

**DOWNERS GROVE SANITARY DISTRICT
ETHICS ORDINANCE
ORDINANCE NO. ORD 13-01**

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective 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 President and Board of Trustees of the Downers Grove Sanitary District, DuPage County, Illinois, as follows:

SECTION 1: This ordinance shall replace in its entirety Ordinance No. ORD 12-02 entitled "Ethics Ordinance" approved May 15, 2012

ARTICLE 1 – ADOPTION OF DUPAGE COUNTY ETHICS ORDINANCE OF 2012

The Downers Grove Sanitary District does hereby adopt the DuPage County Ethics Ordinance of 2012 in its entirety for application as the ethics ordinance of the Downers Grove Sanitary District, with the exception of the supplemental requirements stated herein intended to ascribe more stringent standards for ethical conduct at the Downers Grove Sanitary District.

ARTICLE 2 – SUPPLEMENTAL REQUIREMENTS

Political contribution limits identified in Section 2-475(a)(1) and 2-475(a)(2) of the DuPage County Ethics Ordinance of 2012 shall be set at \$100 per calendar year from prohibited sources or any individual appointed or applying for appointment.

“Threshold amount” identified in Section 2-476(c) of the DuPage County Ethics Ordinance of 2012 shall be \$25,000.

All contracts shall include the following certification:

Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph:

- (1) “corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;
- (2) “fraudulent practice” means an intentional misrepresentation of facts made
 - (a) to influence the bidding process or the execution of the Contract to the detriment of Owner,
 - (b) to establish Bid or Contract prices at artificial non-competitive levels, or
 - (c) to deprive Owner of the benefits of free and open competition;
- (3) “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
- (4) “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

SECTION 2: This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Downers Grove Sanitary District at a regular meeting of the Trustees held on the 12th day of February, 2013.

DOWNERS GROVE SANITARY DISTRICT



President

Attest: 

Clerk