

BILL NO. G-12-03-19

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 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, I.C. 36-1-21 further requires that the Mayor file reports with City of any and all business done with the City that involves a relative of the Mayor; and

WHEREAS, the Mayor must further file this report, within fifteen (15) days after final action on the contract or purchase with the State Board of Accounts and the Clerk of the Circuit Court of Allen County along with certification that the purchase was the product of fair competition; 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 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.

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 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

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