117.020 CONFLICTS OF INTEREST

- A. All elected and appointed officials as well as employees of the City of Overland shall comply with Section 105.454, R.S.Mo., on conflicts of interest as well as any other State law governing official conduct.
- B. Any member of the City Council who has a “substantial or private interest” in any measure, bill, order or ordinance proposed or pending before the City Council must disclose that interest to the City and such disclosure shall be recorded in the appropriate journal of the City Council. “*Substantial or private interest*” is defined as ownership by

the individual, his/her spouse, or his/her dependent children, whether singularly or collectively, directly or indirectly of: (1) Ten per cent (10%) or more of any business entity; or (2) an interest having a value of ten thousand dollars (\$10,000.00) or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of five thousand dollars (\$5,000.00) or more, per year from any individual, partnership, organization, or association within any calendar year.

SECTION 117.030 DISCLOSURE REPORTS

Each elected official, the Mayor and each department head shall disclose the following information in writing by May first (1st) if any such transactions occurred during the previous calendar year:

1. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500.00), if any, that such person had with the City of Overland, other than compensation received as an employee or payment of any tax, fee or penalty due to the City of Overland, and other than transfers for no consideration to the City of Overland.
2. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the City of Overland, other than payment of any tax, fee or penalty due to the City of Overland or transactions involving payment for providing utility service to the City of Overland and other than transfers for no consideration to the City of Overland.
3. The Mayor and each department head also shall disclose in writing by May first (1st) for the previous calendar year the following information:
 - a. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement;
 - b. The name and address of each sole proprietorship that he/she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he/she was a partner or participant; the name and address of each partner or City of Overland-participant for each partnership or joint venture

unless such names and addresses are filed by the 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 per cent (10%) or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two per cent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests;

- c. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

SECTION 117.040 CANDIDATES FOR ELECTIVE OFFICE

Candidates for elective office in the City of Overland shall file a disclosure report disclosing the information described in Section 117.030 (1) and (2) of this Chapter within ten (10) days of filing as a candidate. Candidates for Mayor shall also disclose at the same time the information described in Section 117.030 (3) of this Chapter.

SECTION 117.050 FILING OF REPORTS

- A. The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year;
 1. Every person required to file a financial interest statement shall file the statement annually not later than May first (1st) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31st); provided that any member of the City Council may supplement the financial interest statement to report additional interests acquired after December thirty-first (31st) of the covered year until the date of filing of the financial interest statement.
 2. Each person appointed to office shall file the statement within thirty (30) days of such appointment or employment.

- B. Financial disclosure reports giving the financial information required in Sections 117.030 and 117.040 shall be filed with the City Clerk and the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.


SECTION 117.060 PENALTIES

- A. Annual filers: Any person required in sections 105.483 to 105.492 to file a financial interest statement who fails to file such statement by the times required in section 105.487 shall, if such person receives any compensation or other remuneration from public funds for the person's services, not be paid such compensation or receive such remuneration until the person has filed a financial interest statement as required by sections 105.483 to 105.492. Any person required in sections 105.483 to 105.492 to file a financial statement who fails to file such statement by the time required in section 105.487 and continues to fail to file the required financial interest statement for thirty or more days after receiving notice from the commission shall be subject to suspension from office in the manner otherwise provided by law or the constitution.
- B. Candidate filers: Failure to file a financial interest statement by the close of business on the twenty-first day after the last day for filing for election for which the person is a candidate shall be subject to removal from the ballot or shall be otherwise disqualified from holding office.

Section 2: Filing of Ordinance. A certified copy of this ordinance adopted prior to September 15th, shall be sent within ten (10) days of its adoption to the Secretary of State's office.

Section 3: Effective Date. This ordinance shall be in full force and effect from and after the date of its passage and approval by the Mayor and the City Council and shall remain in effect until amended or repealed.

PASSED this 12th day of August 2024.



MAYOR
August 12, 2024

Date of Approval

ATTEST:


CITY CLERK