

MEH



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Board of Ethics
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Executive Director

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Suite 1320
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

November 24, 1987

[REDACTED]

Case Number 87106.E

CONFIDENTIAL

Dear [REDACTED]

The Board of Ethics is in receipt of your letter of November 9, 1987. In this letter you stated your belief that, as a non-salaried appointee to the Board of Health, you were not required to file a Statement of Financial Interests to comply with the Ethics Ordinance. This, however, is not an accurate understanding of the Ordinance's financial disclosure provisions.

Section 26.2-15(a) of the Ethics Ordinance requires disclosure not only by elected officials and certain employees, but also by appointed officials (salaried or not) who serve on agencies that are not "solely advisory" in nature. As defined by Section 26.2-15(a)(ii), a "solely advisory agency," is one that has no authority to (1) make binding decisions, (2) enter into contracts or (3) make any expenditures other than those incurred for research purposes.

After reviewing Chapter 9 of the Municipal Code, the Board of Ethics has determined that the Board of Health is not a "solely advisory agency" for purposes of the Ethics Ordinance. Among other non-advisory powers granted to the Board of Health in Chapter 9, Section 9-7 authorizes it to formulate and promulgate regulations which will have the effect of law. Furthermore, Section 9-10 authorizes the Board of Health to enter into contracts in connection with its planning responsibilities. In light of such decision-making and contracting authority, the exemption from filing for non-advisory agencies is clearly inapplicable to officials serving on the Board of Health. Therefore, as an appointed official



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serving on this agency, you are required to promptly comply with the filing requirements of the Ethics Ordinance. Please complete the enclosed Statement of Financial Interests form and return it to the Board of Ethics no later than December 4, 1987.

Should you have questions, please contact the Board at 744-9660.

Sincerely,

S. Brandzel ^{SH}

S. Brandzel,
Chairman

MA/o'b/██████████