

SANTA FE COUNTY
ORDINANCE NUMBER 1981-4

ARTICLE I. CODE OF ETHICS

Section 01. DECLARATION OF POLICY. The proper administration of democratic government requires that public officials be independent, impartial, and responsible to the people; that government decisions and policy be made in the best interest of the people, the community and the government; and that the public have confidence in the integrity of its government. In recognition of these goals, the following Code of Ethics shall apply to all officials and employees of Santa Fe County.

Section 02. DEFINITION. For the purpose of this article the term "official" means the County Commission, Clerk, Treasurer, Assessor, Sheriff, Probate Judge, Surveyor, all members of boards, commissions, committees, County Manager, all heads of departments, any employee or consultants of Santa Fe County, and the term "governmental body" means the County of Santa Fe and any of its boards, commissions, and committees.

Section 03. BOARD OF ETHICS AND CAMPAIGN PRACTICES. The Board of Ethics and Campaign Practices shall be made up of five members who shall be chosen as follows: Each Commissioner shall appoint one member each. The majority of the Commission shall appoint the fourth member. The four members so appointed shall select a fifth person. Each member shall be a qualified elector of the County and no member shall be an official or employee of the County.

All members shall serve terms of two years, and be eligible for reappointment for additional terms except that the initial Board shall have three members with terms of two years, ~~and two members with terms of one year, upon whose expiration~~ becomes two year terms.

Any vacancy for an expired term shall be filled by the authority who made the appointment of the member whose term has expired. Any vacancy shall be filled for an unexpired term

by the same authority who made the original selection and appointment of the member vacating his, or her position.

No violation of the Code of Ethics shall be found by the Board of Ethics and Campaign Practices except upon the concurrence of a majority of the Board.

Section 04. CONFLICT OF INTEREST. No official of the County shall knowingly:

(a) Disclose or use confidential information concerning the property, government or affairs of the governmental body by which that official is employed or of which the official is a member without proper authorization in order to advance the financial or other private interests of said official or others;

(b) Vote or otherwise participate in the negotiation or the making of any contract with any business or entity in which the official has a financial interest, either directly or indirectly;

(c) Represent private interests in any action or proceeding before the governmental body by which the official is employed or of which the official is a member or any appeal of a decision of such body.

(d) Accept any valuable gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which to the officials knowledge is interested directly or indirectly in any manner whatsoever, in business dealings with the governmental body by which the official is employed or of which the official is a member; provided, however, that this subsection shall not be read as prohibiting an incumbent candidate for elective office from receiving campaign contributions in accordance with the provisions of State Statutes and County Regulations (1976)

Section 05. DISCLOSURE. An official of the County who shall have any private financial interest, direct or indirect, in any contract or matter pending before or within the govern-

mental body by which the official is employed or of which the official is a member, shall disclose such private interest to the governmental body. Any official who has a private interest in any matter pending before the County shall disclose such private interest on the records of the County, and shall be disqualified from participating in any debate, decision or vote relating thereto.

Section 06. USE OF PUBLIC PROPERTY. No official of the County shall use property, owned by any governmental body, for personal benefit, convenience or profit, except in accordance with policies promulgated by the Council.

Section 07. ENFORCEMENT.

(a) Any charge of violations of this Code of Ethics shall be brought before the Board of Ethics. Any private citizen may initiate such a charge in accordance with regulations established by the Board of Ethics.

(b) Should the Board find, after due hearing, that a violation has occurred, it may make a public reprimand or impose a fine of not to exceed one hundred dollars \$100.00 for each violation, or state reasons for clearance of accused. The hearing shall be a closed hearing unless the accused demands in writing an open hearing.

(c) In addition to imposing such sanctions, or as an alternative thereto, the Board of Ethics may recommend to the Commission that the violator be subject to Grand Jury proceedings for statutory removal.

(d) The Commission may, upon the recommendation of the Board of Ethics, and after due hearing of the charge, order the suspension or removal of an appointed or employed official, but to be provided all rights under the Personnel Act.

(e) An appeal may be taken from any findings and action of the Board pursuant to Sub-paragraph(b) of this Section, and from any order of the Council pursuant to Sub-paragraph (d) of this Section, to the District Court of the 1st Judicial District, by filing Notice of Appeal in the said District

Court within five (5) days of the date of the action or order appealed from, and by filing with said District Court within thirty (30) days a true transcript and record of the proceedings upon which said action or order is based.

Section 08. NON-WAIVER OF PENALTIES. Nothing herein set forth shall be construed to affect or otherwise diminish any penalties otherwise provided by law for violation of the matters set forth in this Code of Ethics, or shall prevent the Board of Ethics from bringing to the attention of the proper authority any alleged violation coming to its attention which may be subject to such other penalties.

Section 09. REGULATIONS. The Board of Ethics shall have the authority to establish reasonable rules and regulations for its conduct and for explanation and interpretation of the Code of Ethics and bring such regulations before the Commission for approval.

PASSED, APPROVED, AND ADOPTED, this 15th day of Sept., 1981.

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM

Joe C. Castellano
Joe C. Castellano, County Attorney

Jake D. Martinez
Jake D. Martinez, Member

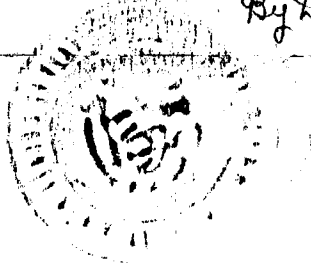
Sam Garcia
Sam Garcia, Member

Rudy Fernandez
Rudy Fernandez, Chairman

ATTEST

Carolina R. Gonzales
Carolina Gonzales, County Clerk

Dolores K. Dragon



485,245
STATE OF NEW MEXICO)
COUNTY OF SANTA FE) SS
Witness my Hand and Seal of Office
CAROLINA R. GONZALES
County Clerk, Santa Fe County, N.M.

I hereby certify that this instrument was filed
for record on the 21 day of Sept. A.D.
1981 at 3:25 o'clock P.M.
and was duly recorded in book 427
page 844-847 of the records of Santa Fe County
Dolores K. Dragon
County Clerk