

Chapter 2
Article IV
Code of Ethics

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. 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, §.09.010; Ord. No. 70-5, 5-15-70)

Sec. 2-22. Organization and procedure.

The board shall select 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, §.09.011; Ord. No. 70-5, 5-15-70)

Sec. 2-23. Duties and powers.

- (a) Rules and regulations. The board may make recommendations for amendments to this code of ethics and rules and regulations for adoption by town agencies.
- (b) Town advisory opinions. The board shall render advisory opinions 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.

- (c) Board of education advisory opinions. The board shall render advisory opinions 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, §.09.012; Ord. No. 70-5, 5-15-70; Ord. No. 81-6, §,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, §.09.013; Ord. No. 70-5, 5-15-70)

Sec. 2-25. Applicability.

- a) 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.
- b) The town clerk shall cause a copy of the code of ethics to be distributed to each appointed member of a town board or commission as well as each elected member of the town council and board of education prior to the member entering office. The town manager and school superintendent or their designees shall distribute a copy of the code of ethics to each town employee before entering upon the duties of his/her employment. A signed receipt for all copies shall be returned to the town clerk and retained on file. On an annual basis, the town clerk shall request that a receipt be signed by each elected official, appointed board and commission member, town manager, school superintendent, employees in the town pay grade 3 or above and board of education employees in a cabinet level position or above, acknowledging they have received and read the ethics ordinance. The signed receipt shall be returned to the town clerk and retained on file.

(Code 1961, §.09.02; Ord. No. 70-5, 5-15-70; Ord. No. 81-6, §,6-1-81; Ord. No. 82-2, §, 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, §.09.03; Ord. No. 70-5, 5-15-70)

State law reference(s)--Conflict of interest, G.S. §-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, §.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, §.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.
- (c) No town official or employee, or member of such individual's immediate family or business with which he is associated, shall solicit or accept anything of value, including but not limited to a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the town official or employee would be or had been influenced thereby.

(Code 1961, §.09.06; Ord. No. 70-5, 5-15-70; Ord. No. 71-1,1-18-71; Ord. No. 84-3, §, 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, §.09.07; Ord. No. 70-5, 5-15-70; Ord. No. 82-2, §,1-18-83; Ord. No. 94-4, §, 8-1-94)

- (c) No former town employee in administrative pay grade 3 or above and no former board of education employee in a cabinet level position or above shall appear for compensation before any town board, commission or agency any time within six months after terminating service with the town.
- (d) No former town employee in administrative pay grade 3 or above and no former board of education employee in a cabinet level position or above shall work for a private firm who has a contract with the town any time within six months after terminating service with the town. If this occurs, the vendor could be subject to penalties up to and including contract termination. A notice of the requirements in this section shall be included in all invitations to bid and all public contracts.

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, §.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 or termination.

(Code 1961, §.09.014; Ord. No. 70-5, 5-15-70)

Secs 2-33 – 2-40. Reserved.

Savings Clause

The enactment of this Ordinance shall not operate as an abatement of any action or proceeding now pending under or by the authority of any existing law or ordinance. All of said

actions and proceeding are hereby ratified to be continued.

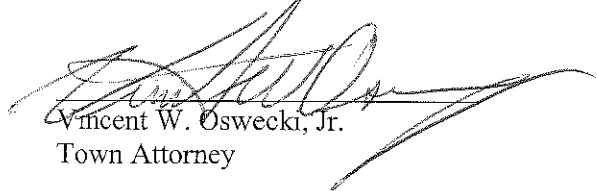
Severability

All provisions of the Windsor Town Code in conflict herewith are hereby repealed. If for any reason any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated and the remainder of the Ordinance shall continue in effect. Any provision herein that is in conflict with the Connecticut General Statutes is hereby repealed, it being understood that said Statutes shall take precedence over this Ordinance.

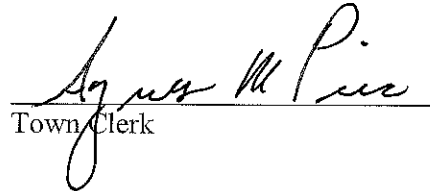
Effective Date

This Ordinance shall become effective ten (10) days after publication in a newspaper having a circulation in Windsor.

APPROVED AS TO FORM:


Vincent W. Oswecki, Jr.
Town Attorney

ATTEST:


Town Clerk

Distributed to Town Council:

3/17/03

Public Hearing Advertised:

2/8/08

Public Hearing:

2/19/08

Adopted:

2/19/08

Advertised:

2/22/08

Effective Date:

2/29/08