

April 13, 2007

*Sent By Electronic and Interoffice Mail*

Re: AO-07-32

You inquired whether, as the code enforcement administrator for the department of public works, you may accept an invitation to attend the Silent Defenders Award Dinner hosted by the International Code Council Foundation. You were invited by an acquaintance who is employed by two separate entities: the Building Owners and Managers Association and the National Multi-Housing Council. Both organizations are table sponsors for this dinner event. The value of the invitation is \$500. The ethics commission advises that you may not accept this gift of significant value.

Section 7-5-107(a) prohibits an employee from using the prestige of the office of position for the employee's private gain. The provision means that county employees may not accept a private financial gain because of their positions. This gift is offered to you because of your position in county government. Both BOMA and NMHC are membership organizations, some of whose members are regulated by your agency. Although you have become acquainted with this employee during the eight years in which you served as a member of the board of the International Code Council, the apparent reason for the invitation is to foster good relations with a local government employee whose performance of official duties may have an economic impact upon the organizations' members. Because the value of this invitation is quite significant, and because it was offered to you because of your position in the county, you may not accept it.

The ethics law does not prohibit you from attending the event if your department covers the expense.

Thank you for your inquiry. Please call if you have any questions.

Sincerely,

Betsy K. Dawson  
Executive Director