

ORDINANCE 2019-27

An ordinance to incorporate the requirements of Indiana Code 36-1-27 into the Monroe County Code of Ethics and into the Monroe County Building Code.

WHEREAS, the Board of Commissioners of the County of Monroe, Indiana ("Board of Commissioners") established the Monroe County Code of Ethics through the adoption of Monroe County Code Chapter 296;

WHEREAS, the Monroe County Code of Ethics defines the term "conflict of interest" and sets forth regulations regarding conflicts of interest in the context of contract awarding and administration;

WHEREAS, the Board of Commissioners established the Monroe County Building Code through the adoption of Monroe County Code Chapter 430;

WHEREAS, the Monroe County Building Code authorizes and directs the Monroe County Building Department to inspect new building plans and construction and to issue building permits and certificates of occupancy;

WHEREAS, the Indiana General Assembly added Chapter 36-1-27 to the Indiana Code through the adoption of Senate Enrolled Act 143 as Public Law 3-2019;

WHEREAS, IC 36-1-27 requires local governments to adopt ordinances regulating conflicts of interest with respect to the performance of inspections and the issuance of permits by their building departments; and,

WHEREAS, the Board of Commissioners find that the conflict of interest requirements of IC 36-1-27 should be extended to all permitting agencies of Monroe County government by amending the scope and substance of the Monroe County Code of Ethics conflict of interest provisions to include, satisfy, and extend the requirements of IC 36-1-27;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners as follows:

Section 1. The definition of the term "conflict of interest" set forth in Monroe County Code Subsection 296-1(B) shall be, and hereby is, amended to read as follows:

296-1 Definitions

....

- (B)** "Conflict of interest" means a situation in which the private financial interest of a Monroe County government officer, employee, or agent, or of the spouse, immediate family member, or partner (business or domestic) of an officer, employee, or agent, or of an organization that employs or is about to employ any of the above, may influence the officer's, the employee's, or the agent's performance of a public duty.

Section 2. The Conflict of Interest provisions of Monroe County Code Section 296-2 shall be, and hereby are, amended to read as follows:

296-2 Conflict of Interest

No employee, officer, or agent of Monroe County government shall participate, directly or indirectly: in the selection, in the award, or in the discretionary administration of a contract; in an inspection; or, in granting a permit, if a conflict of interest, real or apparent, would be involved.

Should a conflict of interest arise in the foregoing contexts, the conflicted employee, officer, or agent shall; immediately report the existence of the conflict to her or his supervisor and to the County Commissioners' Administrator, in writing; and, as soon as reasonably possible, assign participation in, and oversight of, the matter to a deputy within the office or department (or request the same to be done) or, if no deputy is in place, to a qualified officer, employee, or agent who will be temporarily appointed by the County Commissioners to participate in and/or oversee the specific matter giving rise to the conflict.

Section 3. Section 22, which shall read as follows, shall be, and hereby is, added to Monroe County Code Chapter 430:

430-22 Conflict of Interest

In the event the administration of this Chapter would result in a conflict of interest, as defined in Monroe County Code ("MCC") Chapter 296, the conflict of interest provisions of MCC Section 296-2 shall be followed.


Section 4. The Commissioners' Administrator is authorized to prepare any forms necessary to fully implement the provisions of this ordinance.

Section 5. This ordinance shall take effect upon adoption.

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SO APPROVED AND ORDAINED by the Board of Commissioners this 4 day of September, 2019.

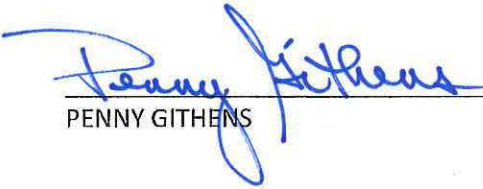
AYE VOTES



JULIE THOMAS, President

NOT Present

LEE JONES, Vice President



PENNY GITHENS



CATHERINE SMITH, Auditor

NAY VOTES

JULIE THOMAS, President

LEE JONES, Vice President

PENNY GITHENS