



**Ethics Panel Meeting  
Agenda  
August 8, 2024  
Auburn Hall, Council Chambers**

**6:00 PM Meeting**

- Roll Call / Introductions
- Consideration of a Request for Advisory Opinion from the City of Auburn Ethics Panel, referred by Daniel L. Bilodeau, to determine whether an elected or appointed public official who serves on a municipal board has an actual, potential, or reasonably perceived conflict of interest



## City of Auburn, Maine

Office of the City Clerk

Emily F. Carrington, Clerk

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

July 29, 2024

Members of the City of Auburn's Ethics Panel,

On July 19, 2024, I received a request from resident and registered voter Mr. Daniel L. Bilodeau, of 207 N Auburn Road, to refer a matter to the City's Ethics Panel. Upon receiving a statement from Mr. Bilodeau describing the basis of the matter, I prepared and issued the form to Mr. Bilodeau for circulation, pursuant to Sec. 2-112(b)(3) of the City's Code of Ordinances.

On July 29, 2024, Mr. Bilodeau returned the petition to my office and my office verified that 25 signatures of registered voters within the City were present on the form.

Having met the obligation of referral pursuant to Sec. 2-112(b)(3), the Ethics Panel is now being asked to consider whether an elected or appointed public official who serves on a municipal board has an actual, potential or reasonably perceived conflict of interest pursuant to the City's Ethics and Conflicts of Interest ordinance (Chapter 2, Division 2).

Thank you,

Emily F. Carrington, City Clerk

**REQUEST FOR ADVISORY OPINION FROM CITY OF AUBURN  
ETHICS PANEL**

I, Daniel L. Bilodeau, 207 N Auburn Road, Auburn, hereby request an advisory opinion from the City of Auburn Ethics Panel for the following alleged reason:

The basis of this complaint is against Mayor Harmon. He also serves as a water district Trustee.

In a nut shell he is accusing me and telling AWD Trustees and Staff that I'm in violation of Auburn zoning code, before any opportunity for me to clarify my permitting status with the planning office. He's threatened to go to the media and go on record, (representing the city as a judge and jury) at the Trustee meeting in order to sway the board and the public that I'm not fit to be re-appointed to the watershed protection commission. It's a political ploy to unseat me and replace me with a political colleague.

So not a conflict of interest of personal or financial but certainly a question of ethics as defined.

This issue is being referred to the Ethics Panel for an advisory opinion of whether the actions of Mayor Harmon were indeed in violation of the Ethics and Conflicts of Interest Ordinance. The advisory opinion from the Ethics Panel will finalize this issue and provide direction with any future matters.

This request is being endorsed by the undersigned registered voters of the City of Auburn.  
(Total signatures required - 25)

NAME (Signature)	STREET ADDRESS	PRINTED NAME
1.	207 N. Arb Rd	Daniel Bilodeau
2.	95 Clover Ln	Lisa Carroll
3.	95 Clover Ln	Dan Carroll
4.	95 Clover Lane	MARIAH CARROLL
5.	9 Amberley Way	Karen R. Mathieu
6.	9 Amberley Way	Michael J. Mathieu
7.	37 Rafnall St	James Whitmore
8.	1685 Minot Ave.	Paul D. Jacques
9.	70 Gillender Ave	Austin Fournier Auburn
10.	114 Fish Hatzlen	Randy Robbins
11.	222 Second St	April Soto
12.	254 Turner St	Elijah Calder
13.	48 Grandview Rd	Tracy Brooks
14.	273 N. River Rd	Donna Kimball
15.	205 Youngs Corner	Jason Levesque
16.	122 Granite St	Evan Cyr

NR

CONTINUED ON BACK

17.	Stacy Bileau	39 Tournament <sup>Dr</sup>	Stacy Bileau
18.	Tracey Elvesque	205 Youngs Corner Rd	Tracey Elvesque
19.	Cecile Bussiere	2079 N. Auburn	Cecile Bussiere
20.	George Bussiere	2079 N. Auburn	GEORGE BUSSIERE
21.	Laura Shaw	15 Linden St.	Laura Shaw
22.	Robert Bernier	7 Cochrane Ave.	Robert Bernier
23.	Anne Marie Wilson	63 Towle Ave	Anne Marie Wilson
24.	Ryan Wilson	63 Towle Ave	RYAN WILSON
25.	Daniel Bar	15 Wildwood Rd.	Daniel Bar

Date Issued 7/19/24 gpc

**FOR OFFICE USE ONLY**

**Registrar's Verification**

Date Returned: 7/29/24 Total Number of Signatures Collected: 25

Number of Registered Voters: 24 Number of Unregistered Voters: 1

Signature of Registrar/Deputy Registrar: Dennis Spoon Date: 7/29/24

[CITY SEAL]

Extra

17.	Beth LeBlanc	15 Wedgewood Rd	Beth LeBlanc
18.	[Signature]	105 Court Ave	Gord Deletetsky
19.	Paul Mula	41 Hershey Hill Rd	Brad Kowalski
20.	Lois F. Kowalski	41 Hershey Hill Rd	Lois F. Kowalski
21.	John Herrick	216 Fletcher Rd	John Herrick
22.			
23.			
24.			
25.			

Date issued 7/19/24 gpc

**FOR OFFICE USE ONLY**

**Registrar's Verification**

Date Returned: 7/29/24 Total Number of Signatures Collected: 5

Number of Registered Voters: 5 Number of Unregistered Voters: 0

Signature of Registrar/Deputy Registrar: [Signature] Date: 7/29/24

[CITY SEAL]

**From:** [Dan Bilodeau](#)  
**To:** [Emily Carrington](#)  
**Subject:** [External]Re: Referral to Ethics Panel  
**Date:** Friday, July 19, 2024 10:18:09 AM  
**Attachments:** [image001.png](#)

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You don't often get email from anotherdanbilodeau@gmail.com. [Learn why this is important](#)

Just to clarify, the basis of this complaint against the Mayor. He also serves as a, water district Trustee.

In a nut shell he is accusing me and telling AWD Trustees and Staff that I'm in violation of Auburn zoning code, before any opportunity for me to clarify my permitting status with the planning office. He's threatened to go to the media and go on record, (representing the city as a judge and jury) at the Trustee meeting in order to sway the board and the public that I'm not fit to be re-appointed to the watershed protection commission. It's a political ploy to unseat me and replace me with a political colleague.

So not a conflict of interest of personal or financial but certainly a question of ethics as defined.

So is the "ethics" referral justified or is this something i should communicate in an open forum like at the City Council meeting? Who does the Mayor report to besides the citizens?

Thank you Emily, and congrats on your new position.

Dan

On Fri, Jul 19, 2024, 9:25 AM Emily Carrington <[ecarrington@auburnmaine.gov](mailto:ecarrington@auburnmaine.gov)> wrote:

Dan,

It looks as though I will need a statement from you detailing the issue/conflict of interest that you are requesting an advisory opinion from the Ethics Panel (see below). This will be placed on the form where you will be required to obtain 25 signatures of registered voters of Auburn in order for the Ethics Panel to issue an advisory opinion. If you can send this statement to me, I will send you back the form which can be printed, or I can print copies for you here available to be picked up and circulated.

**Sec. 2-112. - Conflicts of interest generally.**

- a. *Standard of conduct.* A public official shall refrain from participation in a matter when there exists an actual, potential or reasonably perceived conflict of interest arising from a personal relationship or a financial involvement that would cause a reasonable person to believe that the public official cannot act in his official capacity without self-interest or bias

(b) *Referral of matters to ethics panel.*

When a public official does not voluntarily refrain from participation in a matter and there is a question as to the existence of a conflict of interest under the standard set forth in subsection (a) of this section, the matter may be referred to the ethics panel for its advisory opinion as follows:

- (1) A public official may refer to the ethics panel the question of whether he has an actual, potential or reasonably perceived conflict of interest;
- (2) Two or more members of the city council, the school committee or other municipal board may refer to the ethics panel the question of whether another member of that body, or a public official who serves under the authority of that body, has an actual, potential or reasonably perceived conflict of interest; or
- (3) A registered voter within the city may request an advisory opinion from the ethics panel regarding whether an elected or appointed public official who serves on a municipal board has an actual, potential or reasonably perceived conflict of interest. Such request shall be made on forms available from the city clerk and shall be endorsed by the signatures of 25 registered voters within the city.

(c) *Ethics panel determination.* The ethics panel shall determine whether the public official should refrain from participation in a matter because of the actual, potential or reasonably perceived existence of a conflict of interest arising from a personal relationship or a financial involvement that would cause a reasonable person to believe that the public official cannot act in his official capacity without self-interest or bias.

(Note: If you had any question why your request is not eligible to be referred under (b)(1) above, it's because although you serve as an appointed public official on the Sewerage Board of Trustees, this does not meet the definition of "municipal board" as defined in the ordinance – "*Municipal board* means the city council, the school committee, the planning board, the board of zoning appeals, the civil service commission and the board of assessment review".)

Thank you,

**Emily F. Carrington, CCM, CMC**

City Clerk/Registrar of Voters  
Public Access Officer

City of Auburn

60 Court Street, Auburn, ME 04210

207.333.6601 X1126



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# City of Auburn, Maine

Office of the Mayor

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July 31, 2024

Paul Bosse, Chair  
City of Auburn Ethics Panel  
Via  
Emily Carrington, Clerk  
City of Auburn  
60 Court St.  
Auburn, ME 04210

Dear Mr. Bosse:

I am writing in reference to a notice I received on July 29, 2024, informing me of a referral to the Ethics Panel by Daniel Bilodeau alleging that I have violated the City of Auburn's Ethics and Conflict of Interest Ordinance and requesting an advisory opinion (Request) from the Ethics Panel. I offer the following response to this notice.

### Lack of Jurisdiction:

I request that the Ethics Panel summarily dismiss Mr. Bilodeau's Request as the Ethics Panel lacks jurisdiction to act on his request.

The Ethics Panel has the authority to:

"... issue advisory opinions on questions relating to conflicts of interest and the incompatibility of employment positions." (Auburn Code of Ordinances Sec. 2-111 (d))

As there is no allegation related to the incompatibility of an employment position, the Request is limited to the issue of conflict of interest.

Conflicts of interest are defined in terms of a standard of conduct as:

"A public official shall refrain from participation in a matter when there exists an actual, potential or reasonably perceived conflict of interest arising from a personal relationship or a financial involvement that would cause a reasonable person to believe that the public official cannot act in his official capacity without self-interest or bias." (Auburn Code of Ordinances at Sec. 2-112 (a)).

This standard of conduct relies on two precursor elements to be met; that the person is a public official and that they are participating in a matter. In the present instance, the Request alleges I have acted as the mayor and as a trustee of the Auburn Water District to influence the outcome

of an election to appoint an Auburn Water District trustee to the Lake Auburn Water Protection Commission.

The mayor acts as a trustee of the Auburn Water District ex-officio pursuant to State statute (P&SL 1023, Chapter 60, Sec. 4) and clearly the position of mayor satisfies the test of being a public official (Auburn Code of Ordinances Sec. 2-109 Public Official (1)).

Relative to the second required element, participating in a matter, the Auburn Code of Ordinances provides the following definition:

“Participation in a matter means action by a public official to vote, decide, deliberate, influence or direct others in regard to matters currently before or anticipated as coming before a municipal board, or which involve the operation of municipal government or the school system.” (Auburn Code of Ordinances Sec. 2-109 Participation in a matter).

The Auburn Code of Ordinances defines a municipal board as:

“Municipal board means the city council, the school committee, the planning board, the board of zoning appeals, the civil service commission and the board of assessment review.” (Auburn Code of Ordinances Sec. 2-109 Municipal Board).

The alleged conduct relates to matters before the Auburn Water District Board of Trustees and not any of the entities listed in the definition of a municipal board. Nor does the alleged conduct involve the operation of the Auburn municipal government or school system as set forth in the definition of participating in a matter.

Given that the alleged conduct, even if it did occur, did not involve the participation in a matter that falls within the scope of authority of the Ethics Panel, a dismissal on lack of jurisdiction is required.

Premature Request:

I request that the Ethics Panel summarily dismiss Mr. Bilodeau’s Request. Even if the Ethics Panel has jurisdiction to act on his request as the Request is premature.

Regarding conflicts of interest, the Auburn Code of Ordinances requires that matters may be referred to the Ethics Panel when:

“When a public official does not voluntarily refrain from participation in a matter and there is a question as to the existence of a conflict of interest under the standard set forth in subsection (a) of this section, ...” (Auburn Code of Ordinances Sec. 2-112 (b)).

The Request alleges that I have engaged in conduct “... at a Trustee meeting in order to sway the board and public that I’m not fit to be re-appointed to the watershed protection

commission.” In fact, the Auburn Water District Board of Trustee meeting where the matter of the appointment of a trustee to the Lake Auburn Watershed Protection Commission is scheduled for August 7, 2024. The alleged conduct, even if it did occur, does not give rise to a conflict of interest until such time as the public official does not refrain from participation in the matter, which in this case is a meeting that has yet to occur.

Given that the Request was made more than a week prior to the meeting in which any conflict of interest could arise the Request should be summarily dismissed as premature.

Summary Judgement:

Should the Ethics Panel decide that they have proper jurisdiction to consider the matter, and that the Request was not premature, I would request a summary judgement finding that no violation of the Ethics and Conflict of Interest Ordinance occurred as the conduct alleged, even if it did occur, is clearly not a violation of the Ordinance.

To violate the Ethics and Conflict of Interest Ordinance, a public official must violate the standard of conduct set forth in the Ordinance. This requires that a public official has participated in a matter when:

“... there exists an actual, potential or reasonably perceived conflict of interest arising from a personal relationship or a financial involvement that would cause a reasonable person to believe that the public official cannot act in his official capacity without self-interest or bias.” (Auburn Code of Ordinances Sec. 2-112 (a)).

This standard rests upon two essential elements, a personal relationship or financial involvement. The Auburn Code of Ordinances defines these elements as follows:

“Personal relationship means any family, affectional or social relationship that is characterized by one or more of the following:

- (1) Persons who are husband and wife, or parent and child.
- (2) Persons who share a physical intimacy with each other.
- (3) Persons who acknowledge an ongoing romantic relationship with each other.
- (4) Persons who live together in the same residence.
- (5) Persons who intermingle their financial assets without an accounting of separate ownership interests.”

“Financial involvement means any existing (or current efforts toward achieving) ownership or investment interest, contract right, significant customer relationship, or employment relationship of or with a public official or a person with whom the public official has a personal relationship.”

Clearly, there is nothing in the Request that alleges that there is, nor is there, a personal relationship between Mr. Bilodeau and I, nor between any other trustee and I, which would be required to sustain a finding that I have acted with self-interest or bias based upon a personal relationship. Nor is there anything in the Request that alleges that there is, nor is there, any financial involvement between myself and any public official or a person with whom I have a persona relationship.

In fact, in the Request Mr. Bilodeau agrees that there is not a personal or financial relationship as he states: "So not a conflict of interest or personal or financial but certainly a question of ethics as defined".

Mr. Bilodeau is incorrect in stating that the term ethics is defined. As cited above, a conflict of interest is defined as a standard of conduct which requires that there be a personal relationship or financial involvement (Auburn Code of Ordinances at Sec. 2-112 (a)).

Given that the Request does not allege conduct, even if it did occur, that would, on its face, describe any conduct that would violate this standard of conduct, and Mr. Bilodeau states as much in the Request, a summary judgement finding that no violation of the Ethics and Conflicts of Interest Ordinance occurred.

Fact Finding:

Should the Ethics Panel determine that they have jurisdiction over this matter, that a summary judgement for premature filing is not warranted, that a summary judgement based upon the Request not alleging any conduct that is in violation of the Ethics and Conflict of Interest Ordinance isn't warranted, and that additional fact finding, pursuant to the Auburn Code of Ordinances Sec. 2-115 (b), beyond the facts set forth in the Request is necessary; that I be notified of the Ethics Panel's decision to engage in additional fact finding so as to preserve my right to request a formal hearing.

Should the Ethics Panel decide to proceed based solely upon the facts presented in the Request, I would intend to waive any right to a formal hearing and submit written comments setting forth my position regarding the question under consideration for review by the Ethics Panel during their deliberations pursuant to the Auburn Code of Ordinances Sec. 2-115 (c).

I appreciate your prompt attention to this matter.

Respectfully,



Jeffrey Harmon  
Mayor

## DIVISION 2. - ETHICS AND CONFLICTS OF INTEREST

*Footnotes:*

--- (6) ---

**State Law reference**— *Conflicts of interest, 30-A M.R.S.A. § 2605.*

## Sec. 2-109. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Financial involvement* means any existing (or current efforts toward achieving) ownership or investment interest, contract right, significant customer relationship, or employment relationship of or with a public official or a person with whom the public official has a personal relationship.

*Municipal board* means the city council, the school committee, the planning board, the board of zoning appeals, the civil service commission and the board of assessment review.

*Participation in a matter* means action by a public official to vote, decide, deliberate, influence or direct others in regard to matters currently before or anticipated as coming before a municipal board, or which involve the operation of municipal government or the school system.

*Personal relationship* means any family, affectional or social relationship that is characterized by one or more of the following:

- (1) Persons who are husband and wife, or parent and child.
- (2) Persons who share a physical intimacy with each other.
- (3) Persons who acknowledge an ongoing romantic relationship with each other.
- (4) Persons who live together in the same residence.
- (5) Persons who intermingle their financial assets without an accounting of separate ownership interests.

*Public official* means:

- (1) Any person holding an elected or appointed position with a municipal board;
- (2) The city manager;
- (3) The assistant city manager;
- (4) Directors of municipal and school system departments;
- (5) The city purchasing agent/deputy finance director;
- (6) The superintendent of schools;

- (7) The assistant superintendent of schools; and
- (8) School principals.

(Code 1967, § 1-4.2)

Sec. 2-110. - Policy; purpose and intent of division; adoption of additional standards.

- (a) It is the policy of the city that the proper operation of democratic government requires that public officials be independent, impartial and responsible to the citizens, that public office not be used for personal gain, and that the public have confidence in the integrity of its municipal government. The purpose and intent of this division is to promote the objective of protecting the integrity of the government of the city against actual or reasonably perceived conflicts of interest without creating unnecessary barriers to public service.
- (b) This division shall not prevent the city council, the school committee, the city manager or the superintendent of schools from adopting additional procedures and employment standards intended to prevent the exercise or appearance of improper influence or bias in the conduct of government business.

(Code 1967, § 1-4.1)

Sec. 2-111. - Ethics panel established; membership; powers and duties.

- (a) *Established; membership.* There shall be established an ethics panel consisting of three regular voting members and two alternate members. Two regular voting members and one alternate member of the ethics panel shall be appointed by the mayor with approval of a majority of the members of the city council, and one regular voting member and one alternate member of the ethics panel shall be appointed by the chair of the school committee with approval of a majority of the members of the school committee. A regular voting member or alternate member of the ethics panel may not hold any other city or school department office or position or be a member of any board or commission to which the city council or school committee has appointing authority.
- (b) *Term of members; chair.* The regular voting members of the ethics panel shall be appointed to staggered three-year terms. When the first appointments are made, one member shall be appointed by the mayor to a three-year term, one member shall be appointed by the chair of the school committee to a two-year term, and one member shall be appointed by the mayor to a one-year term. The mayor annually shall appoint one of the regular voting members to serve as chair of the ethics panel. Alternate members shall be appointed to three-year terms.
- (c) *Role of alternate members.* Alternate members of the ethics panel may participate and vote in ethics panel proceedings if a regular voting member is incapable or unavailable to serve in regard to a particular referral or is disqualified from participation because of a conflict of interest. The

alternate member designated shall be selected by the chair of the ethics panel.

- (d) *Powers and duties.* The ethics panel shall have the authority to issue advisory opinions on questions relating to conflicts of interest and the incompatibility of employment positions.

(Code 1967, § 1-4.3)

Sec. 2-112. - Conflicts of interest generally.

- (a) *Standard of conduct.* A public official shall refrain from participation in a matter when there exists an actual, potential or reasonably perceived conflict of interest arising from a personal relationship or a financial involvement that would cause a reasonable person to believe that the public official cannot act in his official capacity without self-interest or bias.

- (b) *Referral of matters to ethics panel.* When a public official does not voluntarily refrain from participation in a matter and there is a question as to the existence of a conflict of interest under the standard set forth in subsection (a) of this section, the matter may be referred to the ethics panel for its advisory opinion as follows:

- (1) A public official may refer to the ethics panel the question of whether he has an actual, potential or reasonably perceived conflict of interest;
- (2) Two or more members of the city council, the school committee or other municipal board may refer to the ethics panel the question of whether another member of that body, or a public official who serves under the authority of that body, has an actual, potential or reasonably perceived conflict of interest; or
- (3) A registered voter within the city may request an advisory opinion from the ethics panel regarding whether an elected or appointed public official who serves on a municipal board has an actual, potential or reasonably perceived conflict of interest. Such request shall be made on forms available from the city clerk and shall be endorsed by the signatures of 25 registered voters within the city.

- (c) *Ethics panel determination.* The ethics panel shall determine whether the public official should refrain from participation in a matter because of the actual, potential or reasonably perceived existence of a conflict of interest arising from a personal relationship or a financial involvement that would cause a reasonable person to believe that the public official cannot act in his official capacity without self-interest or bias.

(Code 1967, § 1-4.4)

**State Law reference—** Conflicts of interest, 30-A M.R.S.A. § 2605.

Sec. 2-113. - Conduct relative to municipal contracts.

No municipal officer, employee or agent shall solicit or accept any gratuity or favor or anything of monetary value from any contractor or potential contractor with the city relative to the procurement of any supplies, equipment, construction or other services with municipal, state or federal grant funds. In addition to any other penalties which may be provided by law, any municipal officer, employee or agent who violates this section shall be subject to appropriate disciplinary action, including, in the case of an officer, removal from office; in the case of an employee, suspension or discharge from employment; and in the case of an agent, termination of such agency.

(Code 1967, § 1-2.1)

Sec. 2-114. - Incompatible employment positions.

(a) *Standard of conduct.*

- (1) *Generally.* A public official, other than the city manager or the superintendent of schools, who is a municipal or school department employee shall not hold a supervisory position, or be senior in the chain of command, to an individual with whom he has a personal relationship or a financial involvement (other than the municipal or school system employment relationship), unless:
  - a. The relationship is disclosed by the public official to the city manager or superintendent of schools, whoever is the appropriate senior administrative officer;
  - b. The city manager or superintendent of schools approves a management plan that is designed to prevent favoritism or any other improper influence in connection with the employment relationship and that provides ongoing oversight by a person not subordinate to either of the individuals who have the personal relationship or financial involvement; and
  - c. The city manager or superintendent of schools reports to the city council or the school committee, whichever is the appropriate legislative body, the existence of the potential incompatibility of employment positions and the establishment of a management plan to address the potential incompatibility.
- (2) *City manager and superintendent of schools.* Neither the city manager nor the superintendent of schools shall hold a supervisory position, or be senior in the chain of command, to an individual with whom he has a personal relationship or financial involvement (other than the municipal or school system employment relationship), unless:
  - a. The relationship is disclosed to the city council or school committee, whichever is the appropriate legislative body, by the city manager or superintendent of schools; and
  - b.



The legislative body establishes a management plan that is designed to prevent favoritism or any other improper influence in connection with the employment relationship and that provides ongoing oversight by a person not subordinate to the city manager or superintendent of schools.

- (b) *Referral of matters to ethics panel.* The city manager, the superintendent of schools, or a majority of the members of the city council or the school committee may request an advisory opinion from the ethics panel relating to the incompatibility of employment positions and the formulation of a management plan.

(Code 1967, § 1-4.5)

Sec. 2-115. - Procedure for determinations by ethics panel.

- (a) *Referral of cases; notice of referral.*

- (1) A referral to the ethics panel shall be in writing and shall describe with particularity the factual basis of the referral.
- (2) The ethics panel promptly shall give notice of the referral to the chair of the municipal board concerned and the public official whose personal relationship or financial involvement is the subject of the referral.

- (b) *Fact-finding.*

- (1) Upon receipt of a referral, the ethics panel shall determine the facts necessary to render an advisory opinion. The facts may be agreed upon and set forth in the referral. If additional fact-gathering is necessary, the ethics panel, or a person designated by it, may conduct informal interviews and solicit additional information. The ethics panel shall determine the facts through a formal hearing process only if so requested either by the public official who is the subject of a referral or by the public officials who submitted a referral.
- (2) In regard to its gathering of facts relating to the existence and nature of a personal relationship, the ethics panel shall be limited to the voluntary statements and other information provided by the public official whose relationship is at issue.

- (c) *Deliberation.* Upon conclusion of its fact-finding, the ethics panel shall deliberate over the question referred to the panel. Any person may submit written comments to the ethics panel setting forth his position regarding the question under consideration.

- (d) *Issuance of advisory opinion.* Upon conclusion of fact-finding and deliberation, the ethics panel shall issue a written advisory opinion that includes findings of fact, application of the standards set forth in this division, and recommendations. The ethics panel shall furnish a copy of its advisory opinion to the chair of the municipal board concerned and the public official whose personal relationship or financial involvement is the subject of the opinion.

- (e)

*Time limits.* The ethics panel shall attempt to issue its advisory opinion within two weeks of its receipt of a referral. The ethics panel may decline to consider referrals regarding conflict of interest questions relating to the final vote of a municipal board that occurred prior to the referral.

(Code 1967, § 1-4.6)

Sec. 2-116. - Effect of recommendations of ethics panel.

The opinion and recommendations of the ethics panel shall be advisory only. The members of a municipal board may vote to adopt the recommendation of the ethics panel as it relates to the participation in a matter by a public official.

(Code 1967, § 1-4.7)

Secs. 2-117—2-145. - Reserved.

**A TRUE COPY ATTEST**



**CITY CLERK**

