

**CITY OF WEST ALLIS
ORDINANCE O-2020-0017**

**ORDINANCE TO LIMIT POSITIONS REQUIRED TO FILE FINANCIAL
DISCLOSURE**

WHEREAS, it is important for public officials to disclose significant financial dealings with the City to eliminate the possibility of unfair dealings; and

WHEREAS, division heads and deputies are supervised by departments heads who take ultimate responsibility for the decisions of those departments; and

WHEREAS, only certain city boards and commissions handle matters of financial significance that relate to their personal financials;

NOW THEREFORE, the common council of the City Of West Allis do ordain as follows:

SECTION 1: **AMENDMENT** “3.2 Definitions” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

3.2 Definitions

1. a. "Anything of value" means any money, property, favor, service, payment, advance, forbearance, loan, guarantee of loan or promise of future employment.
- b. "Anything of value" includes, without restriction by enumeration, tickets, passes, admission offered and provided by sponsors or organizations doing business with the City.
- c. "Anything of value" shall not preclude an official from attending programs or events sponsored by an agency of City government to which an official shall attend or participate in the course of official duty, and it shall not include political contributions which are reported under Chapter 11 of the Wisconsin Statutes, or hospitality extended for a purpose unrelated to City business by a person other than an organization.
- d. "Anything of value" shall not include fees, honorariums, compensation or reimbursement of expenses, provided reimbursement does not exceed one hundred dollars (\$100) for a published work, meeting, presentation of a paper, talk or demonstration. If the value of the above exceeds one hundred dollars (\$100), the official shall report such receipt to the Board, with a brief report of the event concerned. The report shall be made within sixty (60) days of its receipt.
2. "Associated," when used with reference to an organization, means any organization in

which an individual or a member of his or her immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, at least ten percent (10%) of the outstanding equity, voting rights or indebtedness, whether individually or in the aggregate.

3. "Board" means the Ethics Board.
4. "City" means the City of West Allis.
5. "Financial interest" means any interest, which yields a monetary or other material benefit to the official or to any person employing or retaining the services of the official.
6. "Gift" means the payment or receipt of anything of value without valuable consideration.
7. "Governmental entity" means any Department, Commission, Committee, Council, Board, Bureau, Division, service, office, officer, administration, legislative body or other establishment in the executive, legislative or judicial branch of the State or a political subdivision thereof, including any Wisconsin municipality.
8. "Immediate family" means:
 - a. An individual's spouse.
 - b. An individual's relative by marriage, lineal descent or adoption, who receives, directly or indirectly, more than fifty percent (50%) of his or her support from such individual or from whom such individual receives, directly or indirectly, more than fifty percent (50%) of his or her support.
9. "Income" has the meaning given under Section 61 of the Federal Internal Revenue Code.
10. "Internal Revenue Code" has the meaning given under secs. 71.02(1)(a) and (2)(b) of the Wisconsin Statutes.
11. "Ministerial action" means an action performed in a prescribed manner in obedience to the mandate of legal authority without regard to the exercise of judgment as to the propriety of the action being taken.
12. "Official" means any individual holding an elected City office, any candidate for elected City office, any member of the Ethics Commission, Community Development Authority, Plan Commission, or Board of Police and Fire Commissioners, and any ~~Board or Commission member, any Department Head and their Deputies, Assistants, Managers and Division Heads,~~ including individuals holding any such office or employment in an acting capacity. ~~{Ord. O-2003-0046, 6/15/2004}~~
13. "Organization" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, unincorporated association, receivership, trust or any legal entity organized for profit, other than an individual or governmental entity.
14. "Payor" any person providing anything of value to the official and his or her spouse.
15. "Person" means any individual, person or organization.
16.
 - a. "Security" means any stock, share, note, bond, debenture, evidence of indebtedness, share of beneficial interest in a business, investment contract, commodity futures contract, certificate of deposit for a security, limited partnership interest or, in general, any interest or instrument having the incidents of a security or offered in the manner in which securities are offered or any certificates of interest or participation in temporary or interim certificate for,

receipt for guarantee of, or option, warrant or right to subscribe to or purchase or sell, any of the foregoing.

- b. "Security" does not include a certificate of deposit in a mutual savings and loan association, mutual savings bank, credit union or similar association organized under the laws of this State.

~~{Ord. O-2003-0015, 1/21/2003}~~

SECTION 2: **AMENDMENT** "3.4 Financial Disclosure" of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

3.4 Financial Disclosure

1. Officials. A statement of economic interest shall be filed with the Board by each official and individual who is a candidate for any elective City office, unless that person is required to file a statement of economic interests under Wis. Stat. 19.44(1).
2. Spouses. Any official or candidate required to file a statement of economic interest by subsection (a) shall also file a statement of economic interest on behalf of his or her spouse, to the best of the official's or candidate's knowledge, information and belief.
3. Filing requirements. Officials and candidates required to file under subsection (a) shall file statements of economic interest with the Board as follows:
 - a. Any candidate for elective City office shall file a statement of economic interest at the time of filing nomination papers. The information contained on the statement shall be current as of the date of filing nomination papers.
 - b. Any newly appointed or employed City official shall file a statement of economic interest within thirty (30) days after the commencement of appointment or employment. The information on the statement shall be current as of the date he or she assumes office or commences employment.
 - c. Each individual who, in January of any year, is an official required to file, shall file a statement of economic interest no later than April 30 of that year. The information contained on such statement shall be current as of the preceding December 31.
 - d. If an individual required to file has failed to file a statement of economic interest within the required time, no salary or compensation may be paid to such official until he or she files the required statement. The Board shall officially inform the Director of Administration and Finance when it has determined that an official's salary or compensation should be withheld.
 - e. If a candidate for elective City office fails to file a statement of economic interest within the required time, the candidate's name shall be omitted from the election ballot.
 - f. The Board may, for good cause, grant to an official an extension of time to file a

statement of economic interest not to exceed sixty (60) days from and after the filing date. An extension of time to file may only be considered upon application made to the Board prior to the filing date.

4. Disclosure. Whenever a dollar amount is required to be reported on a statement of economic interest, it shall be sufficient to report whether the amount is not more than fifty thousand dollars (\$50,000) or more than fifty thousand dollars (\$50,000).

[Ord. O-2003-0015, 1/21/2003]

SECTION 3: EFFECTIVE DATE This Ordinance shall be retroactively in full force and effect from January 1, 2019, after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Ald. Grisham	_____	_____	_____	_____
Ald. Haass	_____	_____	_____	_____
Ald. Kuehn	_____	_____	_____	_____
Ald. Lajsic	_____	_____	_____	_____
Ald. Reinke	_____	_____	_____	_____
Ald. Roadt	_____	_____	_____	_____
Ald. Stefanski	_____	_____	_____	_____
Ald. Tenorio	_____	_____	_____	_____
Ald. Vitale	_____	_____	_____	_____
Ald. Weigel	_____	_____	_____	_____

Presiding Officer

Attest

 Dan Devine, Mayor, City Of West Allis

 Rebecca Grill, City Administrator/Acting City Clerk City Of West Allis