

1.15.160 Ethics Complaint for Potential Violation.

- A. Any adult resident of the municipality may file a complaint alleging that a public servant's conduct violates the code of ethics.
 - 1. The complainant shall identify the section of the code of ethics alleged to have been violated and substantiate the complaint by providing a written explanation of the reason for believing that a violation has occurred with any documentary and testimonial evidence supporting the allegation. If the complainant fails to provide the information specified, the board may exercise its discretion to decline to accept the complaint.
 - a. The fact that a complaint has been filed and the content of the complaint are confidential. Material breach of confidentiality by the complainant is a violation of this code.
 - b. If the board finds that confidentiality has been breached, the board may dismiss the complaint.
 - 2. The board may decline or cease its review of a complaint when it reasonably believes that:
 - a. There is presently available an adequate remedy for the grievance stated in the complaint;
 - b. The complaint relates to a matter that is outside the jurisdiction of the board or would be better handled in another forum;
 - c. The complaint relates to an act of which the complainant has had knowledge for an unreasonable length of time;
 - d. The complaint is trivial or based on fanciful allegations;
 - e. The resources of the board are insufficient for adequate review;
 - f. The complainant lacks sufficient supporting information; or
 - g. The allegations, if true, fail to constitute a violation of the code of ethics.
- B. If the board accepts the complaint for further review, the board shall provide the respondent with the opportunity to appear and provide information. The board will make findings and issue a report.
- C. Based on its findings, the board may make recommendations for corrective action.

- D. If a complaint is received or is pending during a campaign period, the board shall suspend its review unless requested by the respondent or requested by a board member. The campaign period is defined as 45 days before a municipal election or the day on which an individual files as a candidate, whichever is later.

- E. Until the board completes a report for distribution as a public record, the board's review of a potential violation is confidential unless confidentiality is waived by the respondent. The board shall protect the confidentiality of complainants or witnesses coming before the board except insofar as may be necessary to enable the board to carry out its duties.