

Section 5.3. - Ethical Campaigns.

- (A) The City shall pass ordinance(s) governing campaign contributions to insure fair elections that are not unduly influenced by monetary contributions.
 - (1) The ordinance should cap campaign contributions.
 - (2) The ordinance should permit contributions to only come from individual donors.
 - (3) The ordinance should incorporate any other laws deemed necessary to insure fair elections.
- (B) All candidates must abide by Miami-Dade County's Ethical Campaign Practice Ordinance and any other laws promulgated by the Council to insure fair and ethical campaigns.

DIVISION 2. - CANDIDATE CAMPAIGN CONTRIBUTIONS^[8]

Sec. 2-474. - Purpose.

Pursuant to section 5.3 of the city Charter, the city is required to adopt an ordinance governing campaign contributions so as to ensure fair elections, and pursuant to section 5.3 of the city Charter, the city is required to place a cap on campaign contributions and **to permit contributions from only individual donors.** In compliance with this mandate, all candidates for election in the city are still required to abide by the county's ethical campaign practice ordinance.

(Ord. No. 2005-15-53, § 1, 3-23-2005)

Sec. 2-475. - Establishment of ordinance.

An ordinance is hereby established in the city governing campaign contributions.

(Ord. No. 2005-15-53, § 2, 3-23-2005)

Sec. 2-476. - Campaign contributions.

No person shall make contributions to any city council or mayoral candidate in excess of \$1,000.00 per candidate in any election.

(Ord. No. 2005-15-53, § 3, 3-23-2005; Ord. No. 2013-22-310, § 2, 10-23-2013)

State Law reference— Similar provision, F.S. § 106.08.

Sec. 2-477. - Compliance with state law.

All campaign contributions shall also be governed by F.S. ch. 106.

(Ord. No. 2005-15-53, § 4, 3-23-2005; Ord. No. 2006-13-94, § 2, 6-28-2006)

Sec. 2-478. - Prohibited campaign contributions by vendors.

- (a) No person who is a vendor to the city shall give a campaign contribution directly, or through a member of the person's immediate family, or through a political action committee, or through any other person, to a candidate or to the campaign committee of a candidate. No candidate, or campaign committee of a candidate shall solicit or receive any campaign contribution from a person who is a vendor to the city, or through a member of the person's

immediate family, or through a political action committee, or through any other person on behalf of the person. This prohibition applies to natural persons and to persons who hold a controlling, financial interest in a business entity.

- (b) A fine of up to \$500.00 shall be imposed on every person who violates this prohibition. Each act of soliciting, giving or receiving a contribution in violation of this section shall constitute a separate violation. All contributions received by a candidate in violation of this section, shall be forfeited to the city's general fund.
- (c) A person who directly, or through a member of the person's immediate family, or through a political action committee, or through any other person, makes a contribution to a candidate shall be disqualified for a period of six months following the swearing in of the elected official from transacting business with the city.
- (d) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
 - (1) The term "vendor" means a person who is currently transacting business with the city, has an existing contractual relationship with the city, or has any open purchase order with the city.
 - (2) The term "contribution" means:
 - a. A gift subscription, conveyance, deposit, loan, payment or distribution of money or anything of value including contributions in kind having an attributable monetary value;
 - b. A transfer of funds between political committees, between committees of continuous existence or between a political committee and a committee of continuous existence;
 - c. The payment by any person other than a candidate or political committee of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services;
 - d. The transfer of funds by campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit and including any interest earned on such account or certificate.

(Ord. No. 2005-15-53, § 5, 3-23-2005; Ord. No. 2012-02-275, § 2, 2-22-2012)

Sec. 2-479. - Payment to candidates for elective office prohibited.

- (a) It should be unlawful for any person to give, offer or promise to any candidate for anything of value for the purpose of influencing him/her to withdraw as a candidate for such elected

public office, or for the purpose of influencing anyone to file as a candidate for public office.

- (b) It should be unlawful for any person to solicit or receive a gift, offer or promise of anything of value in exchange for his/her withdrawing or filing of the candidate for any elected office.

(Ord. No. 2005-15-53, § 6, 3-23-2005)

Sec. 2-480. - Penalties.

Unless otherwise stated herein, every person who is convicted of a violation of this division shall be punishable by fine not to exceed \$500.00 or by imprisonment for a term not to exceed 60 days or by both, for each violation.

(Ord. No. 2005-15-53, § 7, 3-23-2005)

Sec. 2-481. - County ethical campaign practice ordinance.

All candidates for elective office in the city are required to abide by the county ethical campaign practice ordinance.

(Ord. No. 2005-15-53, § 8, 3-23-2005)

Secs. 2-482—2-500. - Reserved.