

4-60 BOARD OF ETHICS

(a) There shall be a Board of Ethics composed of 6 regular members and 2 alternate 14 members. The Board of Ethics shall have the powers and duties set forth herein and in the General Statutes. At no time shall more than 3 regular members and one alternate member be of the same political party. An alternate member shall vote only in the absence or disability of a regular member. A quorum shall be 4 members. The First Selectman, with the approval of the Board of Selectmen, shall appoint all members to the Board of Ethics.

All appointments to the Board shall be for a term of 4 years. In no event may any

member of the Board serve on said Board for a period of more than 8 years in succession [unless fulfilling a vacated term](#). Any

member who has served for 8 years in succession shall be ineligible for reappointment to the Board for a period of 4 years after he last served on the Board of Ethics. Each member shall serve until his successor has been appointed.

(b) The Code of Ethics is an ordinance which can be amended in accordance with the procedures for amending ordinances except that the Board of Ethics, without a petition, may propose amendments. In the event that an amendment is so proposed, the Legislative Council shall have 60 days to approve, modify or reject said amendment.

(c) The Board shall be charged with the administration of the Code of Ethics. The Board shall adopt and may amend reasonable rules and regulations for the administration of its proceedings. Prior to adopting or amending said rules and regulations, the Board shall hold a public hearing. Notice of the date, time and place of the public hearing, together with the text of the proposed amendment, shall be published in a newspaper having a substantial circulation in the Town of Newtown not less than 10 days before the date of said hearing. All such rules and regulations, as currently amended, shall be made available at the office of the Town Clerk to any elector of the Town.

(d) The Board shall receive complaints of any violations of the Code of Ethics and shall,

upon [receipt of](#) such complaint, investigate the same and may hold private [hearings-investigations](#) thereon if, in the

opinion of the majority of the Board, said complaint warrants a hearing. Any complaint received by the Board must be in writing and signed by the individual making said complaint. Complaints made to the Board of Ethics shall not be made public unless and until the complaint is found to warrant [an investigation hearing](#). Upon receiving any complaint, the Board shall privately notify in writing the person against whom said complaint has been filed, advising the concerned party of the specific nature of the complaint made and being investigated by the Board and the name of the complainant. Upon receipt of said notice from the Board, the party so notified that a complaint has been filed against him/her shall have the right to [demand request](#) a full hearing by the Board. In the event the Board decides that a hearing is required, or the person whose conduct is being called into question ~~demands requests~~ a hearing, said hearing shall afford the person whose conduct is called into question the right to cross-examine anyone testifying against him/her, to meet and answer any complaint made of his/her conduct, and to present evidence in his/her own behalf. No hearing may be conducted with less than 4 members of the Board in attendance.

(e) In the event the Board shall receive complaints against any officer, official or employee of the Town, the investigation and disposition of which have been delegated to other boards or commissions created by the Charter or under the General Statutes, then the Board shall forward the complaint received to the appropriate board or commission. The board or commission to which such complaints are forwarded shall thereafter notify the Board of the disposition made of said complaint.¹⁵

(f) The Board shall report to the Board of Selectmen its finding as to whether or not a violation of the Code of Ethics has occurred, together with recommendation as to dispositions to be made. The First Selectman with the approval of the Board of Selectmen shall thereupon take such action as it may deem appropriate including, but not limited to, removal from office, suspension or censure of the person(s) who is the subject of the complaint or dismissal of the charges, except that elected officials may not be removed or suspended from office.

(g) Whenever, an officer, official or employee of the Town is contemplating taking an action or participating in any proceeding and has any question concerning the conformity of that action or participation with the Code of Ethics, the officer, official or employee shall have the right to

seek an advisory opinion of the Board. Such request must be submitted in writing and the resulting advisory opinion from the Board shall be in writing.

(h) ~~All opinions, findings and recommendations of the Board, whether advisory or at the request of a complainant,~~ The results of all public hearings shall be kept on file in the office of the Town Clerk.

(i) The Legislative Council, by regulation, may prescribe procedures permitting the reimbursement by the Town of any reasonable and out-of-pocket attorney's fees incurred in connection with an appearance before the Board of Ethics by an officer, official or employee of the Town.