

ARTICLE IV. CODE OF ETHICS*

***Charter references:** Proper official conduct, § 4-1.

State law references: Authority to adopt code of ethical conduct, G.S. §§ 7-148(a)(24), 7-194 (60).

Sec. 2-20. Board of ethics--Created; purpose.

There is hereby created a board of ethics for the purpose of rendering advisory opinions and making recommendations with respect to the drafting and adoption of amendments to this article.

(Code 1961, § 1.09.09; Ord. No. 70-5, 5-15-70)

Sec. 2-21. Same--Appointments.

The board of ethics shall consist of five (5) regular members, electors of the town, who are known for their personal integrity. The members shall be appointed by the council for a term of five (5) years, except that of the initially appointed members one (1) shall serve for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years, and one (1) for five (5) years. No member of the board of ethics shall knowingly render or agree to render for compensation or otherwise any service to any person or party other than the town in connection with any cause, proceeding, application or other matter which is before any town agency, nor shall such member serve as a member of any other town agency.

(Code 1961, § 1.09.010; Ord. No. 70-5, 5-15-70)

Sec. 2-22. Same--Organization and procedure.

The board shall elect a chairperson and secretary and shall establish its own rules of procedure. It shall keep records of its meetings and shall hold meetings at the call of the chairperson and at such other times as the board may determine.

(Code 1961, § 1.09.011; Ord. No. 70-5, 5-15-70)

Sec. 2-23. Same--Duties and powers.

The board may make recommendations for amendments to this code of ethics and rules and regulations for adoption by town agencies. The board shall render advisory opinions:

(1) Concerning town officials and employees, excluding members and employees of the board of education, with respect to the code of ethics upon written request of the town manager or upon written request of any member of the town council submitted at a regular meeting of the town council. Such advisory opinions shall be submitted to the agency or

person requesting them.

(2) Concerning board of education members and employees with respect to the code of ethics upon written request of the superintendent of schools or upon written request of any member of the board of education submitted at a regular meeting of the board of education. Such advisory opinions shall be submitted to the board of education.

(Code 1961, § 1.09.012; Ord. No. 70-5, 5-15-70; Ord. No. 81-6, § 2, 6-1-81)

Sec. 2-24. Same--Expenses and compensation.

The members of the board shall serve without compensation for their services. In the performance of its duties and in the exercise of its powers the board shall not incur any expense in excess of the funds appropriated by the council for such purpose.

(Code 1961, § 1.09.013; Ord. No. 70-5, 5-15-70)

Sec. 2-25. Applicability.

The provisions of this article shall apply to all town officials and employees, whether elected or appointed, paid or unpaid. The term "town officials," as used in this Code, shall include members of the town council, members of the board of education, and all officials appointed by the town council, board of education or the town manager. The term "town employees," as used in this Code, shall include all employees of the town and the board of education.

(Code 1961, § 1.09.02; Ord. No. 70-5, 5-15-70; Ord. No. 81-6, § 1, 6-1-81; Ord. No. 82-2, § 1, 1-18-83)

Sec. 2-26. Conflict of interest.

No town official or employee shall accept any employment or have any interest, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of such official's or employee's duties in the public interest or which will impair such official's or employee's independence of judgment or action in the performance of official duties.

(Code 1961, § 1.09.03; Ord. No. 70-5, 5-15-70)

State law references: Conflict of interest, G.S. § 7-479.

Sec. 2-27. Disclosure of interest.

Any town official or employee who has a financial interest, direct or indirect, in any property or matter which is the subject of any pending or proposed proceeding before any town agency, shall disclose such official's or employee's interest to such agency upon hearing of such proceeding and if such official or employee is a voting member of such agency, such official or employee shall not participate in the discussion or vote upon such matter. The disclosure shall become a permanent part of the record before the agency.

(Code 1961, § 1.09.05; Ord. No. 70-5, 5-15-70)

Sec. 2-28. Use of town property; equal treatment.

No town official or employee shall use or permit the use of town-owned vehicles, equipment, materials or property for personal convenience or profit where prohibited by state statute, town ordinance, or administrative regulation. No town official or employee shall grant any consideration or advantage to any person beyond that which is available to every other person.

(Code 1961, § 1.09.04; Ord. No. 70-5, 5-15-70)

Sec. 2-29. Gifts and favors.

(a) No town official or employee in his capacity as an official or employee of the town shall solicit or accept any valuable gift, favor, service, loan at less than prevailing interest rates, thing or promise from any person, firm or corporation which would tend to weaken public confidence in the recipient or present a temptation which might undermine the official's or employee's unselfish devotion to the public interest.

(b) Endorsements. No town official or employee in his capacity as an official or employee of the town shall publicly endorse products or services. Notwithstanding the foregoing, nothing herein shall prohibit any town official or employee from answering any inquiry by another governmental official or consumer organization or product information service regarding any produce or service.

(Code 1961, § 1.09.06; Ord. No. 70-5, 5-15-70; Ord. No. 71-1, 1-18-71; Ord. No. 84-3, § 1, 9-4-84)

Sec. 2-30. Representing private or public interests before town agencies.

(a) No town official or employee shall render or agree to render for compensation any service to any person or party other than the town, in connection with any cause, proceeding, application or other matter which is before any town agency. This does not prohibit any town official or employee from appearing before any board or commission on such person's own behalf or as official spokesman for an organization of which he/she is a member, provided such appearance does not violate Connecticut General Statutes sections 8-11 and 8-21 or any other provision of the Code. Connecticut General Statutes sections 8-11 and 8-21 prohibit any town planning and zoning commission or zoning board of appeals member from appearing before either the town planning and zoning commission or the zoning board of appeals on his/her own behalf.

(b) No member of the town council may participate in a meeting of any board, agency, or commission appointed by the council other than on his or her own behalf as specified herein or other than at the express direction of the council or other than at the invitation of the board, agency, or commission.

(Code 1961, § 1.09.07; Ord. No. 70-5, 5-15-70; Ord. No. 82-2, § 2, 1-18-83; Ord. No. 94-4, § 1, 8-1-94)

Sec. 2-31. Confidential information.

No town official or employee, without proper authorization, shall disclose confidential

information concerning the property, affairs or government of the town, nor shall such official or employee use such information to advance the financial or other private interest of such person or others.

(Code 1961, § 1.09.08; Ord. No. 70-5, 5-15-70)

Sec. 2-32. Penalties.

A violation of this article by any town official or employee shall constitute grounds for disciplinary action, including removal.

(Code 1961, § 1.09.014; Ord. No. 70-5, 5-15-70)

Secs. 2-33--2-40. Reserved.