

**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1317**

An ordinance to amend Chapter 46, Article II, Sections 46-31 and 46-32 of the Ypsilanti City Code of Ordinances to allow employees of governmental units other than the City of Ypsilanti to serve on the Board of Ethics, and to require annual meetings

1. THE CITY OF YPSILANTI HEREBY ORDAINS that Chapter 46, Article II, Sections 46-31 and 46-32 of its Code of Ordinances be amended to read as follows:

Sec. 46-31. - Creation; members.

- (a) In order to provide an orderly procedure for consideration and review of the issues which may arise concerning questions of standards of conduct for public officers and employees, there is hereby created a board of ethics for the city. The board of ethics shall consist of five members appointed by the mayor with the approval of the city council.
- (b) ~~No official, whether elected or appointed, or employee of the city council member, officer or employee and no officer or employee of any other governmental unit shall be a member of the board ethics.~~ An employee of a governmental unit other than the city may be a member of the board of ethics, so long as he or she does not hold an elected or appointed office with a governmental unit.
- (c) No more than three members of the board of ethics shall be members of the same political party. Each member of the board of ethics shall file an affidavit of party affiliation prior to taking office. The board member need not be a member of any political party and may serve as an independent with no political party affiliation.

Sec. 46-32. - Appointment; term; officers; rules of procedure.

- (a) Members of the board of ethics shall be city residents. The mayor shall, with the majority consent of the city council, appoint members of the board of ethics. The first five persons shall be appointed to the board of ethics for terms of one year, two years, three years, four years and five years so that one member's term shall expire each year. Thereafter all terms shall be five years.
- (b) No person shall serve more than one full five-year term, provided that a person serving an initial term of two years or less, and a person appointed to fill a vacancy

of a remaining term of two years or less shall be eligible for appointment to one additional five-year term.

- (c) One initial board member shall be selected by the mayor to serve as board chair until a new chair is elected by a majority of the board of ethics. The term of board chair shall be one year.
- (d) If any issue before the board of ethics involves any member of the board of ethics, the mayor with majority consent of the city council shall appoint an additional member or members to sit for the purpose of that determination in place of the member or members involved.
- (e) The board of ethics shall adopt its own rules of procedure not inconsistent with this article, other city ordinances, and other laws of the state and federal government.
- (f) Members of the board of ethics shall not be elected or appointed officers or employees of the city nor be nominees or candidates for any elective city office for two years prior to their appointment or two years after their term.
- (g) The board of ethics shall meet no less than once a year to consider and discuss its processes and needs as well as to issue its annual report as required by Section 9.01(c) of the City Charter.

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or

a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 14th DAY OF August, 2018.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1317 was published according to Section 11.13 of the City Charter on the 20th day of June, 2018.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 14th day of August, 2018.

Frances McMullan, City Clerk

Notice Published: June 20, 2018

First Reading: July 17, 2018

Second Reading: August 14, 2018

Published: August 23, 2018

Effective Date: September 22, 2018