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**CITY OF HOMER  
HOMER, ALASKA**

City Clerk

**ORDINANCE 14-14(S)**

AN ORDINANCE OF THE HOMER CITY COUNCIL, ENACTING HCC 2.80.100, LIMITATION PERIOD, ESTABLISHING A LIMITATION PERIOD FOR FILING A COMPLAINT OF A VIOLATION OF THE CITY ETHICS CODE OF FIVE-YEARS OR ONE YEAR AFTER DISCOVERY OF THE VIOLATION.

WHEREAS, The City Ethics Code in HCC Chapter 1.18 establishes important standards for official conduct in City government; and

WHEREAS, While investigation and action on complaints of violations of the City Ethics Code serve important public purposes, they demand significant time and resources of the Board of Ethics and City staff; and

WHEREAS, The benefits of enforcing the City Ethics Code generally decline as an alleged violation becomes more remote in time; and

WHEREAS, The enforcement of state statutes prohibiting unethical conduct by public officials typically is subject to a five-year limitation period.

NOW, THEREFORE, THE CITY OF HOMER HEREBY ORDAINS:

Section 1. HCC 2.80.100, Limitation period, is enacted to read as follows:

2.80.100 Limitation period. (a) Notwithstanding any other section of this chapter or HCC Chapter 1.18, and subject to (b) of this section, the Board only may investigate or otherwise act upon a complaint of a potential violation of HCC Chapter 1.18 that is received by the City Clerk's office within five years after the date of the alleged violation.

(b) After the time limitation in (a) of this section has expired, the Board may investigate or otherwise act upon a complaint of a potential violation of HCC Chapter 1.18 that is received by the City Clerk's office within one year after the date of discovery of the alleged violation, but in no case shall this subsection extend the period of limitation in (a) of this section by more than three years.

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 12<sup>th</sup> day of May, 2014.

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CITY OF HOMER

*Mary E. Wythe*  
MARY E. WYTHE, MAYOR

ATTEST

*Jo Johnson*  
JO JOHNSON, MMC, CITY CLERK

AYES: 6  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

First Reading: 3/24/14  
Public Reading: 4/1/14 & 5/12/14  
Second Reading: 5/12/14  
Effective Date: 5/13/14

Reviewed and approved as to form:

*Walt Wrede*  
Walt Wrede, City Manager

Date: 5/14/14

*Thomas F. Klinkner*  
Thomas F. Klinkner, City Attorney

Date: 5-19-14