CHAPTER 26 THE GIVING AND REPORT OF GIFTS

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2-26-1 DONEE REPORTING OF GIFTS. An elected or appointed official or employee of this City, or the spouse, or minor child of an elected or appointed official or employee of this City, or a firm of which the elected or appointed official or the employee of this City holds ten percent (10%) or more of the stock either directly or indirectly, shall disclose in writing on a report form developed by the Secretary of State, the nature, the date, and the name of the Donor, and the name of such person as Donee to which a gift or gifts were made where the gifts exceed fifteen dollars ($15) in cumulative value in any one calendar day. However, the Donee need not report food and beverage provided for immediate consumption in the presence of the Donor.

By the fifteenth (15th) day of the month following the month in which the gift has been received, a copy of the report disclosing the gift or gifts shall be filed in the office of the County Auditor of the county or counties in which the City is located.

2-26-2 DONOR REPORT OF GIFTS. A donor of a gift to an elected or appointed official or to an employee of the City, or to the spouse, or to minor child of an elected or appointed official or employees of this City, or to a firm of which the elected or appointed official or the employee of the City is a partner, or to a corporation of which the elected or appointed official or the employee of the City holds 10 percent (10%) or more of the stock either directly or indirectly, shall disclose in writing on the form developed by the Secretary of State the nature, amount, date, and name of the Donor, and the name of the Donee of a gift or gifts made by the Donor which the gift or gifts exceeds fifteen dollars ($15) in cumulative value in any one calendar day. However, the Donor need not report food and beverage provided for immediate consumption in the presence of the Donor.

By the fifteenth (15th) day of the month following the month in which the gift has been received, a copy of the report disclosing the gift or gifts shall be filed by the Donor, with the County Auditor of the county or counties in which the Donee's City is located.

2-26-3 DEFINITION OF GIFT. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

1. "Gift" means a rendering of money, property, services, granting a discount, loan forgiveness, payment of indebtedness, or anything else of value in return for which legal consideration of equal or greater value is not given and received, if the Donor is in any of the following categories:

a. Is doing or seeking to do business of any kind with the City of Maquoketa. For purposes of this Chapter, "doing business with the City" means being a party to any one or any combination of sales, purchases, leases, or contracts to, from, or with the City.

b. Is engaged in activities which are regulated or controlled by the City of Maquoketa.

c. Has interests which may be substantially and materially affected by the performance or nonperformance of the Donee's official duty.

d. Is a lobbyist with respect to matters within the Donee's jurisdiction.

2. However, a "gift" does not mean any of the following:

a. Campaign contributions.

b. Informational material relevant to a public servant's official functions, such as books, pamphlets, reports, documents, or periodicals, and registration fees or tuition not including travel or lodging for not more than three (3) days, at seminars or other public meetings conducted in this State, at which the public servant receives information relevant to the public servant's official functions. Information or participation received under the exclusion of this paragraph may be applied to satisfy a continuing education requirement of the Donee's regulated occupation or profession if the Donee pays any registration costs exceeding thirty-five dollars ($35).

c. Anything received from a person related within the fourth degree by kinship or marriage, unless the Donor is acting as an agent or intermediary for another person not so related.

d. Any inheritance.

e. Anything available to or distributed to the public generally without regard to official status of the recipient.

f. Food, beverages, registration, and scheduled entertainment at group events to which all members of either house or both the General Assembly are invited. "Member of the General Assembly" means an individual duly elected to the Senate or House or Representatives of the State of Iowa.

g. Actual expenses for food, beverages, travel, lodging, registration, and schedule entertainment of the Donee for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting.

h. Plaques or items of negligible resale value given a recognition for public services.

3. The value of the gift is determined as follows:

a. An individual making a gift on behalf of more than one person shall not divide the value of the gift by the number of persons on whose behalf the gift is made.

b. The value of a gift to the Donee is the value actually received.

c. For the purposes of the reporting requirements of this Chapter, a Donor of a gift made by more than one individual to one or more Donees, shall report the gift if the total value of the gift to the Donee exceeds fifteen dollars ($15).

2-26-4 REPORTING FOR GROUP EVENTS. Expenses for food, beverages, registration, and scheduled entertainment at group events to which all members of either House or both Houses of the General Assembly have been invited and where an elected or appointed official or employee of this City has been invited, shall be report by the Donor for each such event. The Donor shall report the date, location, and total expenses incurred by the Donor or Donors. By the fifteenth (15th) day of the month following the month in which the group event occurred, a copy of the report shall be filed by the Donor with the County Auditor of the County or Counties in which the City of the invited City official or employee is located.

2-26-5 FILING CHAPTER WITH COUNTY. The City Clerk shall file a copy of this Chapter with the County Auditor of Jackson County within fifteen (15) days of the passage of this Chapter.

(Ord. 684, 12-7-87)