

[Bracketed/Underscored Material] - New
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1 recuse from any related hearings as may be necessary based on any improper
2 ex parte communication; any ex-parte correspondence that is inadvertently
3 received by a member shall be referred to or otherwise disclosed to the
4 Director and, when appropriate, made available for review by the relevant
5 complaint and APD officer or their representatives; and

6 (3) Refrain from prejudgment on complaints coming before the board until
7 such time as all relevant information has been reviewed and considered at a
8 properly noticed meeting, and recuse from any hearing in which he or she has
9 a direct or indirect personal conflict of interest or cannot otherwise accord a
10 fair and impartial review, or in which such member's participation would
11 create the appearance of impropriety or partiality. [Nothing in this paragraph
12 shall be interpreted as preventing a subcommittee from reviewing and making
13 recommendations on the resolution of a case.]”

14 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, word or
15 phrase of this ordinance is for any reason held to be invalid or unenforceable
16 by any court of competent jurisdiction, such decision shall not affect the
17 validity of the remaining provisions of this ordinance. The Council hereby
18 declares that it would have passed this ordinance and each section,
19 paragraph, sentence, clause, word or phrase thereof irrespective of any
20 provision being declared unconstitutional or otherwise invalid.

21 SECTION 3. COMPILATION. The amendments set forth in Section 1 above
22 shall amend, be incorporated in and made part of the Revised Ordinances of
23 Albuquerque, New Mexico, 1994.

24 SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five days
25 after publication by title and general summary.

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