

**CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE 04-2023**

**AN ORDINANCE TO AMEND ORDINANCE NO. 171: CODE OF ETHICS
OF THE CITY OF THE VILLAGE OF DOUGLAS, MICHIGAN.**

THE CITY OF THE VILLAGE OF DOUGLAS ORDAINS:

That the Ordinance Code of the City of the Village of Douglas, Michigan (the “Code”), Article VII. Code of Ethics is hereby amended as follows:

ARTICLE VII. CODE OF ETHICS

Secs. 31.35. Title.

This ordinance shall be referred to as the “Code of Ethics.”

Secs. 31.36. Purpose.

The purpose of this ordinance is to establish a standard of ethical conduct for public servants and employees of the City of the Village of Douglas.

Secs. 31.37. Definitions.

The following terms shall be defined as follows:

“Business entity” means a corporation, a limited liability company, partnership, joint venture, unincorporated association, sole proprietorship, trust, and any other business form.

“Confidential information” means any information and documents which are exempt from disclosure under the Michigan Freedom of Information Act, Public Act 267 of 1976, as amended or information communicated in a closed-door session under the Open Meetings Act, Public Act 267 of 1976, or under other Michigan or Federal law.

“Conflict of interest” means an interest that directly competes with or is adverse [unfavorable, disagreeable, poor, hostile, harmful, or gives the impression of such] to a public servant’s duty to the public.

“Ethics Review Committee” means the group of persons identified in Section 2-177.

“Interest” means any right, title or share, whether it is personal, financial, legal, or equitable, which is owned, held or controlled, in whole or in part, directly or indirectly, by a public servant. It does not include any ownership in a corporation acquired through

any way in a City contract, loan, grant, rate fixing, issuance of a permit, zoning matter, or ordinance matter involving or in any way affecting a business entity in which he or she has an interest. This shall not preclude a public servant from participating in any city contract, loan, grant, rate fixing, issuance of a permit, zoning matter, or ordinance matter directly affecting a business entity in which he or she has an interest if the following has been complied with:

- (1) The public servant makes a public disclosure as provided in this ordinance.
 - (2) The public servant does not participate, in the decision regarding the City contract, loan, grant, rate fixing, issuance of a permit, zoning matter, or ordinance matter; and
 - (3) After reviewing the circumstances and the public disclosure, the City Council, or the applicable public body, determines that the city contract, loan, grant, rate fixing, issuance of a permit, or a decision regarding a zoning matter or ordinance matter is in the best interest of the City.
- (c) Except as otherwise provided in this subsection (c), no public servant shall engage in employment with, or render services for, any person or business entity which transacts business with the City or any public body of the City. This shall not preclude a public servant from engaging in employment with, or rendering services for, any person or business entity, which transacts business with the City or any public body of the City if the following has been complied with:
- (1) The public servant makes a public disclosure as provided in this ordinance; and
 - (2) After reviewing the circumstances and the public disclosure, the City Council, or the applicable public body, determines that the public servant's engaging in employment with, or rendering services for, any person or business entity, which transacts business with the City or any public body of the City does not impair or tend to impair the public servant's independence of judgment.

Secs. 31.40 Contents of Disclosure.

For any public disclosure required under this ordinance, a public servant shall disclose the following:

- (1) The identify and relationship of all of the persons and business entities involved; and
- (2) The nature of the conflict of interest.

All written public disclosures shall be signed.

Secs.31.41 Methods of Public Disclosure.

- (a) Whenever an elected official is required to make a public disclosure as provided in this ordinance, the elected official shall make it either orally on the record at a meeting of the applicable public body, or in writing and file it with the City Clerk.

involves civil or criminal prosecution, it shall be referred to the City Attorney for further action. To the extent authorized or permitted by law, the city shall collect its out-of-pocket costs (including attorney fees) involving civil or criminal prosecution from a public servant who has violated this ordinance.

Secs. 31.43 Advisory Opinion.

The City Council, the Ethics Review Committee, and any public servant with the consent of either the City Council or the Ethics Review Committee may request that the City Attorney provide an advisory opinion interpreting the effect of this ordinance generally, or on issues directly relating to conduct in a particular situation.

Secs. 31.44 Validity.

The invalidity of any section, sentence, clause, or any other part of this ordinance shall not affect the validity of any other part of this ordinance.

Secs. 31.45 Effective Date.

This ordinance was adopted by the City Council at its [,] regular meeting, and will take effect on [].

Ordinance Adoption Date: []

Ordinance Effective Date: []

CITY OF THE VILLAGE OF DOUGLAS

By _____
Jerome Donovan
City Mayor

By _____
Pamela Aalderink
City Clerk

NOTICE OF PUBLIC HEARING

**CITY OF THE VILLAGE OF DOUGLAS
COUNTY OF ALLEGAN
STATE OF MICHIGAN**

**NOTICE OF PROPOSED ORDINANCE AMENDMENT TO THE CODE OF CITY OF THE VILLAGE OF DOUGLAS
BY AMENDING SECTION 31.35 THROUGH 31.44, CHAPTER 31, TITLE OF SUCH CODE.**

TO ALL INTERESTED PERSONS IN THE CITY OF THE VILLAGE OF DOUGLAS:

PLEASE TAKE NOTICE that the City Council of the City of the Village of Douglas, Michigan, will hold a Public Hearing on Monday, April 17, 2023, at 7:00 o'clock p.m., Eastern Standard Time in the Council Chambers of City Hall, located at 86 W. Center Street, Douglas, Michigan, on the adoption of the proposed ordinance changes.

At the public hearing, all citizens, taxpayer, and property owners of the City of the Village of Douglas desiring to address the City Council shall be afforded an opportunity to be heard in regard to the proposed amendment.

This notice is given by order of the City Council of the City of the Village of Douglas, Michigan.

Posted: March 13, 2023

Laura Kasper, Deputy Clerk
City of the Village of Douglas

Please Note: The City of the Village of Douglas (the "City") is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities are requested to contact the City Deputy Clerk, at 269 857-1438 or info@douglasmi.gov to allow the City to make reasonable accommodations for those persons.