

Ethics Commission Complaint Policy

(Readers are encouraged to consult the Ethics Ordinance)

- I. The Complaint Policy shall apply to matters involving the City of Tybee Island City Officials.**
- II. The Complaint Policy shall apply to all complaints brought before the Ethics Commission.**
- III. The Complaint must be in writing, signed, and sworn to before a notary. The complaint must fully describe the circumstances, and state the question to be answered.**
- IV. Upon dismissal, the City Official and Complainant will be notified in writing.**

- I. Complainant is issued a (check) list of requirements from Clerk of Council for filing a complaint.**
- II. Deliver complaint to Clerk of Council with indication on the envelope if the accused is a City Employee.**

The Clerk of Council is to:

- (1) Date, stamp and initial the back flap of the envelope**
- (2) Give a receipt to complainant**
- (3) Deliver the complaint to the Ethics Commission designee within 5 business days**

III. Complaint Reviewed

A. City Manager receives employee complaints

- (1) Reviews the complaint in accordance with the employee complaint policy**

B. Ethics Commission receives all other complaints

- (1) Deficient claims returned to complainant within 7 business days with letter explaining deficiencies**
- (2) Complainant may re-submit complaint with deficiencies corrected within 7 business days**
- (3) Complainant may withdraw complaint**
- (4) Documented sufficient complaint handled by the Ethics Commission**

IV. Ethics Commission Review

A. Copy of complaint delivered to accused via registered mail within 7 business days of determination that complaint is not technically deficient

B. Accused may reply in writing to the complaint within such time as directed by the Ethics Commission, not to exceed 30 days.

- (1) If the accused agrees that a violation has occurred, no further investigation will take place**
 - (a) Letter of explanation sent to complainant**
- (2) For an agreed violation the case will be reported to the City Council for disposition**

C. Ethics Commission investigatory review to be held within 30 days from date of response by accused.

- (1) Unsubstantiated claims dismissed**
- (2) Substantiated claims proceed to a hearing**

V. Ethics Commission formal public hearing not to exceed 30 days from conclusion of investigatory review.

- A. Certified written notice given to each party**
- B. Each party has the opportunity to present their case**

VI. Commission deliberates and issues a determination.

- A. Violators are reported to City Council with recommendation for disposition**
- B. Non-violators dismissed**

VII. City Council – determination and implementation of any action.