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October 11, 2000

VIA FACSIMILE (786) 331-4241

Jim Sutton
Miami-Dade Fire Rescue Department
9300 N.W. 41st Street
Miami, FL 33178

RE: REQUEST FOR ADVISORY OPINION 00-157

Dear Mr. Sutton:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on October 5, 2000 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding potential outside employment.

In your letter, you advised the Commission that you are a Buyer in the Procurement Division of the Fire Rescue Department. You recently received an occupational license from the City of Homestead to install home theater systems and other electronics. You have also applied for a tax number from the Department of Revenue. You would like to know if you may install systems as an independent contractor on an outside employment basis.

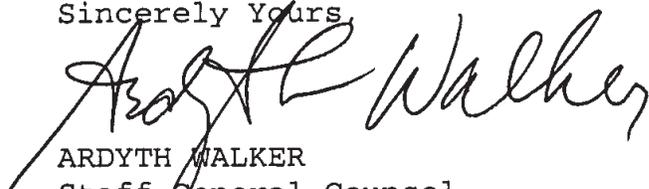
The Commission found that the Conflict of Interest and Code of Ethics ordinance permits you to do outside employment as an installer of home theater systems. Section 2-11.1(j) of

the Code of Miami-Dade County provides that no person included in the terms defined in subsections (b)(1) through (6) shall accept other employment which would impair his independence of judgment in the performance of his public duties. Since your duties as a buyer for the Fire Rescue department are completely unrelated to your work as an installer, the Conflict of Interest ordinance permits the employment. However, you must still receive approval from the department for outside employment and you must file the required forms with the Department of Elections.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 579-2653 or Robert Meyers, Executive Director at (305) 579-2594.

Sincerely Yours,



ARDYTH WALKER
Staff General Counsel