



A G E N D A
Thursday, April 24, 2014
6:00 PM
Radnor Township Ethics Board

1. Reorganization
 - a. Election of Chairman
 - b. Election of Vice Chairman
 - c. Appointment of Secretary
2. Public Comment
3. Acceptance of Request for Ethics Review
4. Initiation of preliminary inquiry
5. Adjournment

RADNOR TOWNSHIP BOARD OF ETHICS
RULES AND REGULATIONS

I INVESTIGATIONS:

A. COMPLAINT

1. A Complaint alleging a violation of the Radnor Township Ethics Code shall be in writing and contain the name, position or office held by the Respondent and the basis of the Complaint which should delineate the facts and circumstances of the alleged violation.
2. The Complaint shall be sworn to and signed by the Complainant.
3. The Chairperson of the Ethics Board shall acknowledge, in writing, the receipt of the Complaint and notify the respondent named therein. The Chairperson will review the Complaint and proceed only if the Complaint:
 - a. Contains sufficient information;
 - b. Is sworn to and signed.
4. A Complaint not meeting the requirements of Subsection 3 above will be dismissed without prejudice to refile until the requirements are satisfied. The Complainant shall be so notified.
5. Upon receipt of a Complaint which satisfies the criteria of Subsection 3 above, the Chairperson shall call a meeting, at which time the Ethics Board, without benefit of sworn testimony, shall make such preliminary inquiry as appropriate to determine whether probable cause exists to believe that a violation of the Ethics Code has occurred.

B. BOARD MEETINGS

Meetings of the Board shall be held at the call of the Chairperson or in his/her absence, of any member.

1. Notice - Notice of date, time and place of the meeting shall be given to each Board member, at least 72 hours prior to such meeting.

2. Quorum - A majority of the Board shall constitute a quorum for the conducting of any business coming before the Board.

3. Adjournment - The presiding officer may adjourn the meeting from time to time until a quorum is present.

4. All Board proceedings and records relating to any complaint before the Board are confidential until the Board issues its findings of fact. The findings of fact are public record. All other file material remains confidential. The identity of a Complainant, however, may be released by the Board if it is determined that there has been a wrongful use of the Code.

5. Rules of Order - The usual parliamentary rules as promulgated in the Roberts Rules of Order shall govern all meetings and deliberations of the Board when not in conflict with these by-laws.

6. Place of Meetings - All meetings shall be held at the Municipal Building, 301 Iven Avenue, unless changed by a majority vote of the Board.

B PRELIMINARY INQUIRY

1. A preliminary inquiry will be terminated or opened as a full investigation within ninety (90) days of the initiation thereof. A preliminary inquiry is considered initiated at the time that the Complaint is received.

2. The Board will keep information and proceedings relating to a preliminary inquiry confidential. The Board will, however, have the authority to refer the matter to law enforcement officials during a preliminary inquiry without providing notice to the subject of the inquiry.

3. If, after preliminary inquiry, there is reason to believe that the Ethics Code has been violated, the Board will commence an investigation.

4. The Board, through its Chairperson, will close the preliminary inquiry if:

1. The occurrence giving rise to the Complaint is not within the purview of the Ethics Code;

2. The respondent is not a person subject to the Ethics Code;

5. If the preliminary inquiry is closed, the Board will notify the Complainant and the respondent.

C CONDUCT OF INVESTIGATION

1. If the preliminary inquiry establishes reason to believe that the Ethics Code was violated, the Board shall initiate a full investigation.

2. Within ten (10) days of the commencement of an investigation, the Complainant will be provided notification thereof by first-class mail.

3. Within ten (10) days of the commencement of an investigation, the respondent will be provided with a general statement of the alleged violation of the act under investigation. Service of the notice is complete upon mailing which will be by certified or registered mail.

4. The respondent shall be given thirty (30) days within which to respond in writing to the complaint or information, to provide any further information or material he or she considers relevant to the allegations, and to answer any specific questions.

5. No hearing shall be required if [1] the respondent admits to the violation in his or her initial response, or [2] the respondent has already entered a guilty plea, or has been found guilty and has exhausted all appeals, in a criminal case involving the same conduct.

D HEARINGS

1. The Ethics Board will conduct hearings to determine if a violation of the Ethics Code has occurred. The person complained against may choose whether the hearings shall be open or closed to the public.

2. Hearings conducted by the Ethics Board shall be informal. The person complained against may be represented by counsel and may present and cross-examine witnesses and give evidence before the Ethics Board. The Ethics Board may call witnesses on its own motion and compel the production of books, records, papers or other evidence needed. The Ethics Board may adjourn its hearing from time to time in order to allow for the orderly representation of evidence.

3. Upon motion made by the person complained against or upon its own motion, the Ethics Board may temporarily stay or permanently suspend its investigation for a reasonable time.

4. The Ethics Board shall prepare an official record of the hearing, including all testimony, which shall be recorded manually or by mechanical device, and exhibits, provided that the Ethics Board shall not be required to transcribe such records unless presented with a request accompanied by payment of the cost of transcription.

5. Within ninety (90) days after the conclusion of the hearing, the Ethics Board shall fully record in its permanent records and make its finding of fact. A copy of the findings shall be forwarded to the Radnor Township Board of Commissioners for ultimate disposition. A copy shall also be forwarded by regular mail to the Complainant and the Respondent.