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SPRINGFIELD

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FILE NO. S-316

COUNTY OFFICERS:
Supervisor of Assessments

Honorable Glenn W. Appleton
State's Attorney
County of Mercer
Aledo, Illinois

Dear Mr. Appleton:

I have your recent letter in which you state
as follows:

"I have been requested by Mr. Edward Sims,
Chairman of the Zoning Committee of the
Mercer County Board of Supervisors, to
obtain your opinion in the following matter.

"By reason of a resignation, a vacancy
exists in the appointive office of the
County Zoning Enforcing Officer; which
office is filled by appointment of the
Board of Supervisors under the provisions
of the Mercer County Zoning Ordinance. One
of the applicants is the duly appointed

Supervisor of Assessments of Mercer County. A question arises as to whether or not these two offices are incompatible and if the Supervisor of Assessments of Mercer County, which is a full time job, can also serve as County Zoning Enforcing Officer, which is a part time job."

Paragraph 483 of Chapter 120, 1969 Illinois Revised Statutes provides as follows:

"In counties under township organization having less than 150,000 inhabitants, * * * there shall be a county supervisor of assessments appointed as provided in Section 3a. (Par. 484a of Chapter 120, 1969 Ill. Rev. Stats). * * * "

Paragraph 484a of Chapter 120 provides:

"In counties containing less than 500,000 inhabitants and not having an elected board of assessors, the office of supervisor of assessments or county assessor shall be filled by appointment by the county board, as herein provided.

* * * * * * * * * * "

Paragraph 484b of Chapter 120 provides:

"Any person appointed pursuant to Section 3a (Par. 484a of Chapter 120, 1969 Ill. Rev. Stats.) shall hold no other lucrative public office or public employment * * * ."

Under the facts stated in your letter there would be a violation of paragraph 484b if the Supervisor of

Honorable Glenn W. Appleton - 3

Assessments were appointed County Zoning Officer. In People v. Haas, 145 Ill. App. 283 the court announced the rule that incompatibility between offices arises where a statute specifically prohibits the occupant of either one of the offices from holding the other.

I am of the opinion that these two offices are incompatible.

Very truly yours,

A T T O R N E Y G E N E R A L