

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

Local Law No. 1-4 of the year 2026

Local Law Title: A LOCAL LAW ENACTING AN UPDATED ETHICS LAW FOR
THE
TOWN OF CANAAN

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Canaan as follows:
Town
~~Village~~

SECTION 1. PURPOSE AND INTENT

The Town Board of the Town of Canaan has determined that it is necessary to update the Ethics Law for the Town of Canaan to incorporate and clarify changes that have been to the Ethics Law since the enactment of Local Law 1 of 2005.

SECTION 2. AUTHORIZATION

This local law is adopted pursuant to Municipal Home Rule Law §10, Article 18 of the General Municipal Law and §806 of the General Municipal Law governing the code of ethics to apply to officers and employees of the Town of Canaan.

SECTION 3. ENACTMENT

Be it therefore enacted by the Town Board of the Town of Canaan as follows:

CODE OF ETHICS OF THE TOWN OF CANAAN

Section 1. Purpose.

Officers and employees of the Town of Canaan hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Town of Canaan Town Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

(a) “Board” means the governing board of a municipality and any municipal administrative board (e.g. planning board, zoning of board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.

(b) “Code” means this code of ethics.

(c) “Interest” means a direct or indirect financial or material benefit but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization’s outstanding stock.

(d) “Municipality” means Town of Canaan. The word “municipal” refers to the municipality.

(e) “Municipal officer or employee” means a paid or unpaid officer or employee of the Town of Canaan, including, but not limited to, the members of any municipal board.

(f) “Relative” means a spouse, parent, step-parent, sibling, step-sibling, sibling’s spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

Section 3. Applicability.

This code of ethics applies to the officers and employees of the Town of Canaan and shall supersede any prior municipal code of ethics. The provisions of this code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Town of Canaan. The list of elected and appointed officials subject to this code of ethics and the nature of disclosure shall be as set forth in the Schedule A attached hereto, which Schedule may be amended by Resolution of the Town Board.

Section 4. Prohibition on use of municipal position for personal or private gain.

No municipal officer or employee shall use ~~their his or her~~ municipal position or official powers and duties to secure a financial or material benefit for ~~themselves~~~~himself or herself~~, a relative, or any private organization in which he or she is deemed to have an interest.

Section 5. Disclosure of interest in legislation and other matters.

(a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to ~~themselves~~~~himself or herself~~, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.

(b) The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

(c) In the case of a person serving in an elective office, the disclosure shall be filed with the Town Confidential Assistant (CA), who is responsible for the administrative HR function for the town. In the event of a specific disclosure the CA will notify the appropriate board or immediate supervisor within 14 days of receipt. ~~governing board of the municipality. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person's position. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.~~

Section 6. Recusal and abstention.

(a) No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when ~~they~~~~he or she~~ knows or has reason to know that the action could confer a direct or indirect financial or material benefit on ~~themselves~~~~himself or herself~~, a relative, or any private organization in which ~~they~~~~he or she~~ is deemed to have an interest.

(b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:

(1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or

(2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by ~~their~~~~his or her~~ deputy or, if the

officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.

(3) if the power or duty is vested in a municipal employee, ~~they~~~~he or she~~ must refer the matter to ~~their~~~~his or her~~ immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

Section 7. Prohibition inapplicable; disclosure, recusal and abstention not required.

(a) This code's prohibition on use of a municipal position (section 4), disclosure requirements (section 5), and requirements relating to recusal and abstention (section 6), shall not apply with respect to the following matters:

- (1) adoption of the municipality's annual budget;
- (2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - (i) all municipal officers or employees;
 - (ii) all residents or taxpayers of the municipality or an area of the municipality;
 - (iii) the general public; or
- (3) any matter that does not require the exercise of discretion.

(b) Recusal and abstention shall not be required with respect to any matter:

- (1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 6 of this code;
- (2) which comes before a municipal officer when the officer would be prohibited from acting by section 6 of this code and the matter cannot be lawfully delegated to another person.

Section 8. Investments in conflict with official duties.

(a) No municipal officer or employee may acquire the following investments:

- (1) investments that can be reasonably expected to require more than sporadic recusal and abstention under section 6 of this code; or
- (2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

- (1) real property located within the municipality and used as his or her personal residence;

- (2) less than five percent of the stock of a publicly traded corporation; or
- (3) bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Private employment in conflict with official duties.

No municipal officer or employee, during ~~their~~~~his or her~~ tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

- (a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code;
- (b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- (c) violates section 805-a(1)(c) or (d) of the General Municipal Law; or
- (d) requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

Section 10. Future employment.

- (a) No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.
- (b) No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.
- (c) No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

Section 11. Personal representations and claims permitted.

This code shall not be construed as prohibiting a municipal officer or employee from:

- (a) representing ~~themselves~~~~himself or herself~~, or ~~their~~~~his or her~~ spouse or minor children before the municipality; or
- (b) asserting a claim against the municipality on ~~their~~~~his or her~~ own behalf, or on behalf of ~~their~~~~his or her~~ spouse or minor children.

Section 12. Use of municipal resources

(a) Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.

(b) No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:

- (1) any use of municipal resources authorized by law or municipal policy;
- (2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation;
- 3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.

(c) No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 13. Interests in Contracts.

(a) No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.

(b) Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

Section 14. Nepotism.

Except as otherwise required by law:

(a) No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.

(b) No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

Section 15. Political Solicitations.

(a) No municipal officer or employee shall directly or indirectly to compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

(b) No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

Section 16. Confidential Information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing ~~their/his or her~~ official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing ~~their/his or her~~ official powers and duties.

Section 17. Gifts.

(a) No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.

(b) No municipal officer or employee may directly or indirectly solicit any gift for themselves, their spouse or partner, a member of their family or their household.

(c) No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:

- (1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of ~~their/his or her~~ official powers or duties;
- (2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of ~~their/his or her~~ official powers or duties; or
- (3) the gift is intended as a reward for any official action on the part of the officer or employee.

(d) For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

(e) (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of ~~their/his or her~~ official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

(2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained

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municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.

(f) This section does not prohibit any other gift, including:

- (1) gifts made to the municipality;
- (2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;
- (3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;
- (4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;
- (5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or
- (6) meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

Section 18. Board of Ethics.

(a) There is hereby established a board of ethics for the municipality. The board of ethics shall consist of five members, a majority of whom shall not be officers or employees of the municipality, but at least one of whom must be a municipal officer or employee. The members of such board of ethics shall be appointed by the Canaan Town Board, serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the board of ethics.

(b) Within 30 days after the effective date of this local law, and no later than January 30 each year thereafter, the Town Board shall appoint the members of the Board of Ethics. ~~The members shall serve three year staggered terms based upon the current terms of the members. Of the initial members appointed, two shall be appointed for three years, two shall be appointed for two years, and one shall be appointed for one year.~~ All subsequent appointees shall be appointed to three-year terms commencing January 1.

(c) When a vacancy occurs in the membership of the Board of Ethics, the vacancy shall, within 60 days, be filled for the unexpired portion of the term in the same manner as the original appointment. Any person appointed to fill a vacancy on the Board of Ethics shall meet the qualifications set forth in this local law.

(d) Members of the Board of Ethics shall serve without compensation but shall be entitled to reimbursement for reasonable expenses in accordance with rules established by the Town Board. Members of the Board of Ethics shall be construed under the Code of Ethics and Disclosure to be policy-making officials and shall be subject to all of the appropriate ethical and disclosure requirements.

(e) Three members shall constitute a quorum for transaction of business by the Board of Ethics. Any action of the Board of Ethics requires three affirmative votes.

(f) The Town Board shall ~~appoint~~~~select~~ one of the members of the Board of Ethics to act as Chairperson of the Board.

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(g) At its first meeting each year, the Board of Ethics shall elect a Vice-Chairperson and Clerk from among its members. The Clerk shall maintain confidential records of all meetings, proceedings and opinions rendered, and said records shall be confidential personnel records and shall not be subject to public disclosure.

(h) The Board of Ethics shall possess all powers and duties authorized by section 808 of the New York State General Municipal Law.

(i) The Board of Ethics shall possess the following additional dues and powers:

(1) To prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner consistent with the Code of Ethics and Disclosure as so authorized by the Town Board.

(2) To ~~have the Confidential Assistant (CA)~~ review, index, and maintain on file completed annual disclosure statements file pursuant to this local law.

(3) To review, index, maintain on file, and dispose of requests for advisory opinion and/or complaints submitted to the Board of Ethics by Town officers or municipal employees and related to alleged ethical violations and to make notification thereof to the subject Town officer or municipal employee and the Town Board. All such requests and/or complaints and notifications shall constitute confidential personnel records and shall not be subject to public disclosure.

(4) To investigate, conduct hearings, recommend disciplinary ~~action~~ ~~and/or~~ ~~assess~~ penalties, make referrals, and initiate appropriate actions and proceedings pursuant to the Code of Ethics and Disclosure.

(5) To otherwise ~~enforce and~~ administer all of the provisions of the Code of Ethics and Disclosure.

(j) Removal of Members. A member of the Board of Ethics may be removed from office in the same manner in which he or she was appointed, after written notice and opportunity for reply. Grounds for removal shall be failure to meet the qualifications set forth in the Code of Ethics and Disclosure, substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of office, or violation of the Code of Ethics and Disclosure or any other Town law.

(k) Investigations – (1) If the Board of Ethics preliminarily finds that a possible violation of the Code of Ethics and Disclosure exists, the Board of Ethics may, but shall not be required to, provide the person(s) affected with a reasonable opportunity to cure such violation. Such a preliminary finding shall be confidential and not subject to public disclosure. If under any other circumstances, such as through the filing and investigation of a complaint, the Board of Ethics determines that there is reasonable cause to believe that a

violation of the Code of Ethics and Disclosure has occurred, or after any grace period granted by the Board of Ethics has expired and such violation remains uncured, ~~it~~ shall send a notice of potential violation to:

- (i) The reporting/affected person; and
- (ii) The Supervisor and the Town Board.

(2) Before any such "reasonable cause" finding shall be made, the Board of Ethics shall:

(i) Notify in writing the reporting/affected person as to the potential violation of the Code of Ethics and Disclosure;

(ii) Afford the reporting/affected person an opportunity to submit a written response setting forth such information as said person deems relevant to the activities cited by the Board of Ethics as a potential violation of the Code of Ethics and Disclosure; and

(iii) Upon written request of the affected person, conduct a hearing wherein the affected person may present either a written or oral response setting forth such information as the affected person deems necessary or appropriate in response to the allegations of the Board of Ethics.

(3) Upon the receipt of a signed written complaint by any Town officer or municipal employee alleging a violation of the Code of Ethics and Disclosure, or upon determining on its own initiative that such violation may exist, the Board of Ethics shall conduct any investigation as it may deem reasonably necessary to carry out the provisions of the Code of Ethics and Disclosure.

(4) The Board of Ethics shall state in writing the disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for said disposition. All such statements and all sworn complaints shall be indexed and maintained on file by the Board of Ethics.

(5) Any Town officer or municipal employee filing a written request for advisory opinion or complaint with the Board of Ethics shall be notified in writing of the disposition of the advisory opinion or the complaint

(6) Nothing in this section shall be construed to permit the Board of Ethics to conduct an investigation of itself or of any of its members or staff. If the Board of Ethics receives a complaint alleging that the Board of Ethics or any of its members or staff has violated any provision of the Code of Ethics and Disclosure, or any other law, the Board of Ethics shall promptly transmit a copy of the complaint to the Town Board. The Board of Ethics may request the Town Board to conduct an investigation of the Board of Ethics or of any of its members or staff.

Section 19. Opinions of the Board of Ethics

(a) All opinions of the Board of Ethics shall be rendered within 60 days of the receipt of a request for an advisory opinion or a complaint and all supporting documentation or information, with all references to names, addresses and other information that would constitute a breach of confidentiality removed therefrom. If additional time beyond the 60 days is required to render an opinion, the Board of Ethics shall request authorization for such extension from the Town Board.

(b) Requests for advisory opinions or complaints. Upon the written request or complaint of any Town officer or employee, the Board of Ethics shall render a written opinion with respect to the interpretation or application of this local law or of Article 18 of the General Municipal Law of the State of New York. All requests by Town officers or municipal employees shall describe the conduct, specify the alleged conflict of interest or other alleged wrongdoing on the part of a Town officer or municipal employee, and be signed by the requesting Town officer or municipal employee. Any Town officer or municipal employee may similarly request an advisory opinion with respect to whether his or her own action may violate a provision of the Code of Ethics and

Disclosure Article 18 of the General Municipal Law.

(c) Notice of a request for advisory opinion and/or complaint against a Town officer or municipal employee and copies of any evidence of an alleged conflict of interest or alleged wrongdoing shall be provided to the Town officer or municipal employee who is the subject of the request or complaint.

(d) The Board of Ethics shall conduct a hearing on the request for advisory opinion and/or complaint. The subject Town officer or municipal employee may be present and shall have the right to be represented by an attorney at the hearing, which hearing shall not be open to the public.

(e) At the conclusion of its deliberations, the Board of Ethics shall render a written confidential opinion to the Town Board and the identity of the persons involved in the matter shall not be disclosed other than to the Town Board. Copies of the opinion shall be provided to the Town officer or employee who is the subject of the request for advisory opinion or complaint. The advice of counsel may be obtained before submitting to the Board of Ethics advisory opinion to the Town Board.

(f) An opinion rendered by the Board of Ethics, until and unless amended or revoked shall be binding on the Board of Ethics in any subsequent proceeding concerning the person who requested the opinion and who acted in good faith, unless material facts were omitted or misstated by the person in the request for an opinion. Such opinion may also be relied upon by such person and may be introduced and shall be a defense in any criminal or civil action. Such requests shall be confidential; but the Board of Ethics may publish such opinions, provided that the name of the requesting person and other identifying details shall not be included in the publication.

(g) Any person aggrieved by an opinion of the Board of Ethics may request a rehearing of the matter by the Town Board.

(h) Any person aggrieved by an advisory opinion and/or decision of the Board of Ethics may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

Section 20. Posting and distribution.

(a) The Town Clerk shall cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control. The code must be posted within ten days following the date on which the code takes effect. An amendment to the code must be posted within ten days following the date on which the amendment takes effect.

(b) The Town Clerk shall promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the Town of Canaan.

(c) The failure to post this code or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of a municipal officer or employee to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

Section 21. Annual Disclosure Form.

(a) Town officers and/or municipal employees shall be required to file a signed annual disclosure statement with the Confidential Assistant (CA), Canaan Town Clerk, as set forth on a form adopted by resolution of the Canaan Town Board. Such annual disclosure statement shall constitute personnel records of Town officers or municipal employees and shall not be subject to public disclosure. Such annual forms shall be held for a period of seven (7) years before being destroyed as part of the Town's file records retention program.

~~(b) If there is not change to a previous year's disclosure form the filer must file a statement of "no change" and file same with the Town Clerk.~~

~~(e)~~(b) Annual disclosure forms shall be filed within 60 days of the effective date of this local law and thereafter, no later than February 15 of each calendar year. The Board of Ethics shall be empowered to grant an extension of time for filing the annual disclosure statement. In order for the Board of Ethics to grant a request for an extension of time to file the annual disclosure statement beyond the February 15 deadline, the Board of Ethics shall find that there is justifiable cause for filing after the deadline or that application of the deadline will impose an undue hardship.

~~(d)~~(c) If a person required to file an annual Disclosure Form fails to file such disclosure statement, or files a deficient statement, the Board of Ethics shall notify said person in writing, state the failure to file or detail the deficiency, provide the person with a 15-day period to cure the deficiency and advise the person of the penalty for failure to comply with the reporting requirements. Such notice shall be confidential. If the person fails to make such filing or fails to cure the deficiency within the specified time period, the Board of Ethics shall send a notice of delinquency to the reporting person and to the Town Board.

Section 22~~1~~. Enforcement.

(a) Any person whose conduct constitutes a violation of the Code of Ethics and Disclosure is subject to the following disciplinary actions, civil fines, damages, civil forfeiture or referral to appropriate authorities for prosecution:

- (1) Disciplinary action. After a hearing providing for due process procedural mechanisms, the Board of Ethics, In Its discretion, may recommend appropriate disciplinary action including, but not limited to, a warning, reprimand, suspension or removal from office or employment. Such disciplinary action may be imposed in addition to any other penalty contained In the Code of Ethics and Disclosure. Said recommendation of the Board of Ethics shall be made to Town Board or such other person or body authorized by law to impose such disciplinary action. The Board of Ethics shall conduct and complete the hearing with reasonable promptness, unless in its discretion the Board of Ethics refers the matter to the Town Board or such other person or body authorized by law to impose disciplinary action or the appropriate prosecutor. If such a referral is made, the Board of Ethics may adjourn the matter pending determination by the Town Board, person, body, or prosecutor, as the case may warrant.

- (2) Civil fine. In its discretion and after a hearing upon the recommendation of the Board of Ethics and providing for due process procedural mechanisms, the Town Board, pursuant to the Code of Ethics and Disclosure, may assess a civil fine, not to exceed \$1,500 for each violation, upon any Town officer or municipal employee found by the Board of Ethics to have violated the Code of Ethics and Disclosure. The Town Board shall conduct and complete the civil fine hearing with reasonable promptness. The subject Town officer or employee may be present and shall have the right to be represented by an attorney at the civil fine hearing, which hearing shall not be open to the public. The civil fine shall be payable to the Town. A civil fine may be imposed in addition to any other penalty contained in any other provision of the law or the Code of Ethics and Disclosure.
- (3) Damages. Any Town officer or municipal employee who violates any provision of the Code of Ethics and Disclosure shall be liable in damages to the Town of Canaan for losses or increased costs incurred by the Town as a result of the violation. The Town Board may initiate an action in the court of appropriate jurisdiction to obtain said damages. Such damages may be imposed in addition to any other penalty contained in any other provision of the law or in the Code of Ethics and Disclosure.
- (4) Civil Forfeiture. Any Town officer or municipal employee who intentionally or knowingly violates any provision of the Code of Ethics and Disclosure may be subject to civil forfeiture to the Town in a sum equal to three times the value of any financial benefit he or she received as a result of the conduct that constituted the violation. A civil forfeiture may be imposed in addition to any other penalty contained in any other provision of law or in the Code of Ethics and Disclosure.
- (5) Injunctive relief. The Town Board, or the Board of Ethics on behalf of the Town may initiate an action or special proceeding, as appropriate, in a court of appropriate jurisdiction for injunctive relief to enjoin a violation of the Code of Ethics and Disclosure or to compel compliance therewith.
- (6) Prosecutions. The Board of Ethics and/or the Town Board may refer to the appropriate prosecutor possible criminal violations of this local law. Nothing contained in this local law shall be construed to restrict the authority of any prosecutor to prosecute any violation of the Code of Ethics and Disclosure or of any other law.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State, ~~and after approval of a majority of the electors voting thereon in accordance with the requirements of Section 23 of the Municipal Home Rule Law.~~

SECTION 5. REPEALER

Any prior local law currently in existence that is inconsistent with the terms of this local law is hereby repealed.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 14 of 2026 of the Town of Canaan was duly passed by the Town Board on , 2026, in

(Name of Legislative Body)

accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.*)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County) (City) (Town) (Village) of was duly passed by the on , 20, and was (approved)(not approved)(repassed after~~

~~(Name of Legislative Body)~~

~~disapproval) by the and was deemed duly adopted on , 20,~~

~~(Elective Chief Executive Officer*)~~

~~in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County) (City) (Town) (Village) of was duly passed by the on , 20, and was (approved)(not approved)(repassed after

(Name of Legislative Body)

disapproval) by the on , 20. Such local law was

(Elective Chief Executive Officer*)

submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on , 20, in accordance with the applicable provisions of law.

~~4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on , 20, and (approved)(not approved)(repassed after~~

~~(Name of Legislative Body)~~

~~disapproval) by the on , 20. Such local law was subject~~

~~(Elective Chief Executive Officer*)~~

~~to permissive referendum and no valid petition requesting such referendum was filed as of , 20,~~

~~in accordance with the applicable provisions of law.~~

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Sandra Bevens~~Josh Weisbuch~~, Town Clerk

Date: _____, 2026~~5~~

(Seal)