

RULES AND REGULATIONS OF THE TOWN OF RIDGEFIELD BOARD OF ETHICS

SECTION I - OFFICERS

- (1) The officers of the Board shall be a Chairperson and a Secretary. The officers shall be elected at a meeting to be held by the Board in January of each year.
- (2) The Chairperson shall preside at meetings and public hearings. In the event of the Chairperson's absence or inability to act, the other members of the Board shall select a member as Acting Chairperson who shall thereafter perform the duties of the Chairperson as necessary.
- (3) The Secretary shall take minutes of all meetings and issue all notices required.

SECTION II – MEETINGS

The Board shall meet at least twice each calendar year, including in January as required by the Town Charter, and at such other times as the Chairperson shall deem necessary to conduct its business.

SECTION III - QUORUMS

The participation of three (3) members (including the alternate) shall be required to conduct the Board's internal administrative affairs. The participation of four (4) members (including the alternate) shall be required to consider, hear and act upon any phase of any complaint or request for an advisory opinion concerning the application of the Standards of Conduct to any particular case.

SECTION IV - PUBLIC PRESENCE

- (1) Board meetings concerning operational or administrative matters shall be open to the general public.
- (2) Board meetings and hearings (hereinafter "proceedings") or portions thereof relating to complaints or advisory opinions shall be closed to the public unless an open proceeding is required by law or the official or employee whose conduct is the subject of the proceeding requests that the proceeding be open. Any such request shall be delivered to the Chairperson not later than seven (7) days before such proceeding.

SECTION V - CASE PROCEDURE

- (1) All complaints to be considered by the Board shall be in writing, dated, signed by the complainant and notarized. The complaint shall contain a simple statement of the pertinent facts and identify the complainant and all parties involved, and it shall specify by section and provision therein of Article XI of the Town Charter to which such facts pertain. The Board may in its discretion, but shall not be required to, consider sections or provisions of Article XI of the Town Charter other than those so specified, but it may reject or dismiss a complaint entirely or in part solely on the ground that there is no basis for finding a violation of a section or provision so specified.

(2) All requests for advisory opinions shall be in writing, dated and signed by an official or employee. The Board's consideration of any such request shall otherwise be governed by the provisions of Paragraph (1) above.

(3) Any complaint or request for advisory opinion may be submitted to the Board via the contact information for the Board provided on the Town's website, or through the office of the Town Clerk addressed to the Board's attention. Within five (5) business days thereafter, the Board shall deliver a copy of the complaint or acknowledgement of the request for advisory opinion to all necessary parties.

(4) Each request for Board action shall be assigned a file number, and the matter shall thereafter be maintained by the Board in hard copy or electronic file form. The file shall record the dates of (a) official receipt of the matter, (b) all required notices, and (c) any proceedings relating to the matter. The file shall also record any action taken by the Board regarding such matter.

(5) Any complaint or request for advisory opinion shall be considered officially received only when acknowledged at the next Board meeting, but in any event not later than thirty (30) days after being first received as described in Paragraph (3) above.

(6) Upon official receipt of a complaint or request for advisory opinion, the Board shall preliminarily review the matter. Upon completion of its preliminary review, the Board shall vote to:

- (a) dismiss the matter based upon lack of jurisdiction or for failure to comply with the requirements of Paragraphs (1) and (2) above;

- (b) dismiss the matter with a statement authorizing resubmission based upon additional information requested by the Board to be provided by the complainant or the official or employee requesting an advisory opinion;

- (c) accept the matter and conduct an investigation; or

- (d) accept, consider and decide the matter on the merits based upon the initial submission to the Board.

(7) In the event the Board acts pursuant to Paragraph (6) (c) above, the Board shall have the power to hold hearings, administer oaths, examine witnesses, receive oral and documentary evidence, subpoena witnesses and compel production of documents during the course of its investigation in such manner authorized by law. The Board shall hold a hearing if requested by the person whose conduct is being investigated. All hearings shall be conducted in accordance with the provisions of section IV, Paragraph (2) above. Notice of any such hearings shall be provided in accordance with the provisions of section VI below.

(8) Any official or employee whose conduct is under investigation shall have the right to appear before and be heard by the Board. During any proceeding relating to an investigation of a complaint, such official or employee shall have the right to offer information relating to the complaint and to present and to cross-examine witnesses during the course of the proceeding. All information offered or witnesses

presented by such official or employee shall be relevant to the issue of whether or not that official or employee has violated any provision of Article XI of the Town Charter.

(9) Any person appearing before the Board during any proceeding relating to an investigation of a complaint or request for advisory opinion may be represented by counsel provided by and at the expense of that person. Counsel, including those representing officials or employees whose conduct is under investigation, shall not be permitted to participate in any such proceeding except as to advise the person being represented, or in such other manner as the Board at the time deems appropriate.

(10) The Board shall document by means it deems appropriate all proceedings during which information or testimony is provided by persons appearing before the Board in connection with any investigation conducted by the Board.

(11) All investigations shall be concluded within sixty (60) days of official receipt of the matter by the Board, absent an extension as agreed to by the necessary parties.

SECTION VI – NOTICES

At least seven (7) days prior to the date of any proceeding conducted in connection with an investigation by the Board (including the day of the proceeding), or as agreed by the necessary parties, the Board shall deliver to the official or employee whose conduct is being investigated notice of the date, place and time of the proceeding, along with a copy of the complaint and a statement by the Board of the subject matter of the proceeding. The notice shall state that counsel may represent the official or employee in the manner described in section V, Paragraph 9 above, that the official or employee may present information and witnesses during the proceeding, and that the proceeding shall be closed unless the official or employee requests an open proceeding in accordance with the provisions of section IV, paragraph 2 above.

SECTION VII - DECISIONS

(1) Upon completion of its preliminary review or investigation of any matter officially received, the Board shall report its decision of the matter in writing. The decision of the Board shall be to:

- (a) dismiss the complaint or request for advisory opinion for lack of jurisdiction;
- (b) dismiss the complaint on the merits based upon a finding of no probable cause;
- (c) issue a finding of probable cause based upon the complaint in whole or in part; or
- (d) issue an advisory opinion.

(2) All decisions of the Board shall be reported and delivered to the official or employee involved in the matter within thirty-one (31) days of the final proceeding relating to the complaint or request for advisory opinion. The report shall include a summary statement of the relevant facts and the reasons for the decision. The report shall also state what action the Board deems appropriate if a violation has occurred,

and whether the matter will be referred by the Board to any other authority if any further action is deemed appropriate.

(3) Any determination of probable cause that an official or employee has violated any provision of Article XI of the Town Charter shall require four (4) concurring votes of the members of the Board.

SECTION VIII - CONFIDENTIALITY AND DISCLOSURE

(1) It is the policy and intent of the Board that whenever possible and appropriate its work be conducted in accordance with the principle of confidentiality. As such, unless otherwise required by law, no member of the Board shall disclose to the press or any outside party any information, or publicly comment on the merits of any matter, brought before the Board.

(2) All investigations conducted by the Board shall be confidential unless the official or employee whose conduct is under investigation requests disclosure of the investigation or unless disclosure is otherwise required by law.

(3) Any person called by the Board to provide information in connection with an investigation shall not disclose his or her knowledge of the investigation to a third party unless the official or employee whose conduct is under investigation requests that the information be disclosed or the specific information provided by the person is already a matter of public record.

(4) If the Board makes a finding of no probable cause on any complaint, the complaint and the record of the Board's investigation shall remain confidential unless the official or employee whose conduct is under investigation requests disclosure or unless disclosure is otherwise required by law.

(5) If the Board makes a finding of probable cause, the finding and record of its investigation shall be disclosed as authorized by state statute and section 11-9 of the Town Charter.

(6) The Board may consider written requests for opinions submitted by officials or employees concerning their conduct in office as it relates to Article XI of the Town Charter and to respond to such requests directly to the official or employee. The Board in its discretion may publish advisory opinions on the Town's website or in hard copy in the office of the Town Clerk in a manner that does not identify the official or employee requesting the opinion.

(7) No provision of this section shall prevent the Board from reporting the possible commission of criminal or civil violations of the law to the appropriate prosecutorial authorities.

SECTION IX –AMENDMENTS

Amendments to these Rules and Regulations shall be made in accordance with Article XI, section 11-9 of the Town Charter.

Adopted at an open meeting of the Town of Ridgefield Board of Ethics on April 12, 1995, with duplicate originals to be filed with the Town Clerk and the Board of Ethics.

Amended at an open meeting of the Town of Ridgefield Board of Ethics on January 14, 2015.

Amended at an open meeting of the Town of Ridgefield Board of Ethics on January 19, 2022.

ATTEST:

BART G. VAN DE WEGHE, Chairman
JOHN ZEMBRON, Secretary