

Town of North Hempstead Board of Ethics Advisory Opinion Procedure

The Town of North Hempstead Board of Ethics (the “Board”) hereby adopts the following procedures to govern the rendering of advisory opinions pursuant to Chapter 16A of the Town Code of the Town of North Hempstead (the “Ethics Code”).

- A. Any officer or employee of the Town of North Hempstead, or the head of any department, agency or unit, may submit a request for an advisory opinion from the Board with respect to the Ethics Code. All such requests for Advisory Opinions shall be kept confidential until an opinion is officially issued.
- B. All requests for advisory opinions must be on the form attached to these procedures, be submitted to the Office of the Town Attorney as counsel to the Board, be signed by the Requester and identify all relevant facts and circumstances.
- C. Upon receipt of a written request for an advisory opinion, the Counsel to the Board shall confer with the Chair of the Board regarding the nature and subject matter of the request and determine if any additional information is required. If Counsel to the Board and the Chair determine that additional information about the request is needed, such additional information may be requested from the requester.
- D. Within fourteen (14) days of receipt of a request for an advisory opinion, Counsel to the Board shall conduct any necessary legal or other research regarding the request and prepare and deliver to the Board a summary of Counsel’s findings.
- E. Within twenty-one (21) days of the receipt of a request for an advisory opinion, the Board shall meet to discuss the request and render a decision regarding the request. The Board may defer or extend its deliberations pending the receipt of additional information requested.
- F. Within ten (10) days of the meeting, the Board shall issue a written advisory opinion addressing the substance of the request. The opinion must be approved by the Chair of the Board and signed by the Chair or by Counsel to the Board.
- G. A copy of the signed advisory opinion shall be delivered to the requester by certified mail, return receipt requested and by first class mail. An affidavit of mailing shall be made concerning the mailing of the decision as stated above. The affidavit shall be conclusive evidence that the decision was sent in accordance with these procedures.
- H. A public servant whose conduct or action is the subject of an advisory opinion shall not be subject to penalties by virtue of acting or failing to act due to reasonable reliance on the opinion.

TOWN OF NORTH HEMPSTEAD BOARD OF ETHICS

Mailing: 220 Plandome Road, Manhasset, New York 11030
Office 516-869-7710 Fax 516-869-7744

Advisory Opinion Request Form

Requestor's Information

Your Name: _____

Department/Agency/Committee: _____

Phone Number: _____

Fax Number: _____

Mailing Address: _____

Are you: ____ the subject of the opinion or ____ a Department Head

Detailed Description of Request (attach additional pages if necessary): _____

Have you previously received an advisory opinion on this matter? ____ Yes ____ No

Dated: _____

Requestor's Signature: _____

Print Name: _____