

St. Louis City Ordinance 63666

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 192

INTRODUCED BY ALDERMAN JAMES SHREWSBURY

An ordinance requiring officers and employees of the City of St. Louis to disclose receipt of certain gifts; with definitions of terms and penalty, severability, and emergency clauses.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. DEFINITIONS.

As used in this ordinance the following words have the following meanings: "Person" means any natural or artificial entity, including but not limited to individuals, partnerships, associations, trusts or corporations.

"Gift" means anything of value given to an Officer or Employee of the City or a Family Member thereof at one time whether tangible or intangible which would reasonably be considered of economic value. "Gift" includes, but is not limited to:

- i) Money
- ii) Products or merchandise
- iii) Works of art or collectibles
- iv) Stocks, bonds, notes or options
- v) Interests in real property
- vi) Contracts or a promise of a future interest in a contract
- vii) An interest or a promise of a future interest in a business
- viii) Meals, beverages or lodging
- ix) Transportation
- x) Services, including loaned employees

xi) Loans, loan guarantees, cosigning

xii) Forgiveness of a debt

xiii) Discounts or rebates not extended to the public generally xiv) Free or discounted use of office facilities xv)

Loan of office equipment

xvi) Any undeclined promise or offer of present or future employment

xvii) Use of autos, boats, apartments or recreational or lodging facilities

xviii) Intangible rights such as causes of action

xix) Licenses, patents, copyrights or any interest therein

Gift does not include:

i) Gifts from any Family Member

ii) Campaign contributions which are reported properly and fully under Chapter 130, RSMo, or as amended

iii) Contributions to any cause or organization, including a bona fide charity made in response to a direct solicitation from City Officer or Employee

iv) Wages or salary paid for work or services from employment v) Compensation paid for goods or services to self-employed individuals

vi) Annual parking passes to government owned or controlled parking lots

"Family Member" means a spouse, unemancipated or emancipated child, parent, sibling, grandparent, grandchild, parent-in-laws, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, great uncle, great aunt, first cousin, second cousin, or the spouse of any of these persons. "Immediate Family Member" means a spouse or unemancipated child. "Officer or Employee of the City" means any elected or appointed officer, employee or member of a compensated or uncompensated Board or Commission of The City of St. Louis. "Interested Person" means a Person who:

a) Conducts a business specifically regulated by the City; or

b) Provides goods or services to the City or any agency or department thereof for compensation or profit; or

c) Seeks employment with the City or any agency thereof; or

d) Is or will be directly and substantially affected, either financially or personally, by any existing or contemplated legislative or administrative actions, including, but not limited to, redevelopment corporations and entities seeking a permit, franchise or lease; or

e) Has or seeks contracts for providing goods or services to any department or agency of the city.

SECTION TWO. Any Officer or Employee of the City who accepts or whose Immediate Family Member accepts any Gift with a value of more than Two Hundred Fifty (\$250) Dollars from any Interested Person after the effective date of this ordinance shall report such gift as required by Section Three. A Gift or Gifts totaling in value more than two hundred fifty dollars (\$250.00) given to an Officer or Employee or an Immediate Family Member at the same or substantially the same time shall be deemed a single gift to the Officer or Employee or Immediate Family Member.

SECTION THREE. Any Officer or Employee of the City, and any Officer or Employee of the City upon behalf of any Immediate Family member receiving a Gift from an Interested Person shall report such Gift within thirty (30) days after receipt on the form attached here to as "Exhibit A". All such reports shall be considered public records.

SECTION FOUR. This ordinance shall not be construed as allowing or permitting any gift to be offered or given to, or accepted by, any officer or employee of the City in violation of Chapter 4.02 of the Revised Code of the City of St. Louis, as amended.

SECTION FIVE. PENALTIES. Any Officer or Employee of the City who knowingly and willingly violates this ordinance and is convicted under this ordinance shall be subject a fine up to \$500.00 and/or imprisonment for up to ninety (90) days.

SECTION SIX. SEVERABILITY CLAUSE. The provisions of this ordinance shall be severable. In the event that any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so

dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION SEVEN. EMERGENCY CLAUSE. This being an ordinance for the protection of public peace, health and safety, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City Charter and shall become effective immediately upon its passage and approval by the Mayor of the City of St. Louis.

"EXHIBIT A"
Report of Gift

DATE: _____

TO: CITY REGISTER

SUBJECT: REPORT OF GIFT

Pursuant to Ordinance No. _____ enacted on _____, I am reporting the receipt of the following gift or gifts with a value of more than \$250.00 from Interested Persons as defined by that ordinance.

Recipient of Gift Date of Gift Donor Nature of Gift (self, spouse or child)

Name Printed

Signature

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
09/22/95	09/22/95	LEG	01/29/96	01/29/96
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
63666				
ORDINANCE	VETOED		VETO OVR	

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