

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16-62

**AN ORDINANCE AMENDING THE VILLAGE OF CHATHAM PERSONNEL CODE
RELATING TO ANTI-NEPOTISM AND REVOLVING DOOR PROHIBITIONS**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

MARK CLAYTON
TERRY FOUNTAIN
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN

Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on 12/13, 2016

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

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AN ORDINANCE AMENDING THE VILLAGE OF CHATHAM PERSONNEL CODE RELATING TO ANTI-NEPOTISM AND REVOLVING DOOR PROHIBITIONS

WHEREAS, the Village of Chatham, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois; and,

WHEREAS, the corporate authorities of a municipality may dictate how employees, as distinguished from officers, are to be hired or fired and may delegate such power to some person other than the Mayor or President; and

WHEREAS, Village Board finds it in the best interests of the Village to modify its Personnel Code to update the Village’s anti-nepotism provisions and to establish a policy against elected officials serving as officials for the Village, then immediately becoming employees of the Village; and,

WHEREAS, the Village Board of Trustees and the President of the Village of Chatham believe it is in the best interests of the Village to amend the Village Code in conformance with this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment to Section 35.093. Chapter 35, Section 35.093, shall be deleted in its entirety and replaced as follows:

~~§ 35.093 NEPOTISM~~

~~The village shall not employ a member of the immediate family of a village employee, trustee or other officer unless specifically approved by the Village Board after full disclosure of the relationship. However, no employee shall be fired solely because an immediate family member becomes an officer of the village.~~

§ 35.093 NEPOTISM / REVOLVING DOOR PROVISIONS.

- A. Anti-Nepotism. Consistent with these provisions, the Village of Chatham shall prohibit nepotism. Consistent with that prohibition and the principle that Village employees and prospective employees should be evaluated on the basis of individual merit, without reference to considerations of race, sex, religion or national origin, or any other factors not involving personal professional qualifications and performance, the following restrictions, designed to avoid the possibility of favoritism based on family relationship, shall be observed with respect to employment of all Village personnel:
- (i) Immediate Family Members of Elected Officials. Members of a Village elected official's immediate family may not be considered for employment by the Village and may not be hired by the Village. Immediate family shall be defined herein to mean a spouse, parents, children, brothers, sisters, grandparents, all step relationships, all in-law relationships, all half relationships and any and all guardians and wards of the elected official.
 - (ii) Extended Family Members of Elected Officials. Members of a Village elected official's extended family may not be considered for employment by the Village and may not be hired if any of the following may apply: (1) a supervisor/subordinate relationship is created between the family members; (2) there is a potential for creating an adverse impact on work performance; (3) the employment could create either an actual conflict of interest or the appearance of a conflict of interest. Extended family shall be defined herein as any familial relation not within the immediate relationship defined above.
 - (iii) Family Members of Staff. Members of a staff member's immediate or extended family will be considered for employment on the basis of their qualifications. However, immediate family may not be hired, if employment would: (1) create a supervisor/subordinate relationship between family members; (2) have the potential for creating an adverse impact on work performance; or (3) create either an actual conflict of interest or the appearance of a conflict of interest.

Notwithstanding the above, no employee shall be terminated solely because an immediate family member becomes an elected official of the Village.

- B. Revolving Door Prohibitions. Elected officials and/or former elected officials of the Village shall not be eligible for employment with the Village until at least six months after their last date of service as an elected official.

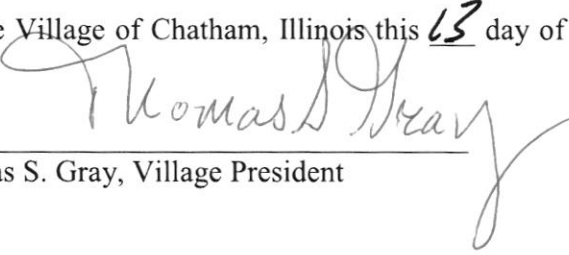
Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

Section 5. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

	YES	NO	ABSENT	PRESENT
MARK CLAYTON	✓			
TERRY FOUNTAIN	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			
JOE SCHATTEMAN	✓			
THOMAS S. GRAY				
TOTAL	6	0	0	0

Dec **APPROVED** by the President of the Village of Chatham, Illinois this 13 day of
_____, 2016.



Thomas S. Gray, Village President

Attest:



Pat Schad, Village Clerk