

Village of Richfield
Complaint Policy

1.0 PURPOSE:

The purpose of this policy is to provide guidance to the Village Board, Administrator, Village Staff and citizens of the Village of Richfield for processing and filing complaints. The Village strives to maintain quality of services, improve relationships between Village employees, Village Board members, the Administrator and the citizens.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all Village of Richfield departments, divisions, offices, boards, commissions, committees, Village employees, and Village citizens.

3.0 POLICY:

It is the policy of the Village to accept and investigate written complaints as described in this policy and verbal complaints submitted by appointed members of the Plan Commission and Village Board, to assure compliance in accordance with Village Policies and Ordinances.

4.0 DEFINITION OF A COMPLAINT:

It is important to recognize the difference between a complaint and a suggestion, observation, question, neighbor dispute, or simply a call pointing out a hazard or safety issue. Any citizen or employee of the Village of Richfield can file a complaint against another citizen, the Village, a Village employee or an elected official. The elected official or staff member fielding the complaint will need to determine whether or not a complaint exists and which type it is. Examples of complaints include:

4.1 Infractions Complaint

A citizen's complaint against a fellow citizen because he or she feels a Village ordinance is being violated.

4.2 Non-Infractions Complaint

A complaint against the Village as the result of a policy or ordinance deemed unfair. Can also be a complaint against the Village because of what a citizen feels is inaction or an inappropriate response to a situation.

4.3 Misconduct Complaint

A complaint filled out by a citizen against a Village employee or an elected official. Can also be a complaint filled out by a Village employee against another employee, a citizen or an elected official.

5.0 FILING A COMPLAINT:

It is necessary for citizen complainants to fill out a Complaint Form which can be provided by any Village staff member. Complaints will be considered hearsay if a formal complaint form is not completed and signed. Unsubstantiated complaints such as anonymous phone calls or e-mails will warrant no action by the Administrator, Village Board or staff. The form must include a description of the complaint and be signed and dated by the individual filing the complaint. An exception to this rule would be if an appointed member of the Plan Commission or elected member of the Village Board contacts Village Staff regarding an "Infractions Complaint", only. The Village Administrator or his or her designee must also sign and date the complaint form. A copy of the completed complaint form will be mailed to the complainant and copies will be made for the Village Board for their information. The original completed complaint form will be filed at Village Hall.

6.0 COMPLAINT RESPONSE PROCESS:

All complaint forms filled out will be turned over to the Village Administrator who will determine the validity of the complaint. Once determined a valid complaint, the Village Administrator, or his or her designee, will communicate to the complainant, in a reasonable amount of time, the course of action. The person following up on the complaint and the date of follow-up, when that occurs, should also be noted on the complaint form. Matters not found to be substantiated by Village Code or employee handbook will be dismissed without action. Complainants will be notified of the Village's decision not to pursue a complaint and the reason via mailed letter.

6.1 Infractions Complaint

For complaints involving municipal infractions, the Village Administrator will review the complaint and complaint form. Complaints will be investigated for validity and resolution. Appointed members of the Plan Commission and elected members of the Village Board are not required to file a Complaint Form for Infractions Complaints, but it is expected that Village Staff will create the record internally for transparency purposes. If the complaint is found valid the following processes will be followed:

- 6.11 If this is the first complaint received, an abatement notice will be sent via certified mail to the offender specifying the complaint and action required to be in compliance with the Ordinances or Policies of the Village of Richfield. If the notice returns uncertified it will be hand delivered by a Law Enforcement Officer. Notices will also include a reasonable time frame for abatement. The notice shall cite the ordinance and consequences of noncompliance.
- 6.12 In the event that the abatement has not occurred in the time frame allowed or in the event of a second complaint, after the first abatement period has

expired, a first offense citation may be issued. The appropriate municipal infraction citations may be issued for each occurrence thereafter as allowed. Each violation and each day a violation continues or occurs shall constitute a separate offense per Chapter 1 of the Village Code Section 1-3(3)(b).

6.13 Should citations be issued per Village Code, the citations will proceed pursuant to applicable laws.

6.2 Non-Infractions Complaint

Steps will be taken on non-violation issues to be resolved by the appropriate body, preferably by Village staff. Example: matters involving street repairs will be reviewed by the Administrator and the Public Works/Parks Superintendant. If not resolved, the matter will be directed to the Administrative Review Appeals Board, provided the matter falls under such jurisdiction as described in Section 11-3 (B) of the Village Code, in the event further administrative review is required, and the Village Board will be kept apprised of issues in progress.

6.3 Misconduct Complaint

If the complaint is about a specific employee, the complaint will first be forwarded to the Village Administrator and the employee's direct supervisor. If the complaint is about a department head, the complaint will be forwarded to the Administrator who will make the determination as to how the complaint handling will proceed.

6.31 If legal counsel is required, the Administrator will consult the Village Attorney.

6.32 If a closed session is required, the Administrator may call a special meeting with the Board upon request of the employee.

6.33 If disciplinary action is required, the disciplinary procedures laid out in the employee handbook will be followed.

6.34 If the complaint is about a Board member, the complaint will be forwarded to the Administrator who will determine how to proceed. If legal counsel is required, the Administrator will contact the Village Attorney.

6.35 If the complaint is about the Administrator, the complaint will be forwarded to the Board President who will determine how to proceed. If legal counsel is required, the Board President will contact the Village Attorney.

7 RESERVATION OF RIGHTS.

This complaint policy is intended to create orderly guidelines for processing various routine complaint issues. The Village reserves the right to proceed differently than described in this policy if the Village Administrator or Village Board find different action is appropriate. Among the possible alternative actions, without limitation, may be to skip the abatement notice as described in Section 1.4(F) and issue immediate citations; refer matters to other jurisdictions, such as to the Washington County District Attorney; proceed with statutory hearings, such as regarding police disciplinary proceedings; summary abatement of violations; Circuit Court litigation; taking no action, for example upon finding the parties have adequate private remedies; and other possible actions or inactions as the Village Administrator or Village Board may determine.

8 CONFLICTS.

Where this policy conflicts with applicable federal, State or Village laws, codes, ordinances or other lawful regulations, such applicable laws shall control.

Amended on
2014.2.20
2021.6.17



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Village of Richfield Complaint Form

Please complete the following information so that the Village can investigate your complaint.

Name: _____ Date: _____

Address: _____ Phone number: _____

If requested, will you attend a Village Board meeting to explain your complaint? Yes ___ No ___

If no, please explain why: _____

Nature of complaint: (include the date, time, place, and facts of your complaint)

Explain how you feel the complaint should be resolved:

Should a citation be issued, you may be required to testify to the above complaint in a court of law. Do you agree to so testify? Yes ___ No ___

Signature _____ Date: _____

All complaints must be signed and dated to be considered valid.

Village Hall Office Use Only

Received by: _____ Date: _____

Copied to: _____ Date: _____

Administrator's signature: _____ Date: _____

Follow up completed by: _____ Date: _____

Comments: _____
