

ARTICLE XI
Standards of Conduct
[(4)(17)(19)]

Section 11-1. Declaration of purpose.

The proper operation of democratic government requires that public officials, employees, and other persons involved in government operate in a manner that is, by reasonable objective standards, independent, impartial, and responsible to the people; that public office not be used for any personal gain; and that the public have confidence in the integrity of its government. Officials and employees have an obligation to act ethically and honestly in discharging the duties and responsibilities to which they have been elected or appointed.

In recognition of these goals these Standards of Conduct are incorporated into this Charter of the Town of Ridgefield.

Section 11-2. Definitions.

As used in this article:

BUSINESS ASSOCIATE — An individual who is a co-worker or business partner of, or who shares material financial interests with, the official or employee.

CONFIDENTIAL INFORMATION — Any information not in the public record and which is obtained only by reason of an official's or employee's position and also any information which is restricted from disclosure to the public under any provision of the General Statutes or federal law, or information exempt from disclosure under the Freedom of Information Act.

EMPLOYEE or EMPLOYEES — Persons hired and paid, or elected to a Town office and paid, by the Town or by any Town agency, including the Board of Education, for the period of time during which they are paid. For purposes of this Article, organizations and persons paid to act as agents of the Town or any Town agency shall also be considered "employees" in the application of these Standards of Conduct for the time during which they are so paid.

FAMILY MEMBER — Spouse or domestic partner, parent or stepparent, sibling or step-sibling, child or step-child, and any other relative or individual residing in the same household as the official or employee.

MATERIAL FINANCIAL INTEREST and MATERIAL PERSONAL INTEREST — An interest with the potential to influence impartial consideration or decision-making on a matter under consideration by an official or employee. The terms shall not include an interest that is common to the general public or to a large segment thereof, unless the official's or employee's particular interest is the matter under consideration for action or decision. The terms shall not mean any duly authorized compensation from the Town for services rendered as an official or employee.

OFFICIAL or OFFICIALS — The elected or appointed officials of the Town, and of its boards, either paid or unpaid.

TOWN — The Town of Ridgefield and all Town agencies.

Section 11-3. Standards of service.

No official or employee shall use, or attempt to use, either directly or indirectly, their Town position to secure any preferential right, benefit, advantage, or privilege for themselves or others.

Should an official or employee be requested or ordered to perform an illegal act or an act that conflicts with these Standards of Conduct, that individual shall refuse to comply with such a request or order. A person acting in accordance with this section shall be protected from retaliation on the basis of their refusal.

This principle is not to be construed as encouraging arbitrary or capricious nonconformity with job assignments.

Should an official or employee be requested by the public to perform an act, that conflicts with these Standards of Conduct the request should be declined with proper explanation.

Section 11-4. Treatment of the public.

All residents of the Town deserve to be treated courteously, impartially, and fairly, and are entitled to all of the benefits and services available to every other individual similarly situated, without preferential treatment. Officials and employees will make every reasonable effort to inform the public of their rights to Town services.

While this section deals with the treatment of the public by officials and employees, the relationship between these groups is recognized to be a two-way interaction. The public are therefore also urged to conduct themselves with the same propriety expected of Town officials and employees.

Section 11-5. Use of Town resources.

Town-owned funds, vehicles, equipment, supplies, property, labor, and other Town resources shall be used only for the conduct of official business, except when such resources are available to the public generally or when use for private purposes or personal convenience is explicitly provided for in a publicly disclosed contractual agreement. Town property or resources which are placed in the trust of an official or employee should be preserved and cared for to the best of their ability.

No official or employee shall request Town reimbursement for travel, lodgings, or any other expenses incurred in connection with nonofficial business or for family members or others who are not on official business of the Town.

Section 11-6. Disclosure of confidential information.

No official or employee shall, without prior formal authorization of the public body having jurisdiction, disclose any confidential information or divulge personal matters pertaining to others that do not bear upon the official's or employee's discharge of official duties, or permit the use of confidential information for any purpose other than the proper discharge of their official duties. However, it shall not be considered a violation of this Article XI, Standards of Conduct, if the official or employee who discloses confidential information is acting in compliance with applicable federal or state laws and is making the disclosure (i) as and to the extent reasonably

necessary to defend their own conduct; (ii) to defend themselves from physical or pecuniary harm; or (iii) as permitted or required by any applicable law or judicial order.

Section 11-7. Gifts, gratuities, and favors.

Officials and employees shall not solicit or accept gifts, loans or privileges offered them because of their position with the Town. It is also a violation of this section for an official or employee to give preferential treatment in response to gifts, loans, or privileges solicited by or offered to family members or business associates.

The terms "gifts, loans, or privileges" as used in section does not include:

- (a) Items and benefits of only negligible monetary value, as defined in Section 1-79(5)(P) of the General Statutes;
- (b) Plaques, awards, and other commemorative tokens publicly presented in recognition of public service, retirement or separation from service with the Town, or similar meritorious circumstances;
- (c) Anything of value that is offered to the Town, is accepted on behalf of the Town, and becomes the property of the Town;
- (d) Meals received in conjunction with participation as speaker or attendee at a public event when in a capacity related to the official's or employee's Town role.

Section 11-8. Employment incompatible with Town duties.

No official or employee shall engage in or accept employment or render services for private interests when such employment or services are incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of Town duties.

No employee, including elected officials paid by the Town, shall represent another person or entity in any matter before the Town. No member of a board shall represent another person or entity in any matter coming before the board on which they serve. However, nothing herein shall preclude an official or employee from representing themselves or a family member in a personal matter coming before the Town or any board, provided the official or employee discloses that they are acting as a private citizen and not in any official capacity.

Officials and employees shall disqualify themselves from, or obtain a ruling (pursuant to Sections 11-9 and 11-10) on all discussions, attempts at influencing the views of others, and any other issue in which their employment may conflict with proper discharge of the Town office or position held, or where such employment will tend to impair their independence of judgment in the performance of official duties.

Section 11-9. Conflict of interest.

Officials and employees shall not use their office or Town employment, or knowledge about Town affairs obtained in connection with their office or position in Town, to procure contracts with the Town or other financial benefit for themselves, for any family member, for any business associate,

or for any private organization in which they have a material financial interest or material personal interest. Also, they shall not disseminate information about Town affairs that is not available to the public to another person for personal advantage or benefit.

No officials or employee shall attempt to influence anyone concerning the awarding of Town contracts on the basis of their business, family or political relationship with any of the parties involved.

No employee of the Town other than the First Selectperson shall serve on a board that deliberates and/or makes decisions directly or indirectly affecting that employee's remuneration or working conditions.

An official or employee who has material financial interest or material personal interest in any official action under consideration in conjunction with the official's or employee's official duties or role shall disclose on the record the nature and extent of such interest, and either:

- (1) Disqualify themselves from participating in the deliberation and decision-making thereupon;
or
- (2) Request an advisory opinion from the Board of Ethics on whether the official's or employee's circumstances constitute a conflict of interest; or
- (3) Seek a ruling or vote from the governing board or Town agency involved on the official's or employee's right to participate in discussion of the matter and right to vote or otherwise decide on the matter.

The Town agency involved in the matter may also, by official motion and vote, seek an advisory ruling from the Board of Ethics pursuant to Section 11-10 independently of the actions of the person having the conflict or potential conflict of interest.

Violation of these provisions with the knowledge, express or implied, of any person or corporation contracting with or making a sale to the Town shall render such contract or sale voidable by the board or Town agency having jurisdiction.

Section 11-10. Complaint procedures, requests for opinions.

All complaints to the Board of violations of the Standards of Conduct set forth in Article XI shall be in writing, signed by the complainant and notarized. Hypothetical situations and anonymous complaints shall not be addressed. The Board shall investigate the pertinent facts stated in the complaint to determine whether or not there is probable cause that a violation of Article XI has occurred. The Board may hold hearings regarding the complaint; however the Board shall hold a hearing if requested by the person whose conduct is being investigated. Any such investigation shall be concluded within 60 days of receipt of the complaint, absent extension as agreed to by the necessary parties. Any investigation shall be confidential to the maximum extent permitted by the General Statutes and consistent with Section 1-82a of the General Statutes, and any individual called by the Board for the purpose of providing information shall not disclose their knowledge of the investigation to a third party unless the official or employee whose conduct is under investigation requests that the investigation be made public. The official or employee under investigation shall have the right to appear and be heard and to offer any information intended to establish that they have not violated any provision of Article XI. The official or employee

under investigation shall have the right to be represented by legal counsel at their own expense and to present and cross-examine witnesses. Any probable cause determination that the official or employee has violated any provision of Article XI shall require four concurring votes of the Board.

Upon completion of its investigation, the Board shall deliver to the official or employee involved the report of its findings and the reasons for its decision. The Board shall make public a finding of probable cause and disclose the record of its investigation as authorized by Section 1-82a of the General Statutes. The Board shall state in its report what action it deems appropriate if a violation has occurred. When the Board concludes that disciplinary action is appropriate for an employee or appointed official, the matter shall be referred to the proper authority.

The Board shall render advisory opinions to any official or employee who requests such an opinion in writing regarding their own conduct, and to any board that requests in writing, pursuant to Section 11-9, an opinion regarding a potential conflict for a member with respect to a matter under consideration, unless the matter in question is currently in litigation.

At the end of each calendar year, the Board shall prepare and submit to the Board of Selectpersons an annual report summarizing its actions and recommendations during the preceding year. The annual report shall be prepared and submitted in accordance with the confidentiality requirements of this section.

Section 11-11. Distribution of the standards of conduct.

A copy of this Article XI, Standards of Conduct, shall be distributed to every existing official and employee, to every new employee upon beginning service with the Town, and to every new official upon taking the oath of office for their position. The Town shall establish rules for obtaining acknowledgement by employees of their receipt of this material. The oath of office for Town officials shall include acknowledgement of these Standards of Conduct.

Section 11-12. Violations.

Fines, penalties, and other remedies for violations of these Standards of Conduct may be established by ordinance, pursuant to Section 3-8. The Board of Ethics shall have no responsibility for enforcing such penalties or monitoring their satisfaction.

Section 11-13. Applicability of Standards of Conduct to Town employees.

Insofar as provisions of Article XI, Standards of Conduct, are inconsistent with existing contracts with Town employees or with human resource policies of the Town, such contracts or policies shall take precedence.