AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA; AMENDING SECTION 2-3 OF THE CODE OF ORDINANCES OF THE CITY OF TALLAHASSEE; PROVIDING A TITLE FOR ETHICS CODE; PROVIDING DEFINITIONS USED IN THE ETHICS CODE; AMENDING SECTION 2-4 OF THE CODE OF ORDINANCES OF THE CITY OF TALLAHASSEE; PROVIDING A STATEMENT OF PURPOSE FOR ETHICS CODE; AMENDING SECTION 2-5 OF THE CODE OF ORDINANCES OF THE CITY OF TALLAHASSEE; PROVIDING FOR THE ETHICS BOARD TO DEFINE THE DUTIES OF THE ETHICS OFFICER IN ITS BY-LAWS; AMENDING SECTION 2-6 OF THE CODE OF ORDINANCES OF THE CITY OF TALLAHASSEE; ADDING CITY EMPLOYEES TO THOSE PROHIBITED FROM MISUSING HIS OR HER POSITION; DELETING DEFINITIONS CURRENTLY IN SECTION 2-3; AMENDING SECTION 2-10 OF THE CODE OF ORDINANCES OF THE CITY OF TALLAHASSEE; MANDATING THAT ALL COVERED INDIVIDUALS REPORT ANY OFFERS OF VALUE INTENDED TO INFLUENCE A DECISION; AMENDING SECTION 2-13; PROHIBITING COVERED INDIVIDUALS FROM ACCEPTING OR SOLICITING ALL GIFTS REGARDLESS OF VALUE; AMENDING SECTION 2-14; DELETING DUPLICATIVE LANGUAGE; REMOVING JURISDICTION OVER LOBBYIST REGISTRATION; PROVIDING FOR ETHICS BOARD TO ORDER RESTITUTION AS A PENALTY; CREATING SECTION 2-15; PROHIBITING PUBLIC OFFICIALS AND EMPLOYEES FROM DISCLOSING OR USING INFORMATION NOT AVAILABLE TO THE GENERAL PUBLIC; CREATING SECTION 2-16; PROHIBITING COVERED INDIVIDUALS FROM HOLDING EMPLOYMENT OR CONTRACTUAL RELATIONSHIPS WITH ENTITIES DOING BUSINESS WITH
BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF TALLAHASSEE, FLORIDA:

SECTION 1. Section 2-3 of the Code of Ordinances of the City of Tallahassee is hereby amended to read as follows:

DIVISION 3. - ETHICS CODE

Sec. 2-3. - Title; definitions; loyalty oath.

(a) This division shall be known as the “City of Tallahassee Ethics Code.” This ethics code is enacted pursuant to Article VIII, section 2(b), Florida Constitution, Chap. 166, Florida Statutes, and the Charter of the City of Tallahassee. The purpose of this code is to provide additional and more stringent ethics standards as authorized by Section 112.326, Florida Statutes. This code shall not be construed to authorize or permit any conduct or activity that is in violation of Chap. 112, part III, Florida Statutes.

(b) The following words, terms, and phrases, when used in this division and as well as Division 4, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Benefit means anything of value, including but not
limited to compensation, reward, pecuniary gain that is not equally available to similarly situated members of the general public.

City means the City of Tallahassee, Florida.

Compensation means fee, retainer, contract payment, salary, wages, reward, any other payment of money, or any other consideration of any kind, either monetary or nonmonetary. "Compensation" does not include reimbursement of actual out-of-pocket expenses.

Covered individual means:

(1) Each public official;

(2) Each employee and each member of a city board, commission, or council who is required by section 112.3145, Florida Statutes, to file an annual financial disclosure; and

(3) Each employee who is a procurement employee. “Procurement employee” means any city employee who has participated in the preceding twelve months through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities, if the cost of such services or commodities exceeds or is expected to exceed $10,000 in any fiscal year.

Ethics Code, as provided in the Charter of the City of Tallahassee, is established in section 2-3 et seq.

Ethics Officer, as provided in the Charter of the City of Tallahassee, is established in section 2-5.

Exemption means to be free of, or excused from, an obligation or duty required of others similarly situated.
Gift means that which is accepted by a donee or by another on the donee's behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for his or her benefit or by any other means, for which equal or greater consideration is not given. Among other things, a gift may be:

(1) Real Property;
(2) The use of real property;
(3) Tangible or intangible personal property;
   (a) Intangible personal property means money, all evidences of debt owed to the taxpayer, all evidences of ownership in a corporation or other business organization having multiple owners, and all other forms of property where value is based upon that which the property represents rather than its own intrinsic value.
(4) The use of tangible or intangible property;
(5) A preferential rate or terms on a debt, loans, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similar situated government employees or officials or a rate which is available to similarly situated members of the general public by virtue of occupation, affiliation, age, religion, sex, or national origin;
(6) Forgiveness of indebtedness;
(7) Transportation, other than that provided to a public official or employee of the city by the city in relation to officially approved governmental business, lodging, or parking;
(8) Food or beverage;
(9) Membership dues;
(10) Entrance fees, admission fees, or tickets to events, performances, or facilities;
(11) Plants, flowers, or floral arrangements;
(12) Services provided by persons pursuant to a professional license or certificate;
(13) Other personal services for which a fee is normally charged by the person providing the services; or
(14) Any other similar service or thing having an attributable value not already provided for in this section.

_Gift_ does not mean:
(1) Salary, benefits, services, fees, commissions, or expenses associated primarily with the donee's employment or business, or provided to the donee as part of the donee's bona fide fact finding efforts on behalf of the city, or provided to the donee by the city, and does not include gifts provided by the city, to the extent that such gift is not inconsistent with state law;
(2) Contributions or expenditures reported pursuant to federal, state or local election laws, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party;
(3) An award, plaque, certificate, or similar personalized item given in recognition of the donee's public, civic, charitable, or professional service;
(4) An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization;
(5) The use of a public facility or public property, made available by a governmental agency, for a public purpose;
(6) An honorarium or an expense related to an honorarium event paid to a person or a person's spouse;
(7) Transportation provided to a public official or employee of the city in relation to officially approved governmental business;
(8) Gifts provided directly or indirectly by a state, regional or national organization which promotes the exchange of ideas between, or the professional development of, public officials and employees of the city, and whose membership is primarily composed of elected or appointed officials, officers, or staff, to members of that organization or public officials or employees of the city in matters when the city is a member of that organization;

(9) Gifts solicited or accepted from a relative, as that term is defined in this section.

_Honorarium_ means a payment of money or anything of value, directly or indirectly, to a covered individual, or to any other person on his or her behalf, as consideration for a speech, address, oration, or other oral presentation by the covered individual, regardless of whether presented in person, recorded, or broadcast over the media, or for a writing by the covered individual, other than a book, which has been or is intended to be published.

_Indirect Gift_ means:

(1) Where a gift is provided to a person other than the covered individual by a political committee or vendor, by a lobbyist who lobbies the city, or by the partner, firm, employer, or principal of a lobbyist, where the gift or the benefit of the gift ultimately is received by the covered individual, and where the gift is provided with the intent to benefit the covered individual, such gift will be considered an indirect gift to the covered individual;

(2) Where a gift or the benefit of a gift is provided to a covered individual by someone other than a political committee, a lobbyist, or the partner, firm, employer, or principal of a lobbyist, or a vendor, but
the gift or the expense of the gift has been provided by
or paid for by a political committee, a vendor, or a
lobbyist, or the partner, firm, employer, or principal of
a lobbyist, who intends thereby to benefit the covered
individual, such gift will be considered an indirect gift
to the covered individual;

(3) Factors which the ethics board will consider in
determining whether an indirect gift has been made
include but are not limited to:

1. The existence or nonexistence of communications
by the donor indicating the donor’s intent to make or
convey the gift to the covered individual rather than to
the intervening third person;

2. The existence or nonexistence of any relationship
between the donor and the third person, independent of
the relationship between the donor and the covered
individual, that would motivate a gift to the third
person;

3. The existence or nonexistence of any relationship
between the third person and the covered individual that
would motivate the gift.

4. Whether the same or similar gifts have been or
are being provided to other persons having the same
relationship to the donor as the third person;

5. Whether, under the circumstances, the third
person had full and independent decision-making authority
to determine whether the covered individual or another,
would receive the gift;

6. Whether the third person was acting with the
knowledge or consent of, or under the direction of, the
donor;

7. Whether there were or were intended any payments
or bookkeeping transactions between the third person and
the donor, reimbursing the third person for the gift; and
8. The degree of ownership or control the donor has over the third person.

Public official means members of the city commission and commission-appointed aides, mayor and mayor’s appointed assistants and aides, city manager, city attorney, city auditor, city treasurer-clerk, members appointed by the city commission to serve on any advisory, quasi-judicial, or any other board of the city, state, or any other regional, local, or corporate entity.

Relative, unless otherwise specified in this division and Division 4, means an individual who is related to a public official or employee of the city as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, domestic partner, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the public official or employee of the city or who otherwise holds himself or herself out as or is generally known as the person whom the public official or employee of the city intends to marry or with whom the public official or employee of the city intends to form a household, or any other natural person having the same legal residence as the public official or employee of the city.

Remedial order means a nonbinding declaration and recommendation by the ethics board, that includes findings of fact and conclusions of law, in response to a complaint against a city employee.

Resource means information gained principally
through one's position with the city and not available to the general public.

Respondent means a person who is alleged to have committed a violation within the jurisdiction of the ethics board and is named in a complaint to the ethics board.

Special privilege means economic benefit of any kind that inures to the person and is not equally available to similarly situated members of the general public.

Tallahassee Independent Ethics Board means the board as provided in the Charter of the City of Tallahassee and established in section 2-21 et seq. to administer and enforce the ethics regulations set forth herein and may also be referred to as the "ethics board" in this division and Division 4.

Vendor means any person or entity who has a pending bid proposal, an offer or request to sell goods or services, sell or lease real or personal property, or who currently sells goods or services, or sells or leases real or personal property, to the city. For the purposes of this definition a vendor entity includes an owner, director, manager or employee.

(c) All public officials and employees of the city shall, in addition to the standard loyalty oath sworn by all public employees pursuant to Section 876.05, Florida Statutes, as it may be amended from time to time, swear or affirm the following oath. The oath, which must be in writing and filed in the city's records, shall read as follows:

I, __________, being employed by or an officer of _____ and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida. I further solemnly swear or affirm that I have a commitment to the public trust, the highest
standards of professionalism and ethics, including a commitment to the constant appearance of propriety, always putting public trust first and never allowing personal benefit to affect my decisions and service as a public servant.

SECTION 2. Section 2-4 of the Code of Ordinances of the City of Tallahassee is hereby amended to read as follows:

Sec. 2-4. - Ethical employees and appointees; statement of purpose.
(a) The city's public appointed officials shall take all practical steps to ensure the city's current practice of ensuring that only the most ethical individuals are employed or promoted by the city and appointed by the city to its various citizen boards and committees.
(b) This ethics code shall be deemed additional and supplemental to any and all state and federal laws governing ethical conduct of officials and employees, as well as all local laws, rules, regulations, and policies.

SECTION 3. Section 2-5 of the Code of Ordinances of the City of Tallahassee is hereby amended to read as follows:

Sec. 2-5. - Ethics officer.

The independent ethics board, as provided in the Charter of the City of Tallahassee, appoints and directs the independent ethics officer. The duties of the independent ethics officer are set forth in the by-laws of that board. Those duties include the following:

(1) Direct the city's ethics functions under the direction of the ethics board;

(2) Advise city elected officials, appointed officials, management, staff, and vendors on ethical matters;
(3) Investigate and address complaints related to ethics concerning city elected officials, appointed officials, management, staff, or vendors; all city management and staff shall cooperate with the ethics officer and make city records available for the conduct of such investigations;

(4) Monitor information on lobbyists engaged to represent the city, as provided herein;

(5) Monitor information on lobbyists engaged by citizens to appear before the city to ensure compliance with the lobbyist regulations in this chapter;

(6) Provide ethics training to the city's elected officials, appointed officials, management, staff, and vendors;

(7) Create an ethics web page on the city's web site. The ethics web page will contain links to this ethics code, state and local laws governing ethics, the Florida Ethics Commission, the ethics and fraud hotline, the supervisor of elections, and the City's Charter, Code of General Ordinances, and Land Development Code;

(8) Create a guide to the ethics code for distribution to the public;

(9) Administer and ensure compliance with this ethics code;

and

(10) Provide an annual report on the city's ethics program to the city commission.

SECTION 4. Section 2-6 of the Code of Ordinances of the City of Tallahassee is hereby amended to read as follows:

Sec. 2-6. - Misuse of public position.

(a) No public elected or appointed official or employee of the city shall corruptly use or attempt to use his or her official position or any city property or resource which may be within his or her trust, or perform or fail to perform, his or her official duties, in a manner which he or she knows or should
know with the exercise of reasonable care will result in to secure a special privilege, benefit, or exemption for himself or herself themselves or others valued at more than $25.00.

(b) The following definitions shall apply to this section:

Benefit means anything of value, including but not limited to compensation, reward, pecuniary gain or resulting effect in a favorable manner or degree different than the manner or degree in which the similarly situated general public is affected.

Compensation means fee, retainer, contract payment, salary, wages, reward, any other payment of money, or any other consideration of any kind, either monetary or nonmonetary. "Compensation" does not include reimbursement of actual out-of-pocket expenses.

Exemption means to be free of, or excused from, an obligation or duty required of others similarly situated.

Resource means and includes information gained principally through one's position with the city and not available to the general public.

Special privilege means economic benefit of any kind that inures to the person and is not equally available to similarly situated persons.

SECTION 5. Section 2-10 of the Code of Ordinances of the City of Tallahassee is hereby amended to read as follows:

Sec. 2-10. - Disclosure of offers of influence; disclosure of employment to elected officials.

(a) Each covered individual shall report to the ethics board and the city attorney any offer made to him or her anything of value that he or she reasonably believes was made to influence the vote, official action, or judgment of the covered individual on any matter of city business.

(b) The disclosure requirements contained in section 706.06(D) of the City's Personnel Policies and Procedures Manual
relating to disclosing offers of employment extended by city vendors shall also apply to the city's elected officials.

SECTION 6. Section 2-13 of the Code of Ordinances of the City of Tallahassee is hereby amended to read as follows:

Sec. 2-13. - Solicitation or acceptance of gifts.

(a) No covered individual elected or appointed official shall knowingly, directly or indirectly, accept or solicit a gift of any value from any person or business entity that the recipient knows, or should know with the exercise of reasonable care, is a vendor, lessee of city property, lobbyist or any principal or employer of a lobbyist who lobbies, sells or leases to the city, or from any potential vendor or lessee that is currently engaged in procurement or negotiations with the city or a bid protest.

(b) No elected or appointed official shall directly or indirectly accept a gift with a value of greater than $100.00 in the aggregate for the calendar year from any person or business entity that recipient knows, or should know with the exercise of reasonable care, is a vendor, lessee of city property, lobbyist or any principal or employer of a lobbyist who lobbies, sells or leases to the city, or from any potential vendor or lessee that is currently engaged in procurement or negotiations with the city or a bid protest.

(b) For the purpose of this section, the prohibitions of subsection 2-13(a) do not apply if the gift is not for the personal benefit of the covered individual elected or appointed official, another individual required to file financial disclosure, or his or her relative, as defined in section 2-3 as member of the immediate family of a reporting individual (parent, spouse, child, or sibling).

SECTION 7. Section 2-14 of the Code of Ordinances of the
City of Tallahassee is hereby amended to read as follows:

Sec. 2-14. - Penalties.

(a) Any violation based on a sworn complaint, any violation of the city's ethics code, including but not limited to, failure to file financial disclosures for elected officials, failure to file disclosure requirements for lobbyists representing the city, failure to file disclosure of offers of employment to elected officials or violation of any requirement of this ethics code, constitutes grounds for, and may be punished by, one or more of the following:

1. Oral reprimand;
2. Written reprimand;
3. Remedial order and/or written letter of instruction;
4. Corrective action, including but not limited to restitution by the individual found to have committed a violation, when the person or a third party has received a pecuniary benefit as a result of the person’s violation, and recommendation by the ethics board to the city to take action against the individual consistent with the city’s employee disciplinary policy;
5. Referral to appropriate agency, including but not limited to, law enforcement;
6. Fine not to exceed $1,000.00 per violation or the cumulative value of the pecuniary benefits resulting from the individual’s violations, whichever amount is higher;
7. Additional ethics training at the violator's expense;
8. Community service in the form of educating the public on the importance of ethical leadership;
9. For late filing of annual financial disclosures required by law or ordinance for elected officials form EB1, $25.00 per day for each day late with a maximum fine of $1,000.00, unless the individual did not receive reasonable
notice of his or her obligation to file.

(b) The board may choose to impose no sanctions based upon mitigating circumstances or upon recognition that a public finding of an ethics violation imposes sufficient penalty. First time violations will usually be in this category.

(c) All civil penalties collected shall be deposited into the City of Tallahassee General Fund.

(d) The board may also order the payment of investigative costs, not to exceed $1,000.00 per violation, in addition to the penalties in subsection (a) above.

(e) The board may also order disgorgement of any pecuniary benefits received because of the violation committed.

(f) Upon its own initiative, the ethics board may require investigative costs to be paid to the City of Tallahassee General Fund on any complaint in which the ethics board finds by a preponderance of the evidence that, when initially presented to the ethics board, the complainant knew that a complaint was not supported by the material facts necessary to establish a violation of the ethics code or that the complainant showed a reckless disregard for the truth as to whether the complaint was supported by the material facts necessary to establish a violation of the ethics code. A sworn complaint is not required to report a matter on the ethics and fraud hotline established by section 2-7 of this Code.

SECTION 8. Section 2-15 of the Code of Ordinances of the City of Tallahassee is hereby created to read as follows:

Sec. 2-15. - Disclosure or use of non-public information. A public official or employee of the city shall not disclose or use information that is not available to members of the public and that was gained by reason of his or her official position, except for information relating exclusively to governmental practices, for his or her personal gain or benefit...
or for the personal gain or benefit of any other person or business entity.

SECTION 9. Section 2-16 of the Code of Ordinances of the City of Tallahassee is hereby created to read as follows:

Sec. 2-16. - Conflicting employment or contractual relationship.

(a) A covered individual shall not have or hold any employment or contractual relationship with any business entity that is subject to the regulation of, or is doing business with, the city. Such covered individual shall not have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties. This paragraph does not apply to organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the city.

(b) This section shall not prohibit covered individuals from practicing in a particular profession or occupation when such practice by the covered individual is required or permitted by law or ordinance.

(c) A covered individual shall not solicit any employment or contractual relationship prohibited by this section.

(d) A covered individual must disclose to the city attorney and the ethics board any offer of employment or contractual relationship that is prohibited by this section.

(e) The requirements of section 2-16 as it pertains to persons serving on advisory boards may be waived in a particular instance by the body which appointed the person to the advisory board, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver and an affirmative
vote in favor of waiver by two-thirds vote of that body. In
instances in which appointment to the advisory board is made by
an individual, waiver may be effected, after public hearing, by
a determination by the appointing person and full disclosure of
the transaction or relationship by the appointee to the
appointing person.

(f) No person shall be held in violation of section 2-16
if:

(1) Within the city, the business is transacted under a
rotation system whereby the business transactions are rotated
among all qualified suppliers of the goods or services within
the city.

(2) The business is awarded under a system of sealed,
competitive bidding to the lowest or best bidder and:
   a. The covered individual has in no way participated in the
determination of the bid specifications or the determination of
the lowest or best bidder;
   b. The covered individual has in no way used or attempted
to use the covered individual’s influence to persuade the city
or any personnel thereof to enter such a contract other than by
the mere submission of the bid; and
   c. The covered individual, prior to or at the time of the
submission of the bid, has filed a statement with the ethics
board and the supervisor of elections of the county disclosing
the covered individual’s interest, and the nature of the
intended business.

(3) The purchase or sale is for legal advertising in a
newspaper, for any utilities service, or for passage on a common
carrier.

(4) An emergency purchase or contract which would otherwise
violate a provision of section 2-16 must be made in order to
protect the health, safety, or welfare of the citizens of the
city.

(5) The business entity involved is the only source of
supply within the city, and there is full disclosure by the
covered individual of his or her interest in the business entity
to the ethics board prior to the purchase, rental, sale,
leasing, or other business being transacted.

(6) The total amount of the transactions in the aggregate
between the business entity and the city does not exceed $500
per calendar year.

(7) The fact that a covered individual is a stockholder,
officer, or director of a bank will not bar such bank from
qualifying as a depository of funds coming under the
jurisdiction of the city, provided it appears in the records of
the city that the ethics board has determined that such covered
individual has not favored such bank over other qualified banks.

(8) The covered individual purchases in a private capacity
goods or services, at a price and upon terms available to
similarly situated members of the general public, from a
business entity which is doing business with the city.

(9) The covered individual in a private capacity purchases
goods or services from a business entity which is subject to the
regulation of the city and:
   a. The price and terms of the transaction are available to
      similarly situated members of the general public; and
   b. The covered individual makes full disclosure of the
      relationship to the ethics board prior to the transaction.

SECTION 10. Subsequent sections of division 3 are
renumbered:

Secs. 2-17-2-20 2-15-2-20. - Reserved.

SECTION 11. Section 2-22 of the Code of Ordinances of the
City of Tallahassee is hereby amended to read as follows:

DIVISION 4. - ETHICS BOARD
Sec. 2-22. - Board complaint processing.

(a) After a sworn complaint of violation of the city's ethics code has been filed and the independent ethics board determines that there is probable cause to believe that a violation of the city code of ethics has occurred and orders a public hearing of the complaint, any public hearing shall be conducted by an administrative law judge with the state division of administrative hearings. The administrative law judge shall provide a recommended order to the ethics board containing findings of fact, conclusions of law, and recommended penalty or disposition within 30 days of the date of hearing, unless otherwise agreed by the parties in writing. The administrative law judge shall use a clear and convincing standard of proof for findings of fact and shall have all of the powers of administrative law judges enumerated in F.S. § 120.569.

(b) Where an ethics complaint is concurrently filed with the independent ethics board and filed with and/or being considered by a federal, state, or local law enforcement agency or the state ethics commission, the independent ethics board shall suspend action on the complaint until the conclusion of the law enforcement agency or state ethics commission review, order or proceedings.

(c) For purposes of conducting any preliminary investigations to determine probable cause or for purposes of any hearing held before the ethics board, the ethics board shall have the power to:

(1) Subpoena alleged violators and witnesses where subpoenas may be served by the city's police department or as otherwise provided by law;

(2) Subpoena evidence where subpoenas may be served by the city's police department or as otherwise provided by law; and

(3) Take testimony under oath.

SECTION 12. Section 2-345 of the Code of Ordinances of the
City of Tallahassee is hereby amended to read as follows:

ARTICLE VIII. - LOBBYIST REGULATIONS

Sec. 2-345. - Compliance; penalties.

(a) The ethics board and treasurer-clerk shall monitor lobbyists for compliance with this section, and shall develop procedures for suspension of lobbyists until compliance is attained. The ethics board and treasurer-clerk will alert the city commission to any instances of non-compliance, and will inform the city commission of any need to institute progressive penalties for repeat offenders.

(b) The penalties for an intentional violation of this article shall be a fine of $1,000 for the 1st violation, a fine of $2,500 for a 2nd violation within any 3-year period, a fine of $5,000 for a 3rd violation within any 3-year period, and a suspension from lobbying the city for a period not to exceed three (3) years for a 4th violation within any 3-year period those specified in section 1-7 of this Code.

SECTION 13. Severability. If any section, subsection, sentence, clause or phrase of this ordinances is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 14. Effective Date. This ordinance shall take effect immediately upon its passage.