

ORDINANCE NO. 631

AN ORDINANCE REPEALING ORDINANCE 610, AND REPEALING SO MUCH OF SECTION 47 OF THE EMPLOYEE PERSONNEL MANUAL ESTABLISHING AN ETHICS ADVISORY COMMITTEE.

Whereas, the voters of the City of Polson have instituted herein a local government form by charter, with self-governing powers, as provided in the Montana Constitution of 1972 and the several enacting statutes; and,

Whereas, a previous City Council, in Ordinance 610, saw fit to provide the former government of the City of Polson with a chapter of City Code related specifically to the standards of ethical conduct expected of elected, appointed, and employed officials and employees of the City of Polson; and,

Whereas, the previous City Council incorporated the terms of Ordinance 610 into Section 47 of the Personnel Manual, revised and adopted in 2005, relating specifically to the employees; and,

Whereas, a portion of Part 47 of the Personnel Manual established an Ethics Advisory Committee of certain composition and jurisdiction; and,

Whereas, the Montana Legislature has seen fit to pass, adopt, and amend from time to time Title 2, Chapter 2, describing therein the standards of conduct, and to include ethical standards, expected of all public officers and employees, and including a means by which citizens or others aggrieved may undertake process to see the same addressed; and,

Whereas, Section 2-2-144 of the Montana Codes provides for the establishment of a local Ethics Advisory Committee which, the same having been enacted as a part of Ordinance 610; and,

Whereas, the City Council of the City of Polson finds that Ordinance 610 is needlessly duplicative of Title 2, Chapter 2, of the Montana Codes; and,

Whereas, the City Council of the City of Polson finds that such portion of Section 47 of the Personnel Manual, providing for an advisory committee related to employees, has never been invoked or used since its inception, and moreover, in duplicating process already available through disciplinary means provided in that selfsame Personnel Manual, has no future conceivable utility above or beyond that already provided by Title 2, Chapter 2 of the Montana Codes.

Whereas, the City Council of the City of Polson intends by this Ordinance to simplify and economize the administration of the current City government by removing therefrom mandates already extant elsewhere.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

1. Ordinance 610, and so much of Section 47 of the Personnel Manual of 2005, relating to and addressing an Ethics Advisory Committee, is and are hereby REPEALED, and of no further force or effect.

REPEALING CLAUSE: All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: December 3, 2007. **SECOND READING:** December 17, 2007.

NOW, THEREFORE, the foregoing Ordinance shall become effective on January 18, 2008.

PASSED AND ADOPTED THIS December 17, 2007.

Lou Marchello, Mayor

ATTEST: _____
Aggi Loeser, City Clerk

Approved as to form: _____
James Raymond
James Raymond Law Office, PLLC, Polson City Attorney

