

1 Introduced by Council Member Johnson and substituted by the Rules  
2 Committee:

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5 **ORDINANCE 2010-616-E**

6 AN ORDINANCE RELATING TO THE CHARTER OF THE  
7 CITY OF JACKSONVILLE, AS ESTABLISHED IN  
8 CHAPTER 67-1320, AND RECODIFIED IN CHAPTER 92-  
9 341, LAWS OF FLORIDA, AS AMENDED; RELATING TO  
10 ETHICS, THE CITY OF JACKSONVILLE'S ETHICS  
11 CODE, AND THE CITY OF JACKSONVILLE'S ETHICS  
12 COMMISSION; AMENDING ARTICLE 1 TO ADD A  
13 CHAPTER 2 (ETHICS) TO ESTABLISH AN ETHICS  
14 POLICY, TO AUTHORIZE THE ESTABLISHMENT OF AN  
15 ETHICS CODE AND AN ETHICS COMMISSION, AND TO  
16 PROVIDE THAT THE CITY'S CONSTITUTIONAL  
17 OFFICERS SHALL BE SUBJECT TO THE ETHICS CODE;  
18 REPEALING SECTION 18.10 OF THE CHARTER;  
19 PROVIDING AN EFFECTIVE DATE.

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21 **WHEREAS**, Section 3.01(e) of the Charter of the City of  
22 Jacksonville provides that the Council may repeal or amend most  
23 provisions of the Charter, and adopt other provisions of the  
24 Charter, with limited exceptions, by ordinance, to the same extent  
25 as could be done by the Legislature; and

26 **WHEREAS**, the Council deems it to be in the public interest to  
27 devote a chapter of the Charter to the promotion of an ethical  
28 government; now therefore

29 **BE IT ORDAINED** by the Council of the City of Jacksonville:

30 **Section 1. Article 1, Charter, Amended.** Part A, Article  
31 1, of the Charter of the City of Jacksonville, as established in

Chapter 67-1320, and recodified in Chapter 92-341, Laws of Florida, as amended, is amended to divide Article 1 into chapters, to title Chapter 1 (Consolidated Government), and to create a new Chapter 2 (Ethics), all to read as follows:

**CHARTER LAWS**

**CHARTER OF THE CITY OF JACKSONVILLE**

**ARTICLE 1. GOVERNMENT AND ETHICS**

**CHAPTER 1. CONSOLIDATED GOVERNMENT**

**Section 1.101. Consolidated government.**

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**Section 1.102. Cities of Jacksonville Beach, Atlantic Beach, and Neptune Beach and Town of Baldwin.**

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**CHAPTER 2. ETHICS**

**Section 1.201. Declaration of Ethics Policy**

The proper operation of responsible government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the best interests of the people, the community and the government; that public office not be used for personal gain, and that the public have confidence in the integrity of its government.

**Section 1.202. Ethics Code, Ethics Commission.**

The City of Jacksonville, acting in its capacity as a county, shall enact an ethics code with jurisdiction over the officers and employees of the consolidated government of the City of Jacksonville, its constitutional officers, and independent agencies and districts, whether elected or appointed, paid or unpaid, and to the officers and employees of the school district. The ethics code may, as allowed by law, supplement state ethics laws. The ethics code shall provide for an independent ethics commission, whose

1 membership shall have appropriate subject matter expertise, and  
2 which shall:

3 (a) manage a citywide ethics hotline for intakes of  
4 allegations of violations of the ethics code;

5 (b) manage and coordinate the training and education of  
6 local officers and employees in state and local  
7 ethics;

8 (c) have the authority to refer ethics matters to  
9 appropriate enforcement agencies;

10 (d) recommend changes in legislation to City Council in  
11 the areas of ethics laws and administration,  
12 conflicts of interests, hotline policies, ethics  
13 education, ethics in procurement, campaign ethics,  
14 and lobbying;

15 (e) have jurisdiction to levy those civil fines or  
16 penalties authorized by the City Council for  
17 violations of the City's ethics code;

18 (f) act as the hiring committee for the administrative  
19 staff of the ethics oversight and compliance office;

20 and whose enforcement power is limited to the ethics code  
21 authorized by this section and enacted by city council. A structure  
22 shall be established for the ethics commission that ensures  
23 independence and impartiality

24 **Section 1.203 Ethics oversight and compliance office.**

25 The ethics code shall include the establishment of an  
26 independent citywide ethics oversight and compliance office to  
27 coordinate ethics training, ethics compliance, and ethics oversight  
28 issues and to staff the ethics commission. The ethics code, ethics  
29 commission, and ethics oversight and compliance office in place at  
30 the time of enactment of this section shall continue until amended  
31 or altered by the Council.

1 **Section 1.204 Administrative Support.**

2 Appropriate support, as determined by City Council, shall be  
3 provided to the ethics commission and to the citywide ethics  
4 oversight and compliance office to carry out its duties and  
5 responsibilities. This support shall include a mechanism to obtain  
6 documents and testimony in connection with violations of the City's  
7 ethics code.

8 **Section 1.205. Ethics Education and Application of Ethics Laws.**

9 Within 90 days after taking office, every elected official  
10 within the consolidated government shall complete such ethics  
11 training as may be required by the ethics code. This requirement  
12 shall apply to all elected officials within the consolidated  
13 government, including, without limitation, the Mayor, all City  
14 Council Members, all Duval County School Board Members, the  
15 Sheriff, the Supervisor of Elections, the Property Appraiser, the  
16 Tax Collector, and the Clerk of the Circuit and County Court.  
17 Additionally, all such elected officials shall be included in the  
18 definition of the term "officer" regarding any ethics code  
19 definition referring to officers as any person elected to any City  
20 office and all such elected officials shall comply with all laws  
21 applicable to officers in the city's ethics code.

22 **Section 2. Section 18.10, Charter, Repealed.** Having  
23 enacted a new Chapter 2 to Article 1, which includes the provisions  
24 of Section 18.10 (Ethics education and application of ethics laws),  
25 Section 18.10 of the Charter of the City of Jacksonville, as  
26 established in Chapter 67-1320, and recodified in Chapter 92-341,  
27 Laws of Florida, as amended, is hereby repealed.

28 **Section 3.** This ordinance shall become effective upon  
29 signature by the Mayor or upon becoming effective without the  
30 Mayor's signature.  
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Form Approved:

          /s/ Steven E. Rohan          

Office of General Counsel

Legislation Prepared By: Steven E. Rohan

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