

SANTA FE COUNTY

Ordinance No. 1986- 3

AMENDING ORDINANCE NO. 1982-2.

AN ORDINANCE

RELATING TO POLITICAL ACTIVITIES OF COUNTY EMPLOYEES; AMENDING
AND ENACTING NEW SECTIONS OF THE "SANTA FE COUNTY PERSONNEL
ORDINANCE" (ORDINANCE NO. 1976-3, AS AMENDED); IMPOSING
RESTRICTIONS ON EXEMPT (NON-CLASSIFIED) EMPLOYEES REGARDING
POLITICAL ACTIVITY AND IMPOSING RESTRICTIONS ON ALL POSITIONS
IN THE COUNTY SERVICE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF SANTA FE:

Section 1. Section 4 of the Santa Fe County Personnel
Ordinance (being Ordinance 1976-3, as amended) is amended to
read:

Section 4. COVERAGE OF SERVICE--

A. The Personnel Ordinance and the service cover
all County positions except:

(1) officials elected by popular vote or
appointed to fill vacancies in elective offices (i.e.
County Commissioners, County Assessor, County Clerk, County
Sheriff, County Surveyor, County Treasurer and Probate Judge);

(2) members of boards and committees, the County
Manager, and heads of departments or agencies appointed by the
Board of County Commissioners;

(3) not more than two (2) first-in-line assistants

1 (e.g. deputy, undersheriff, sergeant) and one (1) secretary in
2 the office of each official listed in subsection A and B of
3 this section, excluding members of board and committees and
4 the County Manager in Subsection B; and

5 (4) those of a professional, technical or scientific
6 nature which are contractual or temporary in nature;

7 B. Section 10. of the Santa Fe County Personnel
8 Ordinance, "POLITICAL ACTIVITY--PROHIBITED AND UNLAWFUL ACTS",
9 shall apply to any person holding a position of employment with
10 the County."

11 Section 2. Section 10 of the Santa Fe County Personnel
12 Ordinance, (being Ordinance 1976-3, as amended) is amended to
13 read:

14 "Section 10. POLITICAL ACTIVITY--PROHIBITED AND UNLAWFUL
15 ACTS.--as to Coverage of Service see Section 4.E.

16 A. No County official or Department Head shall dismiss
17 a County employee or probationer for failure or refusal to pay
18 or promise to pay an assessment, subscription or contribution to
19 any political organization or candidate; however, nothing herein
20 contained shall prevent voluntary contributions or political
21 organizations.

22 B. No County employee or probationer, shall hold
23 political office. For the purpose of the Personnel Ordinance,
24 being a member of a local school board, an officer of a ward
25 or precinct political organization and being an election
26 official shall not be construed to be holding political office.

27 C. Nothing in the Personnel Ordinance or the rules
28 and regulations promulgated hereunder shall deny any County

1 employee or probationer the right to vote as he chooses or to
2 express his opinions on political subjects and candidates.

3 ~~[D.--Any-County-employee-or-probationer-who-becomes-a~~
4 ~~candidate-for-public-office-must,-after-filing-a-declaration-of~~
5 ~~candidacy-or-accepting-the-nomination,-take-a-leave-of-absence~~
6 ~~without-pay-during-the-campaign.--Such-leave-of-absence-shall-be~~
7 ~~not-less-than-thirty-(30)-calendar-days-immediately-prior-to-the~~
8 ~~primary-election,-and,-as-the-circumstances-may-require,-not-less~~
9 ~~than-thirty-(30)-calendar-days-immediately-prior-to-the-general~~
10 ~~election.]~~

11 D. [E.] No person shall be refused the right to appoint-
12 ment to a position, or promotion, or of holding a position
13 because of political or religious opinions or affiliation or
14 because of national origin, ancestry, race, color, sex, or
15 physical or mental handicap.

16 E. [F.] No County employee or probationer shall engage
17 in political activity while on duty.

18 F. [G.] No elected County official or department head
19 shall employ any person related by consanguinity or affinity to
20 the person giving such employment, unless the same has been
21 disclosed to and employed by the County Manager or Elected
22 Official.

23 G. [H.] No person holding a County position which is in
24 whole or in part funded or financed by loans or grants other
25 than revenue sharing, made by the United States or a Federal
26 agency thereof may be a candidate for an elective office in a
27 partisan primary, general or special election, nor may such
28 person engage in political activity, where the same is

1 prohibited by the Federal Hatch Act.

2 H. [I.] It is unlawful to:

3 (1) make any false statement, certificate, mark
4 or rating with regard to any certification or appointment made
5 under the Personnel Ordinance, or to willfully swear falsely
6 as to any itemized account of fees, commission, mileage and
7 per diem earned or collected by virtue of the performance of
8 official services.

9 (2) directly or indirectly give, pay, offer,
10 solicit or accept any money or other valuable consideration or
11 secure or furnish any special or secret information for the
12 purpose of affecting the rights or prospects of any person with
13 respect to employment in County service:

14 (3) accept or receive for ones personal use, for
15 or on account of expenses incurred or for on account of services
16 rendered by virtue of any County office or position in the County
17 service, any salary, compensation, allowance, fees or emoluments
18 in any form whatsoever, other than authorized by law;

19 (4) willfully fail to account for or pay over,
20 as required by law, and all fee commissions or monies earned or
21 collected by virtue of any County office or position in the
22 County service in the performance of official County service or
23 business; or

24 (5) negligently or willfully damage or destroy
25 any County owned equipment or conveyance used in the performance
26 of official County business and by virtue of any County office
27 or position in the County service, or to wrongfully appropriate
28 such equipment or conveyance."

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SFC CLERK RECORDED 12/05/2006

1 PASSED, APPROVED AND ADOPTED THIS 10th DAY OF February, 198
2 AS AN AMENDMENT TO ORDINANCE NUMBER 1982-2.

3 SANTA FE BOARD OF COUNTY COMMISSIONERS

4 [Signature]
5 Dr. Patricio C. Larragoite, Chairman

6 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

7 Archuleta, Sanchez & Co., P.A.

8 [Signature]
9 County Attorney

10 ATTEST:

11 [Signature]
12 Angie Vigil Perez, County Clerk

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14
15 OF SANTA FE) SS
16 OF NEW MEXICO)
17 I hereby certify that this Instrument was filed
18 on the 10 day of Feb A.D.
19 at 4:46 o'clock P.m.
20 and was duly recorded in book 543,
21 page 445-49 of the records of Santa Fe County.

22 Witness my Hand and Seal of Office
23 ANGIE VIGIL PEREZ
24 County Clerk, Santa Fe County, N.M.

25 [Signature] 586, 486
26 Deputy
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