

ORDINANCE 2011-1558

AN ORDINANCE AMENDING CHAPTER 39 OF THE OF MURRAY CODE OF ORDINANCES IN ORDER TO CORRECT TYPOGRAPHICAL ERRORS.

WHEREAS, city of Murray adopted Ordinance Number 1994-1032 on September 22, 1994 as required by KRS 65.003; and

WHEREAS, in reviewing the Ordinance, typographical errors were detected and need to be corrected; and

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY, KENTUCKY AS FOLLOWS:

Section 1. Section 39,02, DEFINITIONS, is hereby amended to read as follows:

§39.02 DEFINITIONS.

As used in this chapter, unless the context clearly requires a different meaning.

“BUSINESS.” Any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.

“BOARD OF ETHICS” or “BOARD.” The City of Murray Board of Ethics which is created and vested by this chapter with the responsibility of enforcing the requirement of the City’s Code of Ethics.

“CANDIDATE.” Any individual who seeks nomination or election to a city office. An individual is a candidate when the individual files a notification and declaration for nomination for office with the County Clerk of Secretary of State, or is nominated for office by a political party, or files a declaration of intent to be a write-in candidate with the county clerk or secretary of state.

“CITY.” The City of Murray, Kentucky.

“CITY AGENCY.” Any board, commission, authority, nonstick corporation, or other entity created, either individually or jointly, by this city.

“EMPLOYEE.” Any person, whether full-time or part-time, and whether paid or unpaid, who is employed by or provides service to the city. The term “EMPLOYEE” shall not include any contractor or subcontractor **or** any of their employees.

“FAMILY MEMBER.” A spouse, parent, child, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent or grandchild.

“IMMEDIATE FAMILY MEMBER.” Means a spouse, an unemancipated child residing in the officer’s or employee’s household, or a person claimed by the officer or employee, or the officer’s or employee’s spouse, as a dependent for tax purposes.

“OFFICER.” Any person, whether full-time or part-time, and whether paid or unpaid, who is one of the following:

- (A) The Mayor.
- (B) City Council Member.
- (C) The City Clerk.
- ~~(D)~~ ~~The City Finance Officer.~~
- ~~(D)~~~~(E)~~ The City Administrator.
- (E)** **Chief of Police.**
- (F)** **Fire Chief.**
- ~~(G)~~~~(F)~~ Any person who occupies a non-elected office created under KRS 83A.080.
- (H)** ~~(G)~~ A member of the governing body of any city agency who has been appointed to the governing body of the agency by the city.

Section 2. Section 39.11, CONFLICTS OF INTEREST IN CONTRACTS, is hereby amended to read as follows:

§39.11 CONFLICTS OF INTEREST IN CONTRACTS.

- (A) No officer or employee of the city or any city agency shall directly or through others undertake, execute, hold, or enjoy, in whole or in part, any contract made, entered into, awarded, or granted by the city or a city agency, except as follows:
 - (1) The prohibition in subsection (A) of this section shall not apply to contracts entered into before an elected officer filed as a candidate for city office, before an appointed officer was appointed to a city or city agency office, or before an employee was hired by the city or a city agency. ~~However, if any contract entered into by a city was hired by the city or a city agency.~~ However, if any contract entered into by a city or city agency officer or employee before he or she became a candidate, was appointed to office³, or was hired as an employee, then the prohibition in subsection (A) of this section shall apply to the

renewal of the contract.

Section 3. Section 39.45, NOTICE OF HEARINGS, is hereby amended to read as follows:

§39.45 NOTICE OF HEARINGS.

If the Board of Ethics determines that a hearing regarding allegations contained in the complaint is necessary, the Board shall issue an order setting the matter for a hearing within thirty (30) days of the date the order is issued, unless the alleged violator petitions for and the Board's consents to a later date. The order setting the matter for hearing, along with a copy of any pertinent regulations of the Board relating to the hearing shall be sent to the alleged violator within twenty-four (24) hours of the time the order setting a hearing is issued.

Section 4.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

BILL WELLS, MAYOR

ATTEST:

HARLA McCLURE, CITY CLERK

Introduced by the City Council on December 8, 2011.

Adopted by the City Council on January 12, 2012.

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