



MEC
OPINION NO.

1997.06.113

STATE OF MISSOURI
MISSOURI ETHICS COMMISSION
P. O. BOX 1254
JEFFERSON CITY, MISSOURI 65102

573/751-2020
1-800/392-8660

June 16, 1997

COPY

The Missouri Ethics Commission, at their June 3, 1997 meeting, discussed your request for an opinion. The following is the Commission's response to your questions:

1. Is it improper to have more than one city council member on the Planning & Zoning Commission?

From the facts presented in your letter, the Commission stated it cannot issue an opinion concerning this question because the issue is outside the statutory authority of the Missouri Ethics Commission.

2. May the spouse of a newly elected mayor serve on the Planing & Zoning Commission if the spouse was already a member of the commission?

If the spouse of the newly elected member was previously serving on the Planning and Zoning Commission, the spouse may remain on that board; however, the mayor could not reappoint her to the board because of the nepotism clause in the Missouri Constitution. The spouse of a council member may be appointed to the Planning & Zoning Commission so long as the appointment is not made by the council member, and the council member does not vote on the nomination.

3. May the spouse of a council member be appointed to the Planning & Zoning Commission? The council member is not on the Commission.

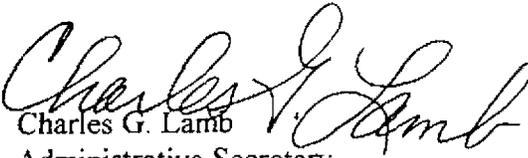
In response to the third question, the spouse of a council member may be appointed to the Planning & Zoning Commission; however that member cannot vote for his own appointment and cannot nominate himself.

4. *May a council member and/or Planning & Zoning Commission member be appointed to the Board of Appeals/Adjustments?*

The Commission cannot issue an opinion concerning this question because it is outside the statutory authority of the Ethics Commission.

If you have any further questions, please feel free to contact this office.

Sincerely,


Charles G. Lamb
Administrative Secretary

MCR:bd

NOTICE

Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.