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Suite 530
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

May 9, 1989

89100.Q

[REDACTED]

Re: Statement of Financial Interests
Case 89100.Q

Dear [REDACTED]

The Board of Ethics is in receipt of your letter of April 4, 1989 requesting clarification of your status vis-a-vis the Financial Interest Statement filing requirement of the Governmental Ethics Ordinance (Chapter 26.2 of the Municipal Code of Chicago).

Section 26.2-15(a) of the Ethics Ordinance requires disclosure not only by elected officials and certain employees, but also by unsalaried appointed officials 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 an agency that has no authority (1) to make binding decisions, (2) enter into contracts or (3) make any expenditures other than those incurred for research purposes.

The Board of Health possesses non-advisory authority under Chapter 9 of the Municipal Code. Among other powers granted to the Board of Health in Chapter 9, Section 9-7 authorizes it to formulate and promulgate regulations which will



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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 power, the Board of Health was informed on November 24, 1987 that it did not meet the Ethics Ordinance's criteria for designation as a "solely advisory agency." Therefore, appointed officials such as yourself who serve upon it cannot take advantage of the exemption from filing laid out in Section 26.2-15(a)(ii).

Should you have any further questions, please do not hesitate to call the staff of the Board of Ethics at 744-9660.

Sincerely,


Harriet McCullough
Executive Director

MA/ma: 89100.Q