

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON, TITLE I: GOVERNMENT CODE; CHAPTER 115: PERSONNEL CODE; SECTION 115.040: POLITICAL ACTIVITY BY DELETING SECTION 115.040 IN ITS ENTIRETY AND IN LIEU THEREOF INSERTING NEW SECTION 115.040: POLITICAL ACTIVITY

WHEREAS, the State of Missouri revised statute Chapter 67: Political Subdivisions, Miscellaneous Powers; Section 67.145 in regards to political activity by first responders; and

WHEREAS, the new statute took effect August 28, 2013; and

WHEREAS, it is to the City's desire to be in compliance with State Statutes.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON AS FOLLOWS:

Section 1. The Code of the City of Camden, Title I: Government Code; Chapter 115: Personnel; Section 115.040: Political Activity is hereby amended by deleting present Section 115.040 in its entirety and in lieu thereof inserting new Section 115.040: Political Activity as follows:

SECTION 115.040: POLITICAL ACTIVITY

Missouri Statutes and Federal Public Law 89-554 (80 Stat. 403 USC) defines political activity and places certain restrictions upon State and local government and employees in relation to such activity **and employment**. The following are prohibited and permissible activities for City employees:

1. City employees may not use their official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office. ~~This includes working to register voters or making speeches to elect a candidate. They may, however, register and vote as they choose, assist in voter registration drives and express their opinion about candidates and issues.~~
2. City employees may not directly or indirectly coerce, attempt to coerce, command or advise ~~an~~ **another** employee, ~~a~~ **or** subordinate ~~or co-worker~~ to **campaign in any manner**, pay, lend or contribute anything of value to a candidate, agency or person for political purposes. They may, however, contribute money to a political organization or candidate of their own volition or attend a political fundraising function.
3. City employees may not ~~be a candidate for any City of Camden elected office~~ **continue as an employee of the City of Camden if they are elected or appointed to serve as Mayor or Alderman for the City of Camden.**
4. ~~City employees may be a candidate for public office in a non-partisan election, but may not be a candidate for office in a partisan (where candidates for that office represent a political party) election under any circumstances.~~
- 4 5. City employees may not engage in an overt political activity which prominently identifies them with the success or failure of a partisan or non-partisan political party, group or candidate while on duty or in any City owned vehicle or vehicles used for City business for which mileage expenses are remunerated. **The display of political paraphernalia on City owned vehicles, or vehicles used for City business for which mileage expenses are remunerated is prohibited.**
6. ~~City employees may wear or display political badges, buttons or stickers while not on duty for the City of Camden with the exception of municipal elections as set~~

~~forth in Subsections (10) and (11) herein; however, the decision to so express their opinions should be tempered with good judgment, ethical conduct and the interests of the City of Camden. The display of political paraphernalia on City owned vehicles, or vehicles used for City business for which mileage expenses are remunerated, or displayed while in City uniform on or off duty is prohibited.~~

~~7. City employees shall not directly or indirectly coerce, attempt to coerce, command or advise City of Camden employee to wear or display political badges, buttons or stickers.~~

~~5. 8.~~ City employees shall not be **hired, disciplined**, appointed or retained on the basis of their political activity.

~~9. City employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, contribute or solicit funds or support for the purpose of supporting or opposing the appointment or election of candidates for any City of Camden municipal office.~~

~~10. No City employee shall actively advocate or oppose the candidacy of any individual for nomination or election to any City of Camden municipal office, but an employee may participate in political affairs at other levels of government, provided such participation does not adversely affect their performance as a City employee.~~

~~6 11. Employees are encouraged to exercise their right to vote in municipal elections, but shall not engage in, or participate in any other way or in any municipal elections. Failure to comply with the provisions of Section 115.040 is grounds for immediate termination.~~

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall be in full force and effect beginning upon its passage by the Board of Aldermen and approval by the Mayor.

Read the first time 6 day of May 2014.

Read the second time and passed and approved this 20 day of May 2014.

John D. McNabb, Mayor

ATTEST:

Renée Kingston, City Clerk