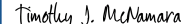




City of Lebanon
New Hampshire

**CITY COUNCIL POLICY
IMPLEMENTATION OF CITY CODE CHAPTER 185
WELCOMING LEBANON**

<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
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<i>Approved by:</i>	Mayor	<small>DocuSigned by:</small>  <small>F08A405F81504ED...</small>	

Section 1.0: PURPOSE

This policy details the procedures to implement the provisions of City Code Chapter 185, "Welcoming Lebanon" (herein after referred to as Chapter 185) regarding elected and appointed officials

Section 2.0: SCOPE

This policy applies to all City officials elected by the voters or appointed by the City Council defined as "Agents" of the City as defined in Chapter 185 not under the authority of the City Manager.

Section 3.0: DEFINITIONS

The applicable definitions regarding this policy are as provided in Chapter 185, Section 185-2, Definitions. These terms are not defined in Chapter 185 nor are they defined in Federal or State law. The definitions below are provided as further guidance in the implementation of the policy.

3.1 POLITICAL OPINION OR ACTIVITY

Definition of Political

- 1a: of or relating to government, a government, or the conduct of government
- b: of, relating to, or concerned with the making as distinguished from the administration of governmental policy
- 2: of, relating to, involving, or involved in politics and especially party politics
- 3: organized in governmental terms *political* units
- 4: involving or charged or concerned with acts against a government or a political system *political* prisoners

Definition of Opinion

Opinion- a view, judgment, or appraisal formed in the mind about a particular matter.



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Definition of Activity

Activity- action designed to attain a purpose by the use of political power or by activity in political channels

3.2 ECONOMIC STATUS

Economic- of, relating to, or based on the production, distribution, and consumption of goods and services

Status- position or rank in relation to others; relative rank in a hierarchy of prestige; the condition of a person or thing in the eyes of the law; state or condition with respect to circumstances

3.3 HOUSING STATUS

Housing- shelter, lodging; dwellings provided to people

Status- position or rank in relation to others; relative rank in a hierarchy of prestige; the condition of a person or thing in the eyes of the law; state or condition with respect to circumstances

Section 4.0: POLICY DETAIL

This policy details the procedures to implement the provisions of Chapter 185, as amended by the City Council. The intent of this policy is to comply with those provisions to the extent they do not violate State law or Federal Code/rules or regulations.

Section 5.0: PROCEDURES

5.1 Training

Training opportunities will be provided to appointed and elected officials as follows:



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A. Newly Appointed or Elected Officials

Newly appointed or elected officials shall be provided with a link to the City's webpage with access to Chapter 185. An acknowledgement form will be provided and must be signed by the appointed or elected official attesting to the fact that they have read and understand the provisions of the Chapter. Training will be provided within 30 days of the official's date of appointment or election.

B. In-Service Training

All existing appointed or elected officials as of the effective date of this Policy will be provided with access to Chapter 185 and must sign an acknowledgement form attesting to the fact that they have read and understand the provisions of the Chapter. Initial training is mandatory and will be provided by the City Manager's Office. The respective chairperson of any board/commission/committee may conduct or request refresher training as they deem necessary, or as directed by the City Council.

5.2 Complaints and Investigations

Complaints and investigations regarding reported or discovered violations of the provisions of Chapter 185 shall be conducted in accordance with Policy ADM-126, Complaints & Investigations.

5.3 Corrective and Disciplinary Action-Appointed and Elected Officials

Appointed and elected officials may be removed from office for violations of Chapter 185 if the actions of those officials warrant such action. There are specific statutory provisions for different categories of officials as indicated below:

1. Members of land use boards may be removed for cause in accordance with the provisions of RSA 673:13.



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2. All other appointed officials not specified in 1 above may be removed for cause by the City Council if appointed by the Council in accordance with the N.H. Supreme Court decision in AFSCME v. Keene, 108 N.H. 68 (1967).
3. Members of the City Council may be removed for cause in accordance with the provisions of RSA 49-C:13.
4. Appointed officials who are appointed by the City Manager may be removed for cause in accordance with the N.H. Supreme Court decision in AFSCME v. Keene, 108 N.H. 68 (1967).
5. The City Council may discipline or remove the City Manager in accordance with the provisions of City Charter C419:31.
6. Elected officials other than members of the City Council may be removed in accordance with the provisions and processes outlined in RSA 42:1-a. The initiation of the process for removing elected officials other than members of the City Council shall only be moved forward after a majority of the City Council votes to direct the City Manager to do so.

Each Board/Commission/Committee may act to censure members of their body for violations of this code. The City Council may also choose to censure members of its own body or the members of any body for which they appoint those members.

Section 6.0: REFERENCES (Charter/Code/ City Policy/State Statutes or Regulations/ Federal Code or Regulations)

1. City Code Chapter 185
2. City Policy ADM-126 Complaints & Investigations
3. City Policy ADM-111 Anonymous Hotline Policy
4. City Charter 419:30 Powers and Duties of the Manager
5. City Charter 419:31 Power to Appoint and Remove
6. City Charter 419:28 Removal-City Manager
7. NH RSA Chapter 354-B Civil Rights Act
8. NH RSA Chapter 275-E Whistleblowers' Protection Act
9. NH RSA 42:1-a Manner of Dismissal-Officials
10. NH RSA 49-C:13 Removal of Mayor, Alderman and Councilors



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- 11. NH RSA 202-A:17 Employees; Removal-Library
- 12. NH 673:13 Removal of Members-Land Use Boards
- 13. NH RSA 202-A:17 Employees; Removal-Library
- 14. US, Title VII of the Civil Rights Act of 1964-Employment
- 15. US, Title 18, U.S.C., Sections 241, 242, 245,
- 16. US, Title 42, U.S.C., Section 3631

Section 7.0: POLICY & PROCEDURE REVISION HISTORY

	Section	Revisions	Date
Original Adoption		Initially adopted	1/20/2021
Amendment			
Amendment			
Amendment			