

# AN ORDINANCE CREATING A BOARD AND CODE OF ETHICS

## 1.0 Declaration of Policy

1.1 The Town of Beacon Falls hereby adopts the provision of CT General Statutes, Section 7-148h, establishing an Ethics Commission.

1.2 The Town of Beacon Falls does hereby establish a code of ethics for all officers, employees, officials, and agents, whether elected or appointed, paid or unpaid. The purpose of this policy is to establish suitable ethical standards for all such officers, employees, officials, and agents by prohibiting acts or actions incompatible with the discharge of their public duties and the best interests of the Town of Beacon Falls and by directing disclosure of private financial interest or personal interest in matters affecting the Town of Beacon Falls by such officers, employees, officials, and agents. Any violations of this article may constitute a cause for suspension, removal from office or employment or other disciplinary action.

## 2.0 Prohibited Activities

2.1 The Town of Beacon Falls hereby adopts in its entirety Section 1-84(a) through (c), 1-84(f) through (h), 1-84(j), 1-84(l) through (m), 1-84(o), and Section I-85 of the Connecticut General Statutes, as the same may be amended from time to time as prohibited activities of any officer, employee, official, or agent of the Town of Beacon Falls. **No person, whether they be an Officer, Employee, Official or Agent of the Town of Beacon Falls shall accept or receive any gift or service with an excess value of \$50.00. In the event that such gift or service is received, it shall forthwith be reported to the Ethics Board/Commission within thirty (30) days.**

2.2 No Officer, Employee, Official or agent of the Town of Beacon Falls shall represent any person or entity other than himself or a family member, or a business of which he is a principal, before any commission, board, or municipal authority of which he is a member, or of which he acts as agent or advisor.

2.3 No officer, employee or official of the Town of Beacon Falls, nor any member of the immediate family of any officer, employee or official of the Town of Beacon Falls, nor any business with which any officer, employee, or official of the Town of Beacon Falls is associated, shall enter into any contract with the Town of Beacon Falls, valued at one hundred dollars or more, other than a contract of employment, unless the contract has been awarded through an open and public process, including prior public offer and subsequent public disclosure of all proposals considered and the contract awarded.

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**2.4** No officer, employee, official or agent of the Town of Beacon Falls shall accept a fee or honorarium for any writing, appearance or speech, or for any participation in any event, in that person's official capacity. However, an officer, employee, official or agent of the Town of Beacon Falls may receive payment for reasonable and necessary expenses of any writing, speech, appearance or participation and shall be disclosed to the Board of Ethics of the Town of Beacon Falls within thirty (30) days of receipt, unless the reimbursement is paid by a state, municipal or federal government entity. If said officer, employee, official or agent of the Town of Beacon Falls fails to disclose any such payment within thirty (30) days of receipt to the Board of Ethics, either intentionally or due to gross negligence on that person's part, said person shall return the payment to the maker of the payment. If a failure to disclose is not intentional or due to gross negligence on the part of said person, then there shall be no penalty under this article. Whenever any officer, employee, official or agent of the Town of Beacon Falls attends an event in this state in that person's official capacity and as a principal speaker at such event receives admission to it, and or food and beverage from the sponsor of the event, such admission, food and or beverage shall not be considered a gift and no disclosure shall be required under this section.

### **3.0 Written Disclosure of Interest**

Any officer, employee, official, or agent having any financial or private interest in a matter pending before the board, agency or authority on which he serves or for whom he is an agent shall file written disclosures of the interest with the Town of Beacon Falls as soon as he or she becomes aware of such interest. Such written disclosure shall set forth in detail the nature and extent of such interest.

### **4.0 Membership and Appointment Terms**

- 4.1** There is hereby created a Board of Ethics that shall be charged with the administration of this article.
- 4.2** The Board of Ethics shall be composed of five (5) members and one (1) alternate member, all of whom shall be electors of the Town of Beacon Falls, to be nominated by the First Selectman and confirmed by the Board of Selectmen in accordance with Section 9-167a of the Connecticut General Statutes.
- 4.3** The members of the board shall be appointed by the Board of Selectmen to serve as follows:
- Two (2) members shall be appointed for a term expiring December 30, 2006.
  - Two (2) members shall be appointed for a term expiring in December 30, 2007.
  - One (1) members shall be appointed for a term expiring in December

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- One (1) alternate member shall be appointed for a term expiring December, 30, 2006

Thereafter, all appointments shall be for a term of three (3) years. Any regular member having served for six (6) years in succession shall be ineligible for reappointment to the board. For individuals filling a vacancy, successive years of service will commence with the next appointment period. The alternate shall serve as a regular member in the absence or disqualification of a regular member and shall fill the unexpired portion of the term of any vacancy.

**4.4** The Board of Selectmen shall remove a member of the Ethics Board for malfeasance or misfeasance and for failure to attend a majority of the meetings held annually.

### **5.0 Meetings; Quorums; Records and Minutes; Confidentiality.**

**5.1** Meetings shall be held at the call of the chairman and at such other times, as the board shall determine. The presence of four (4) members at a meeting shall constitute a quorum, except that any meeting whose purpose is to hear a complaint or violation of this code against an official or consultant shall have five (5) members to constitute a quorum. The board shall only conduct business if a quorum is present. The board shall keep minutes of its meetings and shall provide strict adherence to Robert's Rules of Order and the Connecticut Freedom of Information Act.

This ordinance becomes effective fourteen (14) days after publication in the most widely circulated newspaper in the Town of Beacon Falls.

Public Hearing held on December 5, 2005

Town Meeting held on December 12, 2005

Ordinance published in the most widely circulated newspaper in the Town of Beacon Falls on December 21, 2005.

**Ordinance became effective January 6, 2006.**

Revision to Ordinance

Town Meeting Held: February 25, 2008

Ordinance Published: March 1, 2008

Revised Ordinance became effective: March 16, 2008