10-O-0774

AN ORDINANCE BY
COUNCILMEMBERS H. LAMAR WILLIS AND ALEX WAN

AN ORDINANCE TO AMEND ARTICLE VII DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY CITY OFFICER OR EMPLOYEE TO KNOWINGLY AND WILLFULLY WITHHOLD INFORMATION, MAKE FALSE OR MISLEADING STATEMENTS OR TO GIVE UNTRUE TESTIMONY BEFORE ANY OF ITS STANDING COMMITTEES; TO PROVIDE THAT ANY OFFICER OR EMPLOYEE WHO IS FOUND TO HAVE VIOLATED THIS PROVISION SHALL BE DISMISSED FROM THE EMPLOY OF THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta City Council serves as the legislative branch of the government of the City of Atlanta; and

WHEREAS, in reviewing legislation at committee meetings and carrying out various other duties, standing committees of the Council must rely on information provided by City Officers and employees; and

WHEREAS, information provided is used in making decisions that could prove to have substantial impact on the City, its general operations and the constituents of the City; and

WHEREAS, City Officers and employees, when presenting to Council or testifying before a standing committee, should be held accountable for their statements.

NOW, BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1. That within Article VII Division II of Chapter II, Section 2-826 shall be added and provide as follows:

"It shall be unlawful for any city officer or employee to knowingly and willfully withhold information, make false or misleading statements, or give untrue testimony before any meeting of the city council or before any of its standing committees. If the city council or any member determines that this proscription has been violated, the city council or member shall first bring the alleged violation before the appointing authority for investigation and any appropriate disciplinary action. If the city council or member determines that no satisfactory action has been taken, the alleged violation may be forwarded to the Board of Ethics for investigation and hearing. If the Board of Ethics finds that a violation of this section took place, the findings shall be forwarded to the appointing authority or to the Mayor or her designee for disciplinary action; as such actions are described in Section 114-502."

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.