

BILL NO. G-12-03-19 (AS AMENDED)

ORDINANCE NO. _____

**AN ORDINANCE ADDING SECTION 38.06,
CONTRACTING CONFLICT OF INTEREST, TO
CHAPTER 38 "CITY POLICIES" OF THE FORT CODE
OF ORDINANCES**

WHEREAS, the Fort Wayne City Code Chapter 38 currently addresses City of Fort Wayne policies, including transparency in contracting policies; and

WHEREAS, current Indiana State Law, codified at I.C. 36-1-21, as of July 1, 2012, establishes minimum requirements for contracting with a political subdivisions; and

WHEREAS, the aforementioned State statute requires that legislative bodies adopt a contracting policy that sets forth the minimum requirements as stated in I.C. 36-1-21; and

WHEREAS, failure to implement this policy may result in the Department of Local Government and Finance not approving the City's budget.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 38.06, Contracting Conflict of Interest is added to the Fort Wayne Code of Ordinances. This Section shall read as follows:

§ 38.06 CONTRACTING CONFLICT OF INTEREST

- 1. Adoption of State Law as City Policy.** By reference, this Ordinance incorporates the provisions of I.C. 36-1-21, as codified on July 1, 2012, and requires the City to take all necessary action to ensure compliance with the provisions of this Ordinance.
- 2. Annual Certifications Required.** Each elected officer of the City shall annually certify to the State Board of Accounts, in writing, that the officer has not violated this chapter and has implemented a policy in accordance with I.C. 36-1-21 as codified on July 1, 2012.

SECTION 2. That the City is directed to take all action necessary and proper for the implementation of this Ordinance.

SECTION 3. That this Ordinance shall be in full force and effect as of July 1, 2012, from and after its passage and any and all necessary approval by the Mayor.

Mitch V. Harper, Council Member

APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom, Attorney for City Council

Z:\wpdocs\JGB\City Council of Fort Wayne\Harper Ordinance - reports\ContractingConflict\1001.ordinance.draft.doc