

ORDINANCE NO. 002/2004

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING THE CODE OF ETHICS, MONROE MUNICIPAL CODE CHAPTER 2.52, IN ORDER TO ALLOW CITY OFFICIALS AND EMPLOYEES TO HAVE A BENEFICIAL INTEREST IN A CONTRACT WITH THE CITY UNDER SPECIFIED CIRCUMSTANCES; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a majority of the City Council has determined that the City's ethics regulations need to be amended to facilitate and encourage the participation of City residents and employees in local government,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN as follows:

**Section 1.** A new Section 2.52.040(G) is hereby amended to the Monroe Municipal

Code to read as follows:

**2.52.040 Conflicts of Interest**

G. Notwithstanding MMC 2.52.040(D), public officials and City employees may have a beneficial interest in a contract with the City under the following circumstances:

1. If an item of business relating to the contract comes before the public official or City employee, the official or employee must identify the contract on the record and recuse him or herself from acting in anyway on that item, including remaining in the meeting room during any discussion of the item; and
2. The official or employee has not lobbied the City to enter into the contract; and
3. The official or employee has not influenced City policy with the primary purpose of creating the need for the contract; and
4. The contract can not be made by, through or under the supervision of the official or employee, in whole or in part, or for the benefit of his or her office.

**Section 2.** **Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3.** **Effective Date.** This ordinance shall be in full force and effect thirty days from the date of final passage as required by RCW 35A.11.090 and MMC 1.12.010.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 4th day of February, 2006.

1st Reading: 02/04/04

Published: 02/11/04

Effective: 03/04/04

ATTEST:

CITY OF MONROE, WASHINGTON:

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Donnetta Walser, Mayor

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Betty King, City Clerk

APPROVED AS TO FORM:

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Phil Olbrechts, City Attorney