

**TITLE 1**

**GENERAL ADMINISTRATION**<sup>1</sup>

**CHAPTER**

1. CITY COUNCIL.
2. ELECTIONS.
3. MAYOR.
4. MAJOR DEPARTMENTS.
5. [DELETED.]
6. CODE OF ETHICS.

**CHAPTER 1**

**CITY COUNCIL**<sup>2</sup>

**SECTION**

- 1-101. Time and place of regular meetings.
- 1-102. Order of business.
- 1-103. General rules of order.

**1-101. Time and place of regular meetings, etc.** (1) The city council shall hold two (2) regular meetings per month as follows:

(a) Second Thursday of the month at 6:30 P.M.

(b) Fourth Thursday of the month at 6:30 P.M. If a regular meeting falls on a holiday, the meeting shall not be held, but shall go over to the next regular meeting.

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<sup>1</sup>Charter references

See the charter index, the charter itself, and footnote references to the charter in the front of this code.

Municipal code references

Building, plumbing, electrical and gas inspectors: title 12.

Fire department: title 7.

Utilities: titles 18 and 19.

Wastewater treatment: title 18.

Zoning: title 14.

<sup>2</sup>Charter references

City council: § 5.

Qualifications: § 5A.

Vacancies: § 5C.

Quorum: § 5D.

(2) Place of meetings. Both regular and called meetings of the city council shall be held in the city hall.

(3) Special or called meetings. Special or called meetings of the city council may be held in addition to the foregoing regular meetings provided for, whenever the business of the city is such that special or called meetings are needed. The mayor or any two councilmembers shall have the authority to issue a call for a special or called meeting. Such call shall specify the time, and the general nature of the business to be considered. A call for a special or called meeting may be either oral or written but shall be given at least twenty-four hours before the convening of such meeting. (1993 Code, § 1-101, as amended by Ord. #572, Jan. 1994, modified)

**1-102. Order of business.** At each meeting of the city council, the regular order of business shall be observed unless dispensed with by a majority vote of the members present:

- (1) Call to order by the mayor;
- (2) Roll call by the clerk/city recorder;
- (3) Approval of the minutes of the previous meeting by the city council;
- (4) Communications from citizens;
- (5) Communications from the mayor and council members;
- (6) Reports from committees, city manager and department heads;
- (7) Old business;
- (8) New business;
- (9) Adjournment. (1993 Code, § 1-102, as amended by Ord. #624, March 1997, Ord. #632, May 1997, and Ord. #657, March 1998, modified, and replaced by Ord. #864, June 2009)

**1-103. General rules of order.** The rules of order and parliamentary procedure contained in Robert's Rules of Order, Newly Revised, shall govern the transaction of business by and before the city council at its meetings in all cases to which they are applicable and in which they are not inconsistent with provisions of the charter or this code. (1993 Code, § 1-103, modified)

## CHAPTER 2

### ELECTIONS

#### SECTION

1-201. Hamilton County Election Commission authorized to hold elections.

1-202. Qualifications of candidates for elective offices.

**1-201. Hamilton County Election Commission authorized to hold elections.** The Hamilton County Election Commission is hereby authorized to hold all city elections as provided for in the city charter and other applicable laws. (1993 Code, § 1-201)

**1-202. Qualifications of candidates for elective offices.** Any person desiring to be a candidate for an elective office in the City of East Ridge must file a nominating petition signed by at least twenty-five (25) qualified voters of said city with the Hamilton County Election Commission no later than twelve o'clock (12:00) noon, prevailing time, on the third Thursday in the third calendar month before an election. (1993 Code, § 1-202, as amended by Ord. #521, May 1992)

**CHAPTER 3****MAYOR<sup>1</sup>****SECTION**

1-301. Generally supervises city's affairs.

1-302. Executes city's contracts.

**1-301. Generally supervises city's affairs.** The mayor shall perform such duties as provided by the charter and any ordinances duly enacted by the city council consistent with the charter. (1993 Code, § 1-301, as amended by Ord. #539, Feb. 1993, modified)

**1-302. Executes city's contracts.** The mayor shall execute all contracts as authorized by the city council. (1993 Code, § 1-302, as amended by Ord. #539, Feb. 1993, modified)

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<sup>1</sup>Charter references  
Powers and duties: § 5-B.  
Vacancies: § 5-C.

## CHAPTER 4

### MAJOR DEPARTMENTS

#### SECTION

- 1-401. Creation of major departments.
- 1-402. Establishment of department.
- 1-403. Requirements for bids.

**1-401. Creation of major departments.** (1) The following major departments are hereby recognized as the official departments of the city and shall have directors appointed as heads of each department:

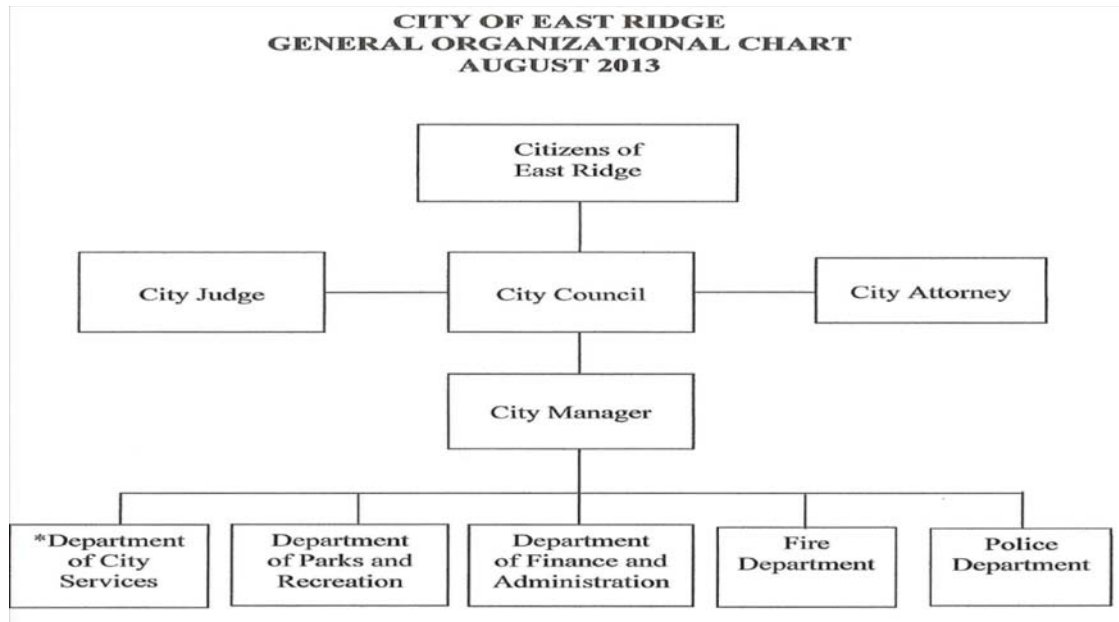
- (a) City services;
- (b) Parks and recreation;
- (c) Finance and administration;
- (d) Fire;
- (e) Police.

(2) Each major department may be divided into major divisions as determined by the city manager or his designee, and each division shall report to the director of that department.

(a) The deputy city manager shall assume all of the duties of the city manager when that position is vacant or the city manager is unable to perform the duties of that office.

(b) Any and all city employees who work on city court matters shall fall within the department of finance and administration and shall, for purposes of compliance with the city's personnel ordinance and policies, report to the finance and administration director; provided, however, that for all matters involving the day-to-day actions and operations of the court, those employees shall be under the authority of the city judge.

(c) The Organizational Chart for the City of East Ridge shall be, upon the passage of this ordinance, as follows:



\*Director of City Services is the current Deputy City Manager. (as added by Ord. #711, Jan. 2001, and replaced by Ord. #772, May 2004, Ord. #863, June 2009, Ord. #885, Sept. 2010, Ord. #909, Feb. 2012, Ord. #915, May 2012, and Ord. #955, Sept. 2013)

**1-402. Establishment of department.**<sup>1</sup> A recreation and playground department is established. (Ord. #678, March 1999)

**1-403. Requirements for bids.** Department heads as designated by the city manager or by an individual exercising the power of the purchasing agent may make purchases not to exceed one thousand dollars (\$1,000.00) in any day without the necessity of obtaining written bids or quotations provided such purchase does not have the effect of circumventing the provisions of this chapter. Department heads shall not split invoices with the same vendor in the same day to circumvent the one thousand dollar (\$1,000.00) limit. In the event an actual emergency is being addressed, or the time necessary to secure a product or service would interfere with or cause unnecessary delay, a department head may spend up to one thousand five hundred dollars (\$1,500.00) without written bids or quotations. Items which are used on a regular basis that exceed one thousand dollars (\$1,000.00) in value should be submitted to the purchasing agent for competitive bids. The city manager and any individual exercising the powers of

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<sup>1</sup>This section was originally added as § 2-201 by Ord. #678, March 1999. Ord. #714, March 2001 deleted all of title 2, chapter 2, except for this section. Therefore, it was placed here and administratively renumbered.

purchasing agent shall be required to secure at least three (3) written bids or quotations, in possible, on all purchases made by the city which are over one thousand dollars (\$1,000.00) but do not exceed ten thousand dollars (\$10,000.00). The city manager and any individual acting as the purchasing agent shall be required to advertise in a newspaper having general circulation in the city for sealed competitive bids on all purchases made by the city where the amount of the purchase is estimated to be more than ten thousand dollars (\$10,000.00), unless otherwise directed by a majority vote of the mayor and council for reasons as hereinafter provided, as allowed by general state law, or as set forth in this chapter. Bid advertisements shall specify a day and hour for the opening bids, which day shall be at least ten (10) days from and after the publication of the notice to bid. At the appointed day and hour, the city manager or his designee shall publicly open and record the bids. (as added by Ord. #897, Sept. 2011)

**CHAPTER 5**

**[DELETED]**

(This chapter was deleted by Ord. #955, Sept. 2013)



## CHAPTER 6

### CODE OF ETHICS

#### SECTION

- 1-601. Applicability.
- 1-602. Definition of "personal interest."
- 1-603. Disclosure of personal interest by official with vote.
- 1-604. Disclosure of personal interest in non-voting matters.
- 1-605. Acceptance of gratuities, etc.
- 1-606. Use of information.
- 1-607. Use of municipal time, facilities, etc.
- 1-608. Use of position or authority.
- 1-609. Outside employment.
- 1-610. Ethics complaints.
- 1-611. Violations.

**1-601. Applicability.** This chapter is the code of ethics for personnel of the municipality. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words "municipal" and "municipality" include these separate entities. (as added by Ord. #818, Sept. 2006)

**1-602. Definition of "personal interest."** (1) For purposes of §§ 1-603 and 1-604, "personal interest" means:

(a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or

(b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), step parent(s), grandparent(s), sibling(s), child(ren), or step child(ren).

(2) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

(3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter. (as added by Ord. #818, Sept. 2006)

**1-603. Disclosure of personal interest by official with vote.** An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself from voting on the measure. (as added by Ord. #818, Sept. 2006)

**1-604. Disclosure of personal interest in non-voting matter.** An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter. (as added by Ord. #818, Sept. 2006)

**1-605. Acceptance of gratuities, etc.** an official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

(1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

(2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business. (as added by Ord. #818, Sept. 2006)

**1-606. Use of information.** (1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

(2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity. (as added by Ord. #818, Sept. 2006)

**1-607. Use of municipal time, facilities, etc.** (1) An official or employees may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself.

(2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interest of the municipality. (as added by Ord. #818, Sept. 2006)

**1-608. Use of position or authority.** (1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.

(2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the charter, general law, or ordinance or policy of the municipality. (as added by Ord. #818, Sept. 2006)

**1-609. Outside employment.** An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the municipal position or conflicts with any provision of the municipality's charter or any ordinance or policy. (as added by Ord. #818, Sept. 2006)

**1-610. Ethics complaints.** (1) The city attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the city attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

(2) (a) Except as otherwise provided in this subsection, the city attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his own initiative when he requires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.

(b) The city attorney may request the governing body to hire another attorney, individual or entity to act as ethics officer when he has or will have a conflict of interest in a particular matter.

(c) When a complaint of a violation of any provision of this chapter is lodged against a member of the municipality's governing body, the complaint shall be referred to the city attorney and the city attorney shall determine if the complaint has merit, and if so determined shall fully investigate the matter and take such action consistent with this chapter, the City Code of East Ridge and other applicable law.

(3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

(4) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics. (as added by Ord. #818, Sept. 2006)

**1-611. Violations.** An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality's charter or other applicable law, and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action. (as added by Ord. #818, Sept. 2006)