

From: [Griffith Jr., Walter](#)
To: [Pedri, David](#); [Crocamo, Romilda](#); [Griffith Jr., Walter](#); [Houck, Linda McClosky](#); [McGinley, Tim](#); [Lawrence, Sharon](#)
Cc: [ACEcommission](#)
Subject: ACE Code amendment Ordinance for Voting Session on May 11 2021
Date: Monday, May 3, 2021 10:48:54 PM
Attachments: [Ethics Code Revision.pdf](#)

Chairwoman Houck

Enclosed is the copy of the Ordinance that I would like to place on the agenda for introduction on May 11, 2021 regarding the Accountability, Conduct, and Ethics Code.

I would like the Code Review Committee to discuss this at our meeting tomorrow as this is very important to the integrity of the ACE Commission and its ability to follow "Due Process".

The current ACE Code does not provide the Respondent with a copy of the complaint as outlined in the ACE Code yet it states in Section 105:01 (f) the following:

F. **When any individual, including any respondent** or member of the ACE Commission, believes that a complainant is using the ACE Commission complaint process for any purpose other than the purpose promulgated at Section 101.01, that individual shall have the right to lodge a formal complaint with the ACE Commission in accordance with the complaint process herein

There is no way a Respondent can be provided Due Process if the Respondent is never provided a copy of the complaint. There is nothing in the current ACE Code that allows for the ACE Commission to provide a copy of the complaint to the Respondent.

The enclosed Ordinance amendment will address this matter.

Thank you for your consideration on placing this on the agenda for discussion as I plan to introduce this ordinance on May 11 2021 and would appreciate the committees input.

Walter L Griffith Jr.

Luzerne County Council

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Ordinance No. 2021-_____

An Ordinance of the County of Luzerne to amend the Luzerne County Accountability, Conduct, and Ethics Code in accordance with the Home Rule Charter of Luzerne County

WHEREAS, Article IX of the Home Rule Charter of Luzerne County requires an Accountability, Conduct, and Ethics Code be established that prohibits Luzerne County public officials, and employees from receiving benefits other than lawful compensation resulting from public positions; and

WHEREAS, the Luzerne County Council adopted an Accountability, Conduct, and Ethics Code by Ordinance 2012-4 on April 24, 2012; and

WHEREAS, the Luzerne County Council amended the Accountability, Conduct, and Ethics Code by Ordinance 2014-8 on October 14, 2014; and

WHEREAS, Section 9:02 of the Home Rule Charter provides that the “County Council may amend the Accountability, Conduct, and Ethics Code by ordinance”; and

WHEREAS, the Luzerne County Council wishes to amend the language in the Accountability, Conduct, and Ethics Code to reflect the following changes in the Code at Section 105:01 (D) 2 and Section 105:01 (D) 3 which reads as follows:

- D. The designated ACE Attorney shall:
2. Notify the respondent; and
 3. Keep the substance of the complaint confidential;

NOW, THEREFORE BE IT ENACTED AND ORDAINED BY THE LUZERNE COUNTY COUNCIL that Luzerne County Accountability, Conduct, and Ethics Code reflect the following changes in the Code at Section 105:01 (D) 2 and Section 105:01 (D) 3 which reads as follows

- D. The designated ACE Attorney shall:
2. Notify the respondent that a complaint has been filed and is under review by the Accountability, Conduct, and Ethics Commission
 3. Provide a time stamped copy of the complaint filed by the Complainant to the Respondent.

This Ordinance shall take effect on the fifteenth day (15) following its enactment.

Attest:

Sharon Lawrence Clerk of County Council

Tim McGinley Council Chair

YEAS

NYES

Walter L Griffith Jr

Harry Haas

Linda McClosky Houck

LeeAnn McDermott

Tim McGinley

Chris Perry

Kendra Radle

Sheila Saidman

Robert Schnee

Stephen J Urban

Matt Vough