

[Advisory Opinion 1997-12]

MEMORANDUM

TO: [Name1 withheld]
DPS, Wells and Septic Section

FROM: Barbara McNally, Executive Secretary [initialed]

SUBJECT: Purchase of firearms from a contractor

DATE: July 8, 1997

The Commission has considered your memorandum in which you express an interest in purchasing firearms from a septic system installation contractor. As part of your County responsibilities, you inspect the contractor's work to ensure compliance with County regulations. You have asked the Commission whether this situation poses a conflict of interest.

Based upon the information in your memorandum, the Commission has concluded that Section 19A-11 of the County Code is applicable. Therefore, you would be prohibited from inspecting the contractor for compliance with County regulations if you entered into a financial transaction with that contractor.

However, you may request a waiver of this section of the Code. The standard which governs waiver decisions is set forth in Section 19A-8 of the County Code. With any request for a waiver, you should submit a recent appraisal of the guns in question and information establishing the value of the transaction. If you wish to pursue this course of action, please send your request to the Commission with the required documents.

Do not hesitate to contact our office if you have any questions.

BMM:jw