

AN ORDINANCE enacting new Chapter XXX, Lakewood Ethics Commission, of the Codified Ordinances of the City of Lakewood to help preserve the public trust and foster public confidence in city government and elections.

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-governance; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. New Chapter XXX, Lakewood Ethics Commission, of the Codified Ordinances of the City of Lakewood, shall be enacted to read as follows:

**CHAPTER XXX
Ethics Commission**

**xxx.xx Establishment
xxx.xx Duties and Responsibilities**

xxx.xx ESTABLISHMENT

There is hereby created the City of Lakewood Ethics Commission, hereafter referred to as "the Commission," to be comprised of seven (7) members. Two (2) of the seven (7) initial members shall be appointed by the Mayor. Five (5) of the seven (7) initial members shall be appointed by majority vote of Council. Thereafter the Commission shall fill vacancies by appointment requiring majority vote.

(a) Of the initial appointments made to the commission, two shall be for a term ending one year after the effective date of this section, and next two initial appointments shall be for terms ending two years after the effective date of this section, the next two initial appointments shall be for terms ending three years after the effective date of this section, and one initial appointment shall be for a term ending four years after the effective date of this section. Thereafter, terms for all members shall be four years.

(b) Each member of the Commission shall serve a term of four years, except the initial members, and until their successor has been appointed by the Commission and qualified for office. Every member shall have been a resident of the City for at least one year prior to appointment and shall continue to be a resident so long as he or she shall serve as a member of the Commission. Members shall not serve more than two full terms or no more than ten (10) years, if having served to the end of a partial term on the Commission in a lifetime. In the event of a vacancy a replacement will be chosen by the Commission and will serve out the remainder of the vacant term.

(c) The Commission shall have at the least one member that meets the following criteria:
(1) One person of color

- (2) Three Women
- (3) One registered Democrat and one registered Republican.
- (4) One Person Identifying as LGBTQ
- (5) One Person admitted and in good standing with to the Ohio State Bar Association.
- (6) One person with a background in ethics, government finance, or a related field.
- (7) One member, and no more than one member, meeting criteria (c)5 and One member, and no more than one member, meeting criteria (c)6 shall be exempt from all residency requirements.

(d) The Commission shall at its first meeting elect a chairperson and other officers that are necessary and shall adopt rules for its procedures. After the first meeting, the commission shall meet at the call of the chairman or upon the written request of a majority of the members. A majority of the members of the commission constitutes a quorum. The commission shall not take any action without the concurrence of a majority of the members of the commission.

(e) The Commission may create and modify rules regarding its meetings and procedures. The Commission may create and appoint task forces and committees it deems appropriate to carry out its functions.

(f) The work of the Commission shall be managed by the Office of City Council and Clerk of Council.

(g) The responsibilities of the Office of City Council include managing Commission records and accounts, developing public education programs as needed, providing training for Commission members, managing citizen complaints, facilitating Commission scheduling and communication, and any other tasks needed to effectuate the functions of the Commission

(h) In addition, the Commission may use the services of attorneys, hearing examiners, clerks and other employees and agents who are City government employees, except in those cases in which the City government is a party, and in which case the Commission has the authority to engage appropriate counsel as the Commission sees fit.

XXXX.XX DUTIES AND RESPONSIBILITIES

(a) The commission shall have responsibility for the impartial and effective administration and implementation of the provisions of the Charter, statutes and ordinances concerning campaign financing, conflicts of interest, and governmental ethics.

(b) The City Ethics Commission shall have the following duties and responsibilities:

- (1) To audit disclosure statements and other relevant documents and investigate alleged violations of state law, the Charter and City ordinances relating to limitations on campaign contributions and expenditures, governmental ethics and conflicts of interest and to report the findings to the city prosecutors and other appropriate enforcement authorities.

(A) All reports and findings shall be made public and made easily accessible to the public upon the conclusion of any investigation or audit.

- (2) to provide assistance to agencies and public officials in administering the provisions of the Charter and other laws relating to campaign finance, conflicts of interest and governmental ethics;

- (3) to make recommendations to the Mayor and the Council concerning campaign finance reform, governmental ethics and conflicts of interest and to report to the Council every three years concerning the effectiveness of these laws;
- (4) to assist departments in developing their conflict of interest codes as required by state law;
- (5) to advocate understanding of the Charter, City ordinances and the roles of elected and other public officials, City institutions and the City electoral process;
- (6) to have full charge and control of its office, to be responsible for its proper administration, to submit annually a proposed budget and to expend the funds of the office, all as otherwise prescribed by law; and
- (7) To receive, initiate, investigate, seek to conciliate, hold hearings on and pass upon complaints alleging violations;
- (8) To cooperate with relevant federal and state authorities;
- (9) To present an annual report to the Mayor and City Council setting forth the number of complaints received during the prior year, as well as the disposition of the complaints, and the number of convictions for violation. The Commission shall publish this report and make it available in some format to the general public;
- (10) To require answers to interrogatories, compel the attendance of witnesses, examine witnesses under oath or affirmation in person by deposition and require the production of documents relevant to the complaint. The Commission may make rules authorizing or designating any member or individual to exercise these powers in the performance of official duties;
- (11) To cooperate with community, professional, civic and religious organizations, as well as state and federal agencies, in the development of public education programs regarding compliance with the provisions of this chapter and equal opportunity and treatment of all individuals;
- (12) To conduct tests to ascertain the availability of housing, both in sales and also in rentals of real property;
- (13) To create a webpage on the city's website, which the Commission shall have complete control of content, design and function. Where the Commission is at the minimum to make available information on this chapter, grievance procedures, the Commission's annual report and any other information that would further the purposes and intentions of this chapter.
 - (A) This is not meant to restrict the commission's outreach to the community.
 - (B) The Commission may create its own independent website if the Commission deems this necessary at any time, for any reason.