

NAPERVILLE CITY COUNCIL DISCLOSURE OF INTEREST IN CONTRACT, BUSINESS, OR TRANSACTION

1-13-2: - PROHIBITED INTERESTS: No member of the City Council shall have an ownership interest, an employment interest, or a family interest in any of the following matters:

1. Any contract, business, or transaction of the City or in the sale of any article to the City where the expense, price, or consideration is paid either from the City's treasury or by an assessment levied by the City;
2. Any purchase of goods, articles, or property belonging to the City;
3. Any purchase of property sold for delinquent taxes or assessments of the City or sold by legal process at the suit of the City.

The foregoing regulations shall not be applicable if a specific exception is provided for in Section 1-13-3 of this Chapter.

1-13-3: - EXCEPTION TO PROHIBITED INTERESTS: Members of the City Council may have an ownership, employment, or family interest in any contract, business, or transaction if such interest meets one of the following conditions:

1. The ownership, employment, or family interest is less than a seven and one-half percent (7½%) share of the ownership of the entity and any contract is awarded by competitive bidding, or
2. The ownership, employment, or family interest is five percent (5%) or less of the shares of a publicly held corporation traded on a stock exchange, or
3. The contract awarded by the City is less than ten thousand dollars (\$10,000.00) and is in accord with the procedures of Section 1-9B-7 of this Title, or
4. The ownership, employment, or family interest is less than a seven and one-half percent (7½%) share of any public utility company providing utility services to the City and the utility's rates are approved by the Illinois Commerce Commission or the Federal Energy Regulatory Commission, or
5. The ownership, employment, or family interest is less than a seven and one-half percent (7½%) share of a bank or savings and loan institution which has a contract of deposit of monies, loans, or financial services with the City.

1-13-4: - DISCLOSURE AND ABSTENTION: When any member of the City Council has an ownership, employment, or family interest, in a proposed contract, business, or transaction with the City, which interest is allowed by Section 1-13-3 of this Chapter, such Council Member shall file with the City Manager a written disclosure of such interest, a description of such interest, the provision of Section 1-13-3 of this Chapter relied upon, and a description of the applicability of such exception on a form as follows:

Name: _____

Position with City: _____

Name of entity contracting with City: _____

Proposed contract, business, or transaction: _____

I have an ☐ Ownership ☐ Employment ☐ Family

interest in the proposed contract, business, or transaction as follows: _____

I am entitled to have such an interest under the provisions of Section 1-13-3___ because of the following facts: _____

Dated: _____

Signature: _____

Such written disclosure shall be filed with the City Manager not later than the call to order of the City Council meeting at which the proposed contract, business, or transaction is to be considered. The City Manager shall bring the written notification to the attention of the City Council in public when the item is called on the agenda for consideration.

A member of the City Council having an interest for which a disclosure is required shall leave the chamber where deliberations take place during the discussion and vote on the interested matter and shall not vote on said matter.

1-13-5: - VOIDANCE OF PROHIBITED CONTRACTS: No contract which would cause a violation of Section 1-13-2 of this Chapter shall be approved by the City Council and any contract which is approved is void ab initio.

NAPERVILLE CITY COUNCIL DISCLOSURE OF INTEREST IN CONTRACT, BUSINESS, OR TRANSACTION

1-13-1: - DEFINITIONS: The following definitions shall apply to this Chapter:

BUSINESS OR TRANSACTION:	Licenses, permits, approvals, and benefits granted, given, or entered into by the City. Business or transaction restrictions shall not apply to those applicants exempted under Section 1-12-5 of this Title, unless specifically hereinafter provided.
CONTRACT:	Any agreement between the City of Naperville and any person, firm, corporation, or entity for the purchase of materials, goods, or services or real estate from the entity. Contract shall also mean any agreement whereby real estate, materials, goods, or services are sold by the City to the entity. Contract shall also mean a deposit of monies, loans, or other financial services provided to the City by banks and other thrift institutions. Contract shall include employment by the City.
EMPLOYMENT INTEREST:	An employment interest exists where a person is an employee or agent of the entity contracting or having any business or transaction with the City, and: <ol style="list-style-type: none">1. The person is compensated in a manner so that he would receive a commission, bonus, or profit sharing distribution based in whole, or in part, on the contract, business, or transaction with the City, or2. The total of all contracts, business, or transactions between the City and the entity, in any calendar year, amount to more than twenty-five thousand dollars (\$25,000.00). An employment interest shall not include employment by another unit of government.
FAMILY INTEREST:	A family interest exists where a person has a wife, husband, son, daughter, father, mother, brother, or sister who has an ownership or employment interest in a contract, business, or transaction with the City.
OWNERSHIP INTEREST:	An ownership interest exists where a person is the sole proprietor, owner, partner, stockholder, or joint venturer of the entity contracting, or having any business or transaction with the City.

1-12-5: - EXEMPTIONS:

1. Disclosures in accordance with the provisions of this Chapter shall not be required of applicants for the following described contracts, permits, licenses, approvals or benefits:

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| 1.1. Vehicle Stickers. | 1.12. Going out of business permits. |
| 1.2. Parking Permits. | 1.13. House moving permits. |
| 1.3. Bicycles licenses. | 1.14. Parade permits. |
| 1.4. Dog licenses. | 1.15. Peddlers' and solicitors' permits. |
| 1.5. Electrical contractor's licenses. | 1.16. Raffle permits. |
| 1.6. Plumbing contractor's licenses. | 1.17. Purchase orders or contracts involving amounts less than ten thousand dollars (\$10,000.00). |
| 1.7. Sidewalk contractor's licenses. | 1.18. Sign permits (if no variation is requested). |
| 1.8. Alarm permits. | 1.19. Applications for historic preservation district designation. |
| 1.9. Amplifier permits. | 1.20. Applications for landmark designation. |
| 1.10. Taxicab, liver, limousine and carriage licenses. | 1.21. Applications for utility service. |
| 1.11. Block party permits. | |

2. Disclosures in accordance with the provisions of this Chapter shall not be required to be under oath for building permits for the following structures:

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| 2.1 Decks. | 2.6. Swim pools. |
| 2.2. Patios. | 2.7. Lawn sprinklers. |
| 2.3. Room Additions. | 2.8. Construction trailers. |
| 2.4. Garages. | 2.9. Gazebos. |
| 2.5. Temporary electric service changes. | 2.10. Sheds. |