

# Proposed Amendments to 24-0481 - DRAFT CODE OF ETHICS AND ETHICS COMMISSION -JESSICA-2025-09-08

## Section 3. Applicability

The Code of Ethics shall apply to all Town officials, including members of the Board of Education[, and all Town and Board of Education employees[, and to those conducting business with the Town of Ledyard and to all contractors retained by the Town, including attorneys.

## Section 4. Definitions

9. **Contractor.** Any business, proprietorship, firm, partnership, person in a representative or fiduciary capacity, association, venture, trust or corporation, whether paid or unpaid, including members of any board, committee or commission thereof.<sup>1</sup>

## Section 5. Conflict of Interest Provisions

(All provisions need to be reviewed to include "Contractor", where applicable)

### Section 7.1. Membership

#### Note: EITHER

The Ethics Commission shall be comprised of five (5) regular members and two (2-3) alternate members. All members of the Ethics Commission shall be electors of the Town.

a. No more than two (2 1) Regular Members may be affiliated with any one political party. Both Alternate Members may not be affiliated with the same political party. At least one three Regular Member(s) shall be registered as an unaffiliated.

#### OR

The Ethics Commission shall be comprised of five (5) regular members and two (2) alternate members. All members of the Ethics Commission shall be electors of the Town.

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<sup>1</sup> Norwich Code of Ethics - Ord. No. 909, Section 2-52 b

~~a. No more than two (2) Regular Members may be affiliated with any one political party. Both Alternate Members may not be affiliated with the same political party. At least one Regular Member shall be registered as an unaffiliated.~~<sup>2</sup>

## Section 7.3 Authority /Duties

The Town of Ledyard Ethics Commission shall be authorized to perform the following:

- a. To **receive, review, investigate, and adjudicate complaints** alleging violations of the Town Code of Ethics, in accordance with the procedures set forth in this Ordinance.
- b. To conduct hearings, issue findings, and impose penalties as provided herein.
- ~~a~~ c. To consult with the Town Attorney or another attorney hired by the Ethics Commission if so authorized by the Town Council.
- ~~b~~ d. To request that the Town Attorney provide advisory opinions.
- e. To provide formal advisory opinions, upon request, to Town officials, Town employees, or other parties subject to this Code of Ethics, for the purpose of clarifying the application of the Code to specific situations.

## Section 7.4 Filing of Complaints

In the application of this Code of Ethics, care will be given to distinguish between concerns of management of Town employees and violations of the public trust. The daily management of employee performance is the responsibility of the Mayor or School Superintendent in the case of the employees of Ledyard Public Schools. Personnel policies should be the first guide in those areas where applicable. Similarly, the routine activities of the Commission should be governed by its rules and regulations. **This in no way compromises the Commission's mandate to investigate complaints on such matters.**

## Section 7.5 Evaluation and Acknowledgement

- b. If the Ethics Commission makes a finding of probable cause which shall require ~~four~~ **three** (4 **3**) affirmative votes, it shall so advise both the complainant and the respondent within ten (10) business days of its finding and begin a formal investigation process.<sup>3</sup>

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<sup>2</sup> Norwich Code of Ethics - Ord. No. 909, Section 2-55 (a) 1

<sup>3</sup> Norwich Code of Ethics - Ord. No. 909, Section 2-55 (c) 3

## Section 7.7 Final Decisions

- d. If the Ethics Commission determines that the Code of Ethics was violated, it will provide the respondent, the Mayor, and the Ledyard Town Council with a ~~copy of its findings and memorandum~~ *Report of Recommendations* within ten (10) days after its decision. It will also advise the respondent of his or her right to appeal the decision pursuant to Section 4-183 of the Connecticut General Statutes.
- e. **Report of recommendations.** When there has been a finding of a violation the commission shall report the finding and a recommendation for action to the town council. The commission shall also report to such other officer or board of the City with the power granted by the charter or state statute to remove the officer, official or employee found to have committed the violation, when such power of removal exists.<sup>4</sup>
- f. When the power of removal exists, the officer or board of the City with the power to remove the violator shall within sixty (60) days of receiving a report of violation, report back to the Ethics Commission the disposition of the matter. In all other cases, a report of disposition may be made by the council at their discretion.<sup>5</sup>

## Section 7.9 Advisory Opinions

- a. **ADVISORY OPINIONS.** Any officer, official or employee may seek from the commission, upon written request, an advisory opinion as to the application of any provision of this article to a particular situation or as to an interpretation of any such provision. The commission shall act on a written request within sixty (60) days of receipt. Such action may be an affirmative vote to decline ruling on the matter. In the event the commission fails to achieve a majority vote for any proposal, such failure shall be construed as an affirmative vote to decline ruling on the matter. The city clerk shall maintain a file of advisory opinions.<sup>6</sup>

Dear Commissioners,

Please consider the above revisions to the current Code of Ethics draft:

24-0481 - DRAFT CODE OF ETHICS AND ETHICS COMMISSION-JESSICA-2025-09-08

Sincerely,

David Schroeder Jr.

290 Whalehead Rd.

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<sup>4</sup> Norwich Code of Ethics - Ord. No. 909, Section 2-55 (c) 7

<sup>5</sup> Norwich Code of Ethics - Ord. No. 909, Section 2-55 (c) 8

<sup>6</sup> Norwich Code of Ethics - Ord. No. 909, Section 2-56