

## NOTICE OF ORDINANCE

NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of April, 2017, at 6:00 pm in the City Commission Chamber at City Hall, 200 East Broadway, 1<sup>st</sup> Floor Annex, the governing body of the City of Hobbs proposes to adopt an ordinance revising Chapter 2.56.580 of the Hobbs Municipal Code relating to nepotism. The content of the ordinance is described as follows:

### AN ORDINANCE REVISING CHAPTER 2.56.580 OF THE HOBBS MUNICIPAL CODE NEPOTISM

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO that Chapter 2.56 of the Hobbs Municipal Code is hereby revised to read as follows.

2.56.580 Nepotism.

A. It is vital to the public image of the City to avoid the practice or appearance of nepotism in employment. In carrying out this policy, the following rules shall apply without exception unless as provided in subsection (A)(5) herein.

1) No relative shall be hired in any capacity if related to the City Commissioners, the mayor, or the City Manager by blood or marriage to the third degree of kindred except as provided in subsection (A)(5) herein. The third degree of kindred includes spouses, parents, children, brothers, sisters, grandparents, grandchildren, great-grandparents, great-grandchildren, aunts, uncles, nieces and nephews.

2) No person shall be hired, promoted, or transferred to a position which is under the direct supervision or the departmental chain of command of a relative, in this case meaning a blood or marriage relation to the third degree of kindred, as defined in subsection (A)(1) of this section except as provided in subsection (A)(5) herein.

3) If two (2) employees are in positions of direct or indirect supervision through any departmental chain of command and these two (2) employees establish a relationship by marriage, other operation of law, or through lifestyle accommodations being the substantial equivalent of a family relationship, the City Manager may transfer one (1) of the employees to a position removed from the supervisory control of the other if it is determined that such transfer will serve the best interests of the City.

4) Except as provided in subsections (A)(1) and (A)(2) of this section, no applicant or employee who is a relative of another City employee shall be prohibited from seeking and holding a City position or from promotion within the municipal service, provided such recruitment or promotion is conducted in accordance with this chapter and any applicable administrative regulations.

5) Certain relatives may be appointed to "seasonal" or "temporary" employment if related to a City Commissioner, the Mayor, or the City Manager by blood or marriage, as long as the relatives are not siblings, children, or grandchildren. A seasonal or temporary person may be hired to any position only when their immediate supervisor or supervisors supervisor is not a relative, in this case meaning a blood or marriage relationship to the third degree of kindred as defined in subsection (A)(1) of this section.

B. Supervisors will not knowingly allow these nepotism provisions to be compromised and have an affirmative obligation to report any violations to their department head.

Copies of the proposed ordinance in its entirety are available to interested persons during regular business hours in the office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico. The proposed ordinance is also available for viewing online at [www.hobbsnm.org](http://www.hobbsnm.org).

/s/Jan Fletcher  
Jan Fletcher, City Clerk