

## MEMORANDUM

**To:** Representative Town Meeting  
**From:** RTM Ordinance Committee  
**Date:** March 31, 2012  
**Re:** Petition to Take Up Consideration of the Adoption of an Ethics Code

The Ordinance Committee met on March 16 with Pat Porio and Lisa Shufro from the League of Women Voters of Westport, Town Clerk Patty Strauss, RTM member Dewey Loselle and a member of the Conservation Commission in attendance to consider a petition from at least 20 electors of the Town of Westport pursuant to Section C5-6C of the Town Charter, to adopt an Ethics Code for the Town of Westport as prepared by the League of Women Voters of Westport.

Overview: The town of Westport currently does not have a specific Ethic Code. The petition as prepared by the League of Women Voters of Westport would like the RTM to adopt an Ethics Code as prepared by the league of Women Voters of Westport. The Ethics Code attached to the petition is based on the Ethic's Code of the Town of Wilton. As of September 2008, 124 Municipalities in Connecticut have a Local Ethics Policy with 9 more in process to put on in place. The State of Connecticut Chapter 98 Municipal Powers allows for municipalities to "Adopt a code of ethical conduct".

Discussion/Action: At the Ordinance Committee meeting there were discussions of the proposed Ethics Ordinance. Topics discussed included:

Whether there is a need for an ethics ordinance and how ethical issues can be addressed currently without an Ethics Code. The difficulty of defining an ethics violation and specifically if the proposed Ethics Code was too ambiguous. The intention of the proposed Ethics Code was for the Ethics Council to both act in an advisory role as well as reviewing complaints but the specific language provided does not fully describe the advisory role. Can this language apply to employees of the Board of Education legally? Should there be separate Ethic Code for elected officials/members of appointed boards and employees of the town? Is an Ethics Code needed for town employees or are there already sufficient policies in place? Should an Ethics Code just codify the Town Charter? What would or should there be an appeal process for a decision of the Ethics Council?

At the conclusion, the Committee voted unanimously that this proposed Ordinance is not ready for RTM consideration.

Respectfully submitted,

**RTM Ordinance Committee**

Eileen Flug, Chair

Lee Arthurs, Reporter

Don Bergmann (absent)

Allen Bomes

David Floyd (absent)

Clarissa Moore