



APPROVED BY COUNCIL 4/13/ 2020

## CITIZEN COMPLAINT POLICY & PROCESS

The purpose of this policy is to provide guidance and information for the citizens, Mayor and Council, and City staff, of Durant, Iowa, for filing, investigating, acting on, and processing city complaints.

This policy is applicable to all citizen complaints filed with the City of Durant. These complaints may consist of violations of City Code, services provided by the City, and any other complaints a resident believes the City should be aware of or involved in.

The City of Durant, Mayor and Council, would like to be informed about concerns of the public, to help continue to provide quality services and good public relations. It is the policy of the City of Durant to receive, investigate, and resolve complaints. Due to the varying nature and complexity of complaints, a set time of resolution cannot be provided in all cases. However, city staff shall notify the complainant within three (3) working days that the complaint was received, and who or what department will be investigating the complaint.

Upon receipt of the complaint city staff shall time stamp and date and complaint form, and the person assigned to investigate it will attach the results of the investigation and what the action may be taken. The staff member shall communicate with the complainant in a timely matter the course of action or of the City's decision not to pursue the complaint and the reason.

Once the city staff receives a complaint, and determines it is valid by investigation, the complainant will need to complete the form, sign and date. Complaints will be unsubstantiated if a formal complaint form is not completed and signed. Unsubstantiated complaints warrant no action by Mayor, Council, or staff. Under Iowa Code 22.7 the complainant name and address will be kept confidential and not released pursuant to Iowa Code 22.7 (18). Information contained in the communication is a public record to the extent that it can be disclosed without directly or indirectly indicating the identity of the complainant or enabling others to ascertain the identity of the person.

Definition of a Complaint: to save time and resources, it is important to recognize the difference between a complaint and a suggestion, observation, question, neighbor dispute, or simply a call pointing out a safety issue or safety hazard. The city staff member or elected official fielding the complaint will need to determine a complaint exists. Examples include:

- 1.) Infraction Complaint: a citizens complaint against a fellow citizen because he or she feels a city ordinance is being violated.
- 2.) Non-Infraction Complaint: A complaint against the City as the result of a policy or ordinance deemed unfair; OR complaint against the City because of what a citizen feels in inaction or an inappropriate response to a situation.
- 3.) Misconduct Complaint: a complaint filed by a citizen against a city elected official or city employee; or complaint filed by a city employee against another employee, citizen, or elected official.
- 4.) Illegal Activity or Unlawful Act: a complaint alleging there was an illegal activity or unlawful event.

### CITIZEN COMPLAINT FORM

Please complete the following information so that the City can investigate your complaint. Please print clearly.

Name: \_\_\_\_\_ Date \_\_\_\_\_

Address: \_\_\_\_\_  
Street Address/P.O.Box City State Zip

Phone Number: \_\_\_\_\_  
Home# Cell#

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

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Explain how you feel the complaint should be resolved:

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- 1.) Would you like to opt out of making this complaint an open public record? YES NO  
(Depending on the circumstances, if YES is circled City may not be able to take action on the complaint).
- 2.) By attending the council meeting the communication at the council meeting concerning this complaint is public record, including the identity of the complainant. If requested, will you attend a council meeting to explain your complaint? YES NO
- 3.) Should a citation be issued you may be required to testify to the above complaint in a Court of Law. Do you agree to testify? YES NO  
If No is circled, the City may not be able to take action on your complaint.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**ALL COMPLAINTS MUST SIGNED AND DATED TO BE CONSIDERED VALID  
\*SHOULD THIS COMPLAINT BE DETERMINED TO FALL UNDER LAW  
ENFORCEMENT, THE DURANT POLICE DEPARTMENT AND/OR OTHER LAW  
ENFORCEMENT DEPARTMENTS SHALL HANDLE THE PROCEDURES FOR THE  
COMPLAINT. \*  
\*\*ANY COMPLAINTS FOUND TO BE INTENTIONALLY FALSE MAY BE SUBJECT  
TO CRIMINAL CHARGES OR CIVIL LAWSUIT\*\***

CITY HALL OFFICE ONLY

Complaint No.: \_\_\_\_\_

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

Copies to: \_\_\_\_\_

Date: \_\_\_\_\_

Dept.: Name complaint referred to: \_\_\_\_\_ Date: \_\_\_\_\_

RESULTS of INVESTIGATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Signature of Staff

\_\_\_\_\_

Printed Name of Staff

Date & Time Complainant was contacted: \_\_\_ / \_\_\_ / \_\_\_\_\_ Time: \_\_\_ : \_\_\_ a.m. or p.m.

And by means of: Face to Face \_\_\_ Phone \_\_\_ Email \_\_\_ Other \_\_\_\_\_