

#### 4.10 Nepotism

It is unlawful for any City Official to appoint, or vote for the appointment, to any office, employment or duty, of any person related within the second degree by affinity or within the third degree by consanguinity to the person so appointing or so voting, or to any other member of a board or governing body to which the person so voting or appointing may be a member, when the salary, fees, or compensation of such appointee is to be paid out of public funds. An exception is provided for persons who have been continuously employed in such office, employment or duty for the following periods prior to the election or appointment, as applicable, of the officer or member related to such employee in the prohibited degree: (1) at least thirty (30) days, if the officer or member is appointed, or (2) at least six (6) months, if the officer or member is elected.

When a person is allowed to continue in an office, position, or duty because of an exception above, the officer who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the appointment, reappointment, employment, confirmation, reemployment, change in status, compensation, or dismissal of such person, if such action applies only to such person and is not taken with respect to a bona fide class or category of employees.

Texas Government Code – Chapter 573

#### 4.11 Disclosure of Interest in Property.

It is unlawful for a City Official, or a person elected, appointed, or employed as a City Official but for which office such person has not yet qualified, to fail to make public disclosure of any legal or equitable interest he may have in property which is acquired with public funds, provided such official has actual notice of the acquisition or intended acquisition. The public disclosure required is the filing of an affidavit with the county clerks of all counties in which the property is located and wherein the official resides at least ten (10) days prior to the acquisition.

Texas Government Code – Chapter 553.002

### **Section 5. Violations**

- 5.01 Any person violating any standard contained in Section 3. above shall be deemed guilty of a Class C misdemeanor and, upon conviction thereof shall be fined in an amount not to exceed \$500. Each day of that a violation occurs shall constitute a separate offense as a Class C misdemeanor.
- 5.02 Penalties for violations of conduct described in Article 4. above are as set forth in the applicable statutory provision. Violations of conduct described in Article 4 above are not violations of this Ordinance.

### **Section 6. Procedure; Jurisdiction**

6.01 A complaint against any City Official may be initiated by a sworn written complaint from any person. The complaint should be filed with the City of Harlingen