

CITY OF HOMER
HOMER, ALASKA

City Attorney
Council/City Clerk

ORDINANCE 96-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HOMER, ALASKA AMENDING SECTION 1.12.010,
CONFLICT OF INTEREST, DEFINITIONS.

WHEREAS, Ordinance 96-07(S) (A) was adopted on April 22,
1996; and

WHEREAS, Council had made some amendments wherein there was
concern regarding legality; and

WHEREAS, Council amended section 3 to read that Ordinance
96-07(S) (A) became effective upon the City Attorney's review; and

WHEREAS, upon review City Attorney Tans did sign this
Ordinance and made a couple of suggestions for Council to discuss
and direct amendment to HCC §1.12.010(b) (1) and (d).

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code § 1.12.010, Definitions, is
hereby amended to read as follows:

1.12.010 Definitions. In this chapter, unless otherwise
provided or the context otherwise requires, the following terms
shall have the meanings set forth in this section:

a. "Substantial financial interest in an official action"
means a financial interest that could be affected by an official
action, which might reasonably result in a pecuniary gain or loss
exceeding \$300. When the pecuniary value of a ~~Councilmember or~~
~~Mayor's~~ financial interest is not apparent on it's face or is
otherwise at issue, the Mayor or other presiding officer will
make the determination of whether or not it constitutes a
substantial financial interest in accordance with 1.12.040.

b. A person's financial interest includes:

1. any financial interest of a member of that
person's immediate family ~~or other professional or private~~
~~relationship including involvement or ownership in business or~~
~~property. including involvement or ownership of an interest in~~
a business including a property ownership, or a professional or
private relationship, that is a source of income, or from which

the person has received or expects to receive a financial benefit.

2. any affiliation with an organization in which he has an ownership interest, holds a position of management, or is an officer, directors, trustee, employee, or the like.

c. A financial interest does not include:

1. affiliation with an organization solely as a volunteer, club member, or the like.

2. a personal or financial interest of a type which is shared in common with all other citizens or a large class of citizens.

d. ~~"Immediate family" means anyone related by blood, marriage or adoption or who lives in the same household.~~ to a person by blood or current marriage or adoption in a degree up to and including the second degree of consanguinity or affinity or any person who is a regular member of that person's household.

e. "Organization" means any business, corporation, partnership, firm, or association whether organized for profit or non-profit.

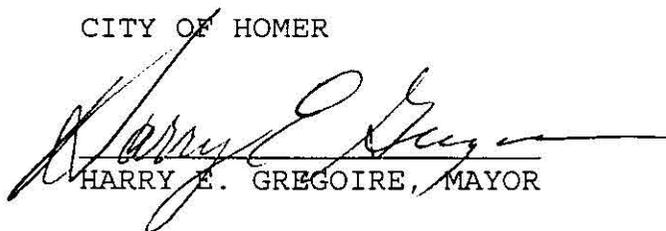
f. "Official action" means a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a city official or employee, whether such action or inaction is administrative, legislative, quasi-judicial, advisory, or otherwise.

g. "City official" means a person who holds elective office under the ordinances of the City, or who is a member of a board or commission whose appointment is subject to confirmation by the City Council. (Ord. 96-07(S) (A) §2, 1996; Ord. 92-49(A) (part), 1992; Ord. 86-22(S) §1(part), 1986).

Section 3. This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA,
this 24th day of June, 1996.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR

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ATTEST:

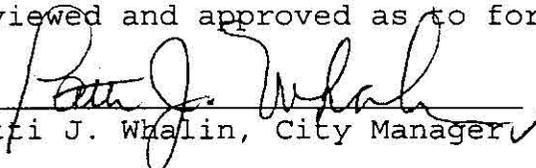


MARY L. CALHOUN, CITY CLERK

AYES: 5
NOES: 0
ABSENT: ~~1~~
ABSTAIN: 0

First Reading: 6-10-96
Public Hearing: 6-24-96
Second Reading: 6-24-96
Effective Date: 6-25-96

Reviewed and approved as to form and content:



Patti J. Whalin, City Manager



Gordon J. Tans, City Attorney

Date: 6-25-96

Date: 6-28-96

Fiscal Note not required.