

## ORDINANCE 2014-02

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2011-06 WHICH PROVIDED FOR MORE STRINGENT STANDARDS OF ETHICAL CONDUCT BY AMENDING THE SAID ORDINANCE TO PROVIDE FOR ACCEPTANCE OF MINIMAL GIFTS AND A REPORTING REQUIREMENT FOR GIFTS WHICH EXCEED THE ESTABLISHED MINIMUM; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the City Commission of the City of Lake Wales by adoption of Ordinance 2011-06 imposed, in some instances, more stringent ethical standards than those set forth in the Code of Ethics found within Chapter 112, Florida Statutes; and

WHEREAS, the City Commission over time has determined that the gift prohibition provision of Ordinance 2011-06 is overly stringent in its effects on everyday practices in that it precludes the acceptance of any item, including a bottle of water or cup of coffee; and

WHEREAS, the City Commission desires to implement a workable restriction on the acceptance of gifts which will apply to members of the City Commission, as well as to all other elected and appointed officials of the City, and its employees.

NOW THEREFORE, the City of Lake Wales, by and through its City Commission, does hereby amend only the following provision of the Lake Wales Conflict of Interest and Code of Ethics Ordinance:

1. *Prohibitions:*

(b) **GIFTS:** No City Commissioner, appointed official or officer, or employee shall either solicit or demand any gift. It is also unlawful for any person or entity to offer, give or agree to give a City Commissioner, appointed official or officer, or employee any gift for or because of:

- 1) An official public action taken or to be taken, or which could be taken;
- 2) A legal duty performed or to be performed, or which could be performed, or
- 3) A legal duty violated or to be violated or which could be violated.

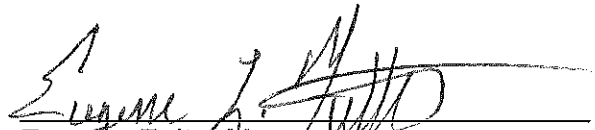
A City Commissioner, appointed official or officer, or employee shall be allowed to accept a gift of a value not exceeding Fifty US Dollars (\$50.00) from a person or entity transacting business with the City.

In the event a gift exceeds a value of Fifty US Dollars (\$50.00), the recipient shall, within 30 days of receipt of such gift, report the gift to the City Clerk who shall be responsible for maintaining a record of such gift(s) received by a City Commissioner, appointed official or officer, or employee.


Exceptions to the above rule include: political contributions specifically authorized by state law; gifts from relatives or members of one's household; awards for professional or civic achievement; materials such as books, reports, periodicals or pamphlets which are solely informational or of an advertising nature; gifts solicited by a City Commissioner, appointed official or officer, or employee on behalf of the City in performance of his or her official duties for use solely by the City in conducting its official business; gifts solicited by a City Commissioner on behalf of any nonprofit organization where neither the Commissioner nor the Commissioner's immediate family receives any compensation as a result of the solicitation.

This Ordinance shall become effective immediately upon adoption.

CERTIFIED AS TO PASSAGE AND ADOPTION this 4<sup>th</sup> day of March, 2014.

  
Eugene Fultz, Mayor  
City of Lake Wales, Florida

Attest:

  
City Clerk

Prepared by:  
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