

**BILL NO: 2022-3253**

**ORDINANCE NO: 2022-3253**

**AN ORDINANCE OF THE CITY OF AURORA, MISSOURI, AMENDING TITLE I "GOVERNMENT CODE" CHAPTER 115 "CITY OFFICIALS AND EMPLOYEES", ARTICLE I, "GENERAL PROVISIONS", SECTION 115.030 "OFFICER'S OATH – BOND"**

*WHEREAS*, the City of Aurora, Missouri (the "City"), is a city of the third class and political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the constitution and laws of the State of Missouri; and

*WHEREAS*, the Aurora City operates under the Council-Manager form of government as established under RSMo 78.430 to 78.640; and

*WHEREAS*, the Aurora City Council is entrusted with the responsibility of ensuring that the public resources and public funds that are in the care of the City of Aurora are protected in every circumstance from misuse or misappropriation; and

*WHEREAS*, bonding of the Officers of the City is required under RSMo 79.260; and

*WHEREAS*, the current bonding levels for city officers were established in 1996 and have not been revised since that time; and

*WHEREAS*, the process for doing business and conducting financial transactions has evolved and the current list of City Staff and City officers that require bonding is deemed insufficient.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, MISSOURI, AS FOLLOWS:**

**Section One.** The City Council hereby amends Title I: "Government Code" Chapter 115: "City Officials and Employees", Section 115.030 Officer's Oath – Bond to read as follows:

**Section 115.130 Officer's Oath - Bond**

- A. Every officer of the City and his/her assistants, and every Council member, before entering upon the duties of his/her office, shall take and subscribe to an oath or affirmation before some court of record in the County, or the City Clerk, that he/she possesses all the qualifications prescribed for his/her office by law; that he/she will support the Constitution of the United States, and of the State of Missouri, the provisions of all laws of this State affecting cities of this class, and the ordinances of the City, and faithfully demean himself in office; which official oath or affirmation shall be filed with the City Clerk. Every officer of the

corporation, when required by law or ordinance, shall, within fifteen (15) days after his/her election or appointment, and before entering upon the discharge of the duties of his/her office, give bond to the City in such sum and with such sureties as shall be designated by ordinance, conditioned for the faithful performance of his/her duty, and that he/she will pay over all monies belonging to the City, as provided by law, that may come into his/her hands. If any person elected or appointed to any office shall fail to take and subscribe such oath or affirmation, or to give bond as herein required, his/her office shall be deemed vacant. For any breach of condition of any such bond, suit may be instituted thereon by the City, or by any person in the name of the City for the use of such person.

- B. This Section shall not affect, modify or rescind any other Section requiring bonds for certain City employees except that if any bond now required is an amount less than provided in this Section, the amount and provisions of this Section shall apply.
- C. The following City Officers shall have a surety bond to the City the condition of which is such that such employee shall perform the duties of his/her office, the duties prescribed by law and all legal duties otherwise prescribed by the provisions of this Code. The bond shall be in the following amounts:
  - 1. Mayor, ~~ten thousand dollars (\$10,000.00)~~; *Twenty-Five Thousand Dollars (\$25,000)*;
  - 2. City Manager, ~~twenty thousand dollars (\$20,000.00)~~; *Fifty Thousand Dollars (\$50,000)*;
  - 3. *Assistant City Manager, Fifty Thousand Dollars (\$50,000)*;
  - 4. Finance Director, ~~twenty thousand dollars (\$20,000.00)~~; *Fifty Thousand Dollars (\$50,000)*;
  - 5. City Clerk, ~~twenty thousand dollars (\$20,000.00)~~; *Fifty Thousand Dollars (\$50,000)*;
  - 6. City Treasurer, ~~ten thousand dollars (\$10,000.00)~~; *Fifty Thousand Dollars (\$50,000)*; and
  - 7. City Collector, ~~ten thousand dollars (\$10,000.00)~~; *Fifty Thousand Dollars (\$50,000)*;
  - 8. All Department Heads of City Departments, *Fifty Thousand Dollars (\$50,000)*; and
  - 9. *Any other City employee as appropriate when requested by the Department*

*Head and approved by the City Manager, Twenty-Five Thousand Dollars (\$25,000).*

- D. The aforesaid bond shall be procured at the expense of the City. ~~The All bonds of the Treasurer and Collector shall be filed with the City Clerk. The bond of the City Clerk shall be filed with the City Treasurer.~~

**Section Two:** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section Three:** This ordinance shall be in full force and effect upon passage by the City Council.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 10<sup>th</sup> DAY OF MAY 2022.**

**APPROVED:**

\_\_\_\_\_  
Jason Lewis, Mayor

**ATTEST:**

\_\_\_\_\_  
Kamy Kulow, City Clerk