



ORDINANCE

ADDING PROVISIONS FOR HEARINGS AND FINES TO THE BOARD OF ALDERMEN'S CODE OF CONDUCT

CITY OF NASHUA

In the Year Two Thousand and Twelve

The City of Nashua ordains that Part I "Administrative Legislation", Chapter 5 "Administration of Government", Part II "Board of Aldermen", Article III "Rules and Order of Business", Section 5-31 "Code of Conduct" of the Nashua Revised Ordinances, as amended, be hereby further amended by adding the new underlined language as follows:

"§ 5-31. Code of conduct

...

- I. Upon request of any member, the President of the Board of Aldermen shall refer an alleged violation of the Code of Conduct to the Personnel/Administrative Affairs Committee. The committee shall conduct a hearing on the alleged violation and may request the attendance of members and witnesses. All findings of violations of the Code of Conduct shall be by majority vote of the committee.
- J. Violations of the Code of Conduct shall be punishable by imposition of fines of ten dollars (\$10.00) for a first offense and twenty-five dollars (\$25.00) for any subsequent offenses by a member during his or her term of office. All fines collected shall be deposited in the Board of Aldermen's fund for expressions of sympathy or congratulations."

This ordinance shall take effect following its passage.

LEGISLATIVE YEAR 2012

ORDINANCE: O-12-023

PURPOSE: Adding provisions for hearings and fines to the Board of Aldermen's code of conduct

ENDORSER(S): Alderman Paul M. Chasse Jr.

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: None.

ANALYSIS

This ordinance amends the Board of Aldermen's Code of Conduct by providing a procedure to address allegations of code violations by a member. The Personnel/Administrative Affairs Committee could call witnesses and conduct hearings. Upon determining that a member has violated the Code of Conduct, the committee could impose a fine of ten dollars (\$10.00) for a first offense and twenty-five dollars (\$25.00) for any subsequent offense during the member's term of office. All fines collected would be deposited in the Board of Aldermen's fund for expressions of sympathy or congratulations.

The Board has the authority "to regulate the conduct of its members and may discipline a member as it deems appropriate." Mason's Manual of Legislative Procedure, §561 (2000). The president of the Board of Aldermen is responsible for preserving the "decorum and order" of the Board of Aldermen. NRO §5-12. Presently, members who "transgress" the rules of the Board of Aldermen may be called to order and required to take their seat. NRO §5-22. The Board of Aldermen also has the authority to make by-laws and regulations that "may seem for the well-being of the city". RSA 47:17. Should a member fail or refuse to pay a fine, the fine could only be "recovered by complaint before the [Circuit Court]." RSA 47:19.

Approved as to form: Office of Corporation Counsel

By: 

Date: 