

**ICMA Code of Ethics:
Rules of Procedure for Enforcement
Adopted by the ICMA Executive Board and Revised in May 2026**

I. General

- A. These Rules of Procedure for Enforcement (Rules) govern the process for enforcing the ICMA Code of Ethics (Code) as the ICMA membership has adopted. The Rules serve to advance ICMA's long-standing commitment to ethical and accountable local government by reviewing ethics complaints submitted to ICMA that allege member conduct that has violated the Code.

The purpose of these Rules is to:

1. Provide a reasonable process for determining the facts regarding whether a member's conduct has violated the Code;
 2. Afford each member who is the subject of a review (the "respondent") a reasonable and appropriate process; and
 3. Protect the respondent's right to confidentiality from the complaint being in the public domain recognizing how the complaint's allegations may impact the member, the organization's governing body, employees, and community.
- B. All members of ICMA agree to abide by the Code and to participate in the enforcement process should ICMA receive an ethics complaint that alleges a member's conduct may have violated the Code. This peer-review process presumes members conduct themselves ethically unless the facts prove otherwise. Members should cooperate throughout the ethics review process if ICMA receives a complaint or if a member has knowledge relevant to a complaint.
- C. ICMA will indemnify and hold harmless anyone connected with the ethics review process who is subject to legal liability when acting within the scope of the Rules.
- D. The ethics review process will not be used for any inappropriate purpose, e.g., submitting or threatening an ethics complaint for personal, financial, reputational, or professional gain or filing a knowingly meritless complaint.
- E. Harassment, retaliation, or threat of retaliation against any individual connected with the ethics review process will not be tolerated. ICMA reserves the right to engage law enforcement or pursue legal recourse as appropriate or reject a received complaint.
- F. ICMA membership intends for these Rules to be implemented carefully but expeditiously to minimize the time in complaint resolution. Time limits stated in these Rules are binding. The respondent may request an extension of the stated time limits from the Committee on Professional Conduct (CPC) or the executive director/CEO by providing a reasonable cause for the request.
- G. No person may participate in any proceedings on a complaint brought under these Rules if that person is, or may be, a witness or complainant in that case, or if his/her participation would otherwise create a conflict of interest or the appearance of one. The executive director/CEO may select a replacement

for any person, except for a member of the ICMA Executive Board (Board), who is unable to participate in the case for this reason.

H. Days as stated in these Rules shall refer to calendar days, not business days.

II. Jurisdiction

- A. All ICMA members employed in local government are subject to the entire Code and may be sanctioned for any violations which occur during their membership. This employment includes interim, part-time, or full-time service, as well as Senior Advisors since they support ICMA's members.
- B. Members who are not employed in local government are subject only to Tenets 1 and 3 of the Code.
- C. Elected officials are not subject to Tenet 7 of the Code.
- D. A member may be sanctioned for a violation which continues while he/she is a member although the conduct in question originated prior to his/her admission to membership.
- E. If a complaint is made against a person who was a member at the time the alleged violation occurred, but who is not a member at the time the complaint is made, the complaint will be processed under these Rules only if the former member agrees in writing. In no event shall a person be readmitted to membership if there is an outstanding and unresolved complaint against him/her for conduct while formerly a member.
- F. The CPC shall retain jurisdiction over a review of a respondent's conduct who resigns from ICMA or otherwise allows his/her membership in ICMA to lapse before the conclusion of ICMA's review.
- G. Member conduct that is alleged to have occurred more than five (5) years ago will not be processed under these Rules except when there is an allegation the member concealed the conduct in the ethics complaint.
- H. ICMA has no jurisdiction to review the conduct of individuals who are not ICMA members.

III. Responsibilities

- A. The Board is responsible for making the final decision on matters pertaining to enforcement of the Code, including, but not limited to, sanctions for member conduct determined to have violated the Code. No current or former member may be publicly censured, suspended, expelled or permanently barred from membership, or have his/her credential revoked without the Board's approval.
- B. The CPC, a standing committee of the Board, is responsible for assisting the Board in implementing these Rules and has the following specific duties.
 - 1. The CPC shall consist of three or more members of the Board who the ICMA president selects.
 - 2. CPC members shall serve for terms of at least one (1) year or until the president chooses their successors.
- C. A state or country association (association) may have members of ICMA within a state or country. The

association president is responsible for appointing a fact-finding committee of ICMA members at the CPC's request.

1. A fact-finding committee is an ad hoc committee of ICMA and is responsible for conducting the review of a complaint by gathering the facts of the matter only at the CPC's direction in accordance with these Rules. A fact-finding committee does not determine whether the respondent's conduct has violated the Code. Members of a fact-finding committee shall serve until the conclusion of the review they are appointed to conduct, or until such later date as the association may request.
- D. The executive director/CEO shall assist the Board and the CPC in enforcing the Code and implementing these Rules. It is the responsibility of the executive director/CEO to publicize the existence and importance of the Code with elected officials and the public.
1. The executive director/CEO may confidentially advise members on the ethical implications of their conduct under the Code; however, the opinion or advice of the executive director/CEO shall not be binding on the Board, the CPC, or any fact-finding committee.
 2. The executive director/CEO may designate an ICMA staff member to implement any responsibilities assigned to the executive director/CEO under these Rules.

IV. Sanctions

- A. The ethics decision is based on the facts of a particular complaint, with sanctions imposed in accordance with these Rules for respondents whose conduct is found to have violated the Code.
- B. In determining the sanction, the following factors regarding the conduct may be considered: the nature, willfulness, and self-reflection; the same respondent's prior violations; advice given to the respondent from ICMA or other professional mentors; the respondent's level of professional or public responsibility; the effects on public trust for the organization, community, and profession; and any other factors which bear upon the seriousness of the conduct.
- C. The following sanctions may be imposed separately or in combination at the conclusion of a review and/or hearing under these Rules:
1. **Private Censure.** A letter to the respondent, complainant(s), and, as applicable, the association president and fact-finding committee members, indicating the respondent's conduct has been determined to have violated the Code, and that, if the conduct is repeated in the future, it may be cause for more serious sanctions. If the complainant is a non-member, they shall be notified the complaint was considered and resolved, and that ICMA took no public action on it.
 2. **Public Censure.** Notification to the respondent, complainant(s), membership, association president, and fact-finding committee members, as applicable, appropriate local governing bodies, and media, indicating a respondent's conduct violated the Code and the nature of the sanction(s) imposed. The following sanctions may also accompany a public censure:
 - a. **Membership Suspension.** A suspension of membership, and all related benefits, for up to five (5) years. Adherence to the Code is a condition of serving a membership suspension.

- b. **Expulsion or Permanent Membership Bar.** A revocation of the respondent's membership privileges where the respondent is a current member, or a permanent bar on reinstatement of the respondent's membership in ICMA where the respondent's membership has lapsed or otherwise ended.
 - c. **ICMA Credential Revocation.** A revocation of the respondent's ICMA Credentialed Manager or Credentialed Candidate designation.
- D. When no ethics complaint has been submitted, upon receiving documentation that a member has been found guilty after trial by a judge or a jury of criminal conduct that occurred while the person was a member of ICMA and which constitutes a violation of the Code, the executive director/CEO shall provide a timely notice of membership suspension to that person by personal email or letter with delivery confirmation service. That person's membership shall then be suspended as of the date of that notice. The executive director/CEO shall advise the CPC of such action and refer the matter to the CPC.

The CPC may commence a review, or it may defer proceedings until the person has exhausted all judicial appeals or the time for a judicial appeal has expired. The suspension shall continue in effect until such time as sanctions provided under Part IV.C are imposed, or the case is dismissed, in accordance with these Rules.

V. Initiation of Procedures

- A. The executive director/CEO may initiate proceedings against a member for an alleged violation of the Code upon receipt of a complete written complaint. Documentation that supports the allegation that a member's conduct may have violated the Code must accompany the complaint. The written complaint must be submitted electronically, signed, and include current contact information for the submitter.

The following are eligible to submit a complaint:

1. Current member(s);
 2. Current state/country member(s); or
 3. An individual who is not a member and possesses first-hand knowledge of the alleged conduct, e.g. the member's employee(s) or a representative(s) of the member's governing body.
- B. The complainant may choose to go on record as the individual that filed the complaint or have his/her identity withheld. The complainant's decision on this matter does not affect the ethics review process. ICMA will attempt to honor the complainant's request for anonymity although ICMA cannot guarantee confidentiality and will disclose identity if it is legally compelled to do so or if the CPC determines it is needed to reach an informed result to advance the thoughtful consideration of the complaint.
 - C. A complainant must attest to the authenticity and accuracy of the ethics allegations. For members, the attestation means that falsification or filing false claims maliciously runs contrary to the Code's commitment to honesty and integrity and may result in an ethics violation.

- D. The respondent's right to confidentiality means the complainant, CPC and Board members, the association president or fact-finding committee members, as applicable, or others who may be aware of the complaint shall not discuss or divulge information with anyone about pending or completed ethics cases, except when the Board has determined public censure is the appropriate sanction. If the respondent does not have the benefit of confidentiality, the CPC may not process the complaint.
- E. Upon receiving a written complaint, the executive director/CEO must ascertain first whether it is sufficiently clear and complete to initiate proceedings, and second, whether it alleges conduct that, if proven true, may be a violation of the Code. If the executive director/CEO concludes the complaint is not sufficiently clear or complete to initiate proceedings, he/she shall seek further clarification from the complainant before taking any further action. If the complainant opts not to clarify or if he/she fails to meet the Rules criteria to initiate a review, the CPC will take no action on the complaint.
1. If the executive director/CEO cannot determine whether the conduct alleged, if proven true, might violate the Code, he/she shall ask the CPC for a determination. No further action shall be taken on the complaint unless the CPC finds that the conduct alleged, if proven true, may violate the Code. The respondent shall be notified of this complaint and the CPC's decision that there will be no further review of the matter.
 2. If the executive director/CEO concludes the complaint is sufficiently clear and complete to initiate proceedings, and the conduct, if proven true, may violate the Code, a copy of the complaint and documentation submitted to substantiate the complaint shall be sent by personal email or letter with delivery confirmation service to the respondent. The respondent shall be informed at that time the tenets of the Code his/her conduct is alleged to have violated with specific questions pertaining to the alleged violation for the respondent to provide in a written response to the CPC.
 3. The respondent shall have thirty (30) days to provide a written response to the complaint, answer specific questions asked in the executive director/CEO's letter, and provide any further information or material the respondent considers relevant to the allegations.
 4. Once the respondent's written response is received, the executive director/CEO shall refer the case to the CPC for proceedings in accordance with these Rules.

VI. Reviews

- A. Upon receiving a complaint alleging conduct that violated the Code from the executive director/CEO, the CPC shall review the allegations. No further review is required if:
1. The respondent admits to the violation in his/her written response;
 2. The respondent admits to conduct outlined in the allegation that constitutes a potential violation of the Code; or
 3. The respondent has already entered a guilty plea, or has been found guilty and has exhausted all judicial appeals, in a criminal case involving the same conduct.

- B. Only when a review requires gathering additional facts, the executive director/CEO, at the CPC's request, shall ask the association president for the state/country in which the violation is alleged to have occurred to appoint a fact-finding committee to conduct the review. If the violation is alleged to have occurred in more than one state/country, at least one member of the fact-finding committee shall be from the state/country involved. In the event there is no active association, the CPC shall appoint a fact-finding committee from one or more state(s)/countries for this purpose.
1. The fact-finding committee shall consist of not less than three (3) ICMA members. Since a review remains confidential, only an ICMA member may serve on the fact-finding committee.
 2. The association president shall appoint a fact-finding committee within fifteen (15) days of receipt of the executive director/CEO's letter or request an extension from the executive director/CEO for a reasonable cause.
 3. The executive director/CEO shall assist the fact-finding committee in understanding its roles and responsibilities. The fact-finding committee shall afford the respondent an opportunity to meet with the committee (in person or online) and may, at its discretion, do so for the complainant or others only if confidentiality can be assured. The respondent may be accompanied by a representative or may opt for a representative to participate in the meeting with the fact-finding committee on his/her behalf. The expenses of the respondent in connection with any meeting will be borne by the respondent.
 4. The fact-finding committee shall prepare and maintain notes from all meetings and may request any such person interviewed to sign a statement prepared based on those notes.
 5. The fact-finding committee shall take all reasonable steps to ascertain the facts relevant to the case, including, but not limited to, interviews with witnesses, review of the respondent's submission(s), and examination of all documentation in the public domain judged to be relevant and reliable.
 6. Within sixty (60) days of the fact-finding committee's appointment, or later if CPC or the executive director/CEO approves an extension request, the fact-finding committee shall provide its written report summarizing the committee's findings of fact to the executive director/CEO. Reliable and relevant documentation must support each finding that was made available to the respondent for review. Only the CPC and/or Board will determine if a sanction for violating the Code is appropriate.
 7. The respondent will receive a copy of the fact-finding committee report that contains notes, statements, and any other documentation gathered in the course of the review and have 15 days to provide written comments on it to the CPC.

VII. Decisions

- A. The CPC shall promptly review all case materials, including the fact-finding committee's summary report, if applicable, and shall ascertain the facts as supported by sufficient, reliable, and relevant documentation.
 1. If the CPC determines there are insufficient facts and documentation to reach a decision, the CPC

may either (a) dismiss the case; or (b) return it to the fact-finding committee for further review in accordance with these Rules.

2. If the CPC determines there are sufficient facts and documentation to reach a decision, the CPC shall determine whether the respondent's conduct violated the Code.
3. If the respondent's conduct did not violate the Code, the CPC shall close the case and advise the respondent, complainant(s), and, if applicable, the association president and fact-finding committee members. The CPC's decision is final.
4. If the CPC concludes a respondent's conduct violated the Code based on the facts made available during the review, the CPC shall determine the appropriate sanction(s) of private censure or preliminary recommendation for public censure. The CPC shall then notify the respondent of its decision and provide the reasons for its determination to the respondent.

The respondent shall have fifteen (15) days of receipt of the CPC's notification letter in which to:

- a. Request in writing the CPC reconsider its decision based on new and clarifying information the CPC had not considered or was not made available to the CPC; and/or
Appeal the decision of private censure to the Board; or
Request a hearing before the CPC when the CPC has made a preliminary recommendation for public censure.
 - b. The respondent may provide a written narrative within those fifteen (15) days along with his/her written request. If the respondent requests the CPC reconsider its decision of private censure or recommendation for preliminary public censure, the respondent shall include with his/her request a written narrative sharing the new and clarifying information the CPC had not considered or was not made available to the CPC.
 - c. When the CPC makes a preliminary recommendation of public censure and the respondent requests the CPC reconsider its recommendation, the respondent shall have the opportunity to request to meet with the CPC. The respondent must notify the CPC of his/her election to meet with the CPC in his/her written request for reconsideration.
 - d. The respondent may be accompanied by a representative or may opt for a representative to participate in the meeting with the CPC on his/her behalf. The expenses of the respondent in connection with any meeting will be borne by the respondent.
 - e. The CPC shall review the respondent's written submission and information presented in the respondent's meeting with the CPC. Upon review, the CPC may sustain or revise its decision or recommendation for public censure. The CPC shall promptly notify the respondent of its decision.
5. Within fifteen (15) days, if the respondent does not submit a written request for:
 - a. The CPC to reconsider its decision of private censure or preliminary recommendation for public censure; or
A hearing before the CPC when the decision is a preliminary recommendation for public

censure; and/or

Appeal the decision of private censure to the Board, the CPC shall implement the procedures described in Sections B. and C., below, and the appropriate notifications as outlined in Section VII., B. The CPC's decision is final.

6. If the respondent only provides a written submission to the CPC, the CPC shall review the submission and may either adopt, or revise and adopt as amended, the proposed findings and/or sanction(s), as it deems appropriate. The executive director/CEO shall promptly notify the respondent.
 7. If the respondent requests an appeal hearing for a private censure before the Board, the CPC shall refer the case, including its recommended sanction(s), for a hearing before the Board. Hearings shall be conducted in accordance with Section VIII of these Rules. No sanction(s) shall be imposed before the Board's hearing is concluded.
- B. Upon the CPC's determination that a private censure is the appropriate sanction, and the respondent has not requested the CPC's reconsideration or an appeal hearing before the Board within fifteen (15) days, the executive director/CEO shall notify the complainant(s), the association president, and the fact-finding committee members, if applicable, of the outcome. The CPC's decision is final, and the case shall then be closed.
 - C. A private censure remains a confidential matter; No other notification of a private censure shall be made; however, ICMA may publish the fact that certain respondent's conduct has resulted in the issuance of private censures with no names or identifying details disclosed.
 - D. If the respondent has not requested reconsideration and/or a hearing before the CPC when the CPC makes a preliminary recommendation that a public censure, with or without the additional sanctions of suspension, expulsion, or permanent membership bar, and/or Credential revocation, is appropriate, the CPC shall refer the case, for a hearing before the Board. Hearings shall be conducted in accordance with Section VIII of these Rules.

No sanction(s) shall be imposed before the Board's hearing is concluded. The Board may vote to adopt the CPC's recommended decision, amend said decision, or dismiss the case without imposing sanctions. The respondent shall be promptly notified of the Board's decision and the sanction, if any, shall be implemented.

VIII. Hearings

- A. These procedures shall govern all hearings conducted pursuant to these Rules.
- B. No CPC and/or Board member may hear any case if his/her participation would create an actual conflict of interest or the appearance of one.
- C. Within ten (10) days of receiving a request for a hearing, the executive director/CEO shall notify the respondent by personal email or letter with delivery confirmation service that a hearing has been scheduled. The hearing date shall be at least fifteen (15) days after the date the notice is electronically delivered or postmarked. The notice shall also state the respondent has the following rights:

1. To appear in-person or online at the hearing;
 2. To be accompanied and represented at the hearing by an attorney or other representative;
 3. To review all available documentation in advance of the hearing;
 4. To cross-examine any complainant who testifies during the hearing; and
 5. To submit documentation, and present statements, including the respondent's, in his/her defense at the hearing.
- D. The CPC and/or the Board shall not be bound by any legal rules of evidence but may accord appropriate weight to the documentation based on its relevance and reliability.
1. The fact-finding committee's report shall be admissible documentation at the hearing.
 2. The CPC and/or the Board may not hear documentation of any respondent's alleged ethics violation that was not the subject of the review.
- E. Any hearing conducted under these Rules shall occur in executive session of the CPC and/or the Board and either party is prohibited from recording the proceedings. The expenses of each party in connection with any hearing will be borne by that party.
- F. The CPC shall first present facts and documentation in support of its recommendation with the following factors of the conduct considered in its decision: the nature, willfulness, and self-reflection; the same respondent's prior violations; advice given to the respondent from ICMA or other professional mentors; the respondent's level of professional or public responsibility; the effects on public trust for the organization, community, and profession; and any other factors which bear upon the seriousness of the conduct.
- G. Upon conclusion of the CPC's presentation, the respondent shall have the opportunity to present documentation in his/her defense for up to twenty (20) minutes.
- H. When an appeal is made to the Board, the Board's decision may be to:
- Dismiss the case;
 - Adopt the findings and sanction(s) the CPC recommended; or
 - Amend and adopt as amended, the findings and/or sanction(s) the CPC recommended. The Board may not increase the sanction(s) the CPC recommended unless new documentation, not previously made available to the CPC, is disclosed at the appeal hearing, which indicates the respondent's violation was more serious. No sanction may be imposed for any violation of which the respondent had no prior notice.
1. Within five (5) days of the hearing's conclusion, the CPC and/or the Board shall render a final recommendation and/or determination in the case.
 2. Notifications shall be provided in writing and include a statement of the reasons for the decision.

Only documentation that was made available to the Board may be considered as a basis for the decision.

3. The executive director/CEO shall promptly send notification of the written decision by personal email or letter with delivery confirmation service to the respondent, complainant(s), membership, association president, and fact-finding committee members, as applicable, appropriate local governing bodies, and media, indicating a respondent's conduct violated the Code and the nature of sanction(s) imposed. The executive director/CEO shall implement the sanction(s) the Board imposed in accordance with the Rules.