

**Town of Waterbury**  
**CODE OF ETHICS INVESTIGATION AND ENFORCEMENT ORDINANCE**

**SECTION 1. AUTHORITY.**

This ordinance is adopted by the Selectboard of the Town of Waterbury under authority of 24 V.S.A. § 1997.

**SECTION 2. PURPOSE.**

The purpose of this ordinance is to enact procedures for the investigation of complaints that allege a municipal officer has violated Vermont's Municipal Code of Ethics, or the Town's Conflict of Interest Policy, and the enforcement in instances of substantiated complaints, including methods of enforcement and available remedies.

**SECTION 3. DEFINITIONS.**

- A. "Designated Complaint Recipient" means the municipal officer or body designated to receive complaints alleging violations of the Municipal Code of Ethics.
- B. "Municipal Code of Ethics" means the municipal ethics framework in Vermont established by Act 171 (H.875) of 2024.
- C. "Municipal Ethics Complaint" means a complaint against a "Municipal Officer" or "Officer" alleging a violation of the Municipal Code of Ethics or the Conflict of Interest Policy.
- D. "Municipal Officer" or "Officer" means:
  - 1. any member of a legislative body of a municipality;
  - 2. any member of a quasi-judicial body of a municipality; or
  - 3. any individual who holds the position of, or exercises the function of, any of the following positions in or on behalf of any municipality:
    - a. cemetery commissioner;
    - b. municipal manager;
    - c. clerk;
    - d. treasurer;
    - e. collector of delinquent taxes;
    - f. department heads;
    - g. lister or assessor;
    - h. selectboard member;
    - i. moderator;
    - j. planning commission member;

- B. **Enforcement Against Appointed Officers.** In cases in which the Municipal Officer holds appointed office, the Selectboard may choose to follow any of the steps articulated in Section 5A. In addition to, or in lieu of any of those steps, the Selectboard may choose to remove an appointed Municipal Officer from office, subject to state law.
- C. **Enforcement Against Employees.** In cases in which the Municipal Officer is also an employee of the Town, the Municipal Manager may take any disciplinary action, up to and including termination, in accordance with the Town's personnel policy.

#### **SECTION 6. APPEALS.**

A decision of the Selectboard may be reviewable by the Vermont Superior Court pursuant to Rule 75 of the VT Rules of Civil Procedure. An enforcement action taken against an employee may be appealed in accordance with the Town's personnel policy.

#### **SECTION 7. OTHER LAWS.**

This ordinance is in addition to all other ordinances of the Town and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, policies, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 8. SEVERABILITY.** If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding will not invalidate any other part of this ordinance. If any statute referred to in this ordinance is amended, this ordinance will be deemed to refer to such amended statute.

**SECTION 9. EFFECTIVE DATE.** This ordinance will become effective sixty (60) days after its adoption by the Legislative Body. If a petition is filed under 24 V.S.A. § 1973, that statute will govern the taking effect of this ordinance.

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

Selectboard for the Town of Waterbury

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Adopted this 2nd day of June, 2025.

Selectboard for the Town of Waterbury

  
  
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