FORT WRIGHT
ESTABLISHED 1941
KENTUCKY

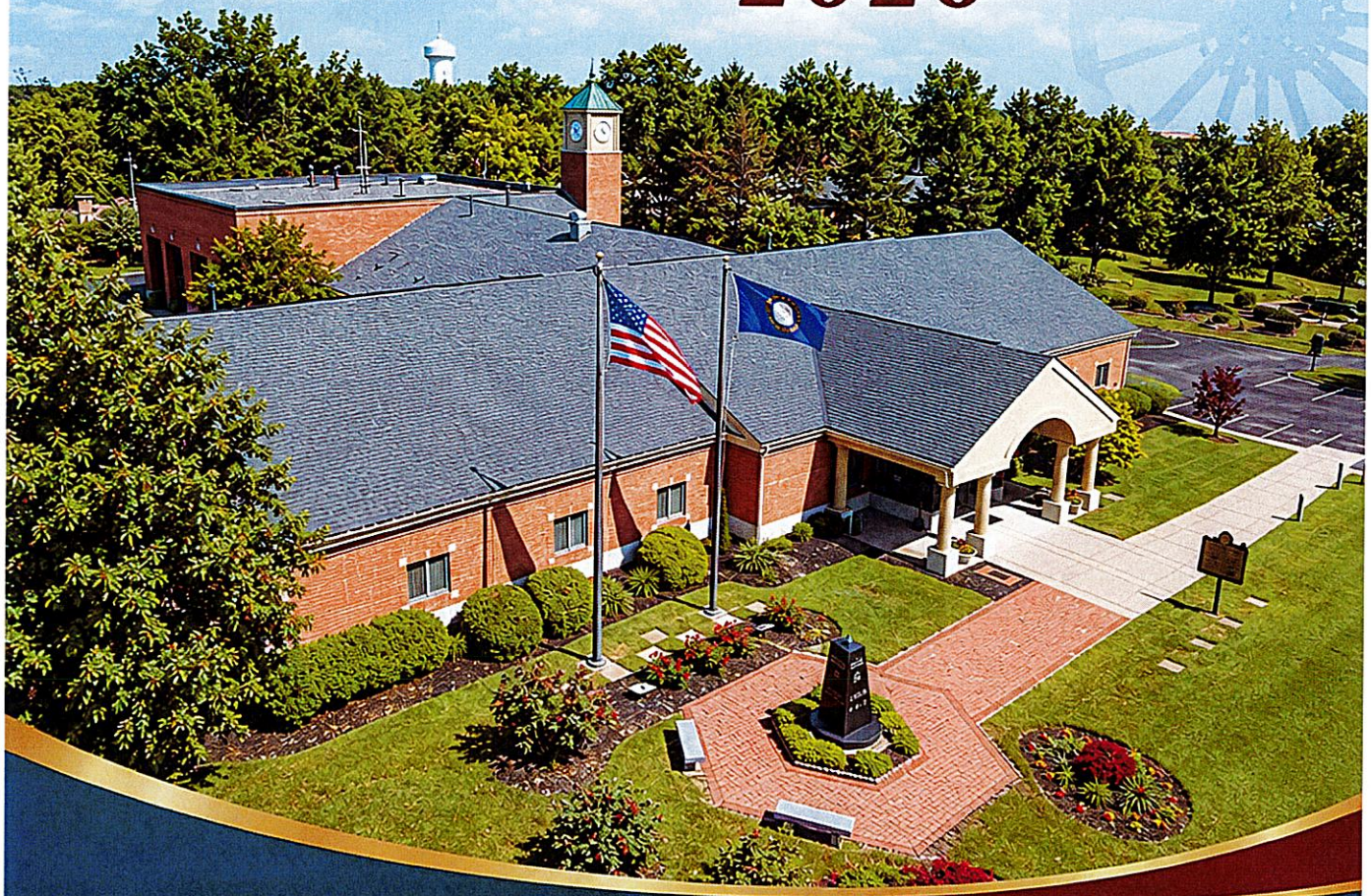
CITY OF

FORT WRIGHT

KENTUCKY

ANNUAL ETHICS REPORT

2026



INTEGRITY | ACCOUNTABILITY | TRUST | SERVICE

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Meet the Board



Tim Theissen – Chairman of the Board
Term of Office Expires – September 3, 2027



Adam Feinauer, Board Member
Term of Office Expires – September 3, 2027



Joseph Nienaber, JR – Board Member
Term of Office Expires – September 3, 2028



Katie Baker, Alternate Board Member
Term of Office Expires – September 3, 2028

The Board of Ethics also has a vacant Alternate Board Member position available and is currently seeking qualified candidates to serve. The Term of Office Expires – September 3, 2028.

Meet the Staff



Jill Cain Bailey, CAO
City of Fort Wright



Kerrie Holland, City Clerk
City of Fort Wright



Greg D. Voss, Board Appointed Attorney
Fort Wright Board of Ethics

Fort Wright Ethics Ordinance

ORDINANCE 09 - 2024

AN ORDINANCE OF THE CITY OF FORT WRIGHT, IN KENTON COUNTY, KENTUCKY, ESTABLISHING A CODE OF ETHICAL CONDUCT APPLICABLE TO THE OFFICERS AND EMPLOYEES OF THE CITY AND CITY AGENCIES.

WHEREAS, the General Assembly of the Commonwealth of Kentucky has enacted legislation requiring the City to enact and enforce a Code of Ethics governing the conduct of City Officers and Employees; and

WHEREAS, the Officials of this City are committed to the operation of an open and transparent City government manifesting the highest moral and ethical standards by its Officers and Employees and complying with all requirements of the Commonwealth's Local Government Ethics Law; and

WHEREAS, all prior Codes of Ethical Conduct previously adopted by the City (including but not limited to Ordinance No. 498-94, as amended by Ordinance No. 545-1997) are hereby repealed in their entirety.

NOW, THEREFORE, be it ordained by the legislative body of the City of Fort Wright, Kentucky:

SECTION 1. Title

This Ordinance shall be known and may be cited as the "City of Fort Wright, Kentucky Code of Ethics."

SECTION 2. Findings

The legislative body of the City of Fort Wright finds and declares that:

A. Public office and employment by the City are public trusts.

B. The vitality, stability and longevity of the government of this City depends upon the public's confidence in the honesty and integrity of its elected and appointed officers and employees. Whenever the public perceives a conflict between the private interests and public duties of a City Officer or Employee, that confidence is compromised.

C. The government of this City has a duty to provide its citizens with standards by which they may determine whether public duties are being faithfully performed, and to make its Officers and Employees aware of the standards in this Code of Ethics.

SECTION 3. Purpose and Authority

A. It is the purpose of this ordinance to provide assurance that standards of ethical conduct and financial disclosure requirements for Officers and Employees of the City shall be clearly established, uniform in their application, and enforceable. This Ordinance also provides the Officers and Employees of the City with advice and information concerning potential conflicts of interest which might arise in the conduct of their public duties.

B. It is the further purpose of this Ordinance to meet the requirements of KRS 65.003.

C. This Ordinance is enacted under the power vested in the City by KRS 82.082 and pursuant to the requirements of KRS 65.003.

SECTION 4. Definitions

As used in this Ordinance unless the context clearly requires a different meaning:

A. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.

B. "Candidate" means any individual who seeks appointment, nomination, or election to a City Office. An individual is a Candidate when the individual files a notification and declaration for nomination for Office with the County Clerk or the Secretary of State, nominated for Office by a political party, or files a declaration of intent to be a Write-In Candidate with the County Clerk or Secretary of State.

C. "City" refers to the City of Fort Wright, Kentucky.

D. "City Agency" means any board, commission, authority, non-stock corporation, or other entity created, either individually or jointly by this City.

E. "City Business" means any discussion of specific City issues that goes beyond general information.

F. "Confidential Information" means information obtained in the course of holding Public Office or employment, or as a contractor to the City which is not available to members of the Public and which the Officer or Employee is not authorized to disclose except to designated individuals or bodies, including written and non-written information. When such information is also available through channels open to the Public, Officers and Employees are not prohibited from disclosing the availability of those channels.

G. "Consultant" means an independent contractor, professional person, or entity engaged by the City or advising a City Officer, and in a position to influence a City decision or action or having access to confidential information.

H. "Domestic Partner" is an adult, unrelated by blood, with whom an unmarried or separated Officer or Employee has an exclusive committed relationship, maintains a mutual residence, and shares basic living expenses.

I. "Employee" means any person, whether full-time, part-time, seasonal, or temporary, whether paid or unpaid, who is employed or provides service to the City. The term "employee" shall not include any contractor, subcontractor, or any of their employees.

J. "Board of Ethics" means the City of Fort Wright Board of Ethics which is created and vested by this Ordinance with the responsibility of enforcing the requirements of the City's Code of Ethics.

K. "Family Member" means a spouse, domestic partner, and, whether by blood, adoption, marriage, guardianship, or domestic partnership, the parent, child, brother, sister, grandparent, or grandchild.

L. "Immediate Family Member" means a Spouse, Domestic Partner, and, whether by blood, adoption, marriage, guardianship, or domestic partnership, a Child who is not emancipated and who resides in the Officer's or Employee's household, a person claimed by the Officer or Employee, or the Officer's or Employee's Spouse or Domestic Partner, as a dependent for tax purposes.

M. "Financial Benefit" includes any money, service, license, permit, contract, authorization, loan, discount, travel, entertainment, hospitality, gratuity, any promise of any of these, or anything else of value. This term does not include legal campaign contributions.

N. "Financial Interest" is a relationship to something where a direct or indirect financial benefit has been, will be, or might be received, as a result of the relationship.

O. "Household" includes anyone whose primary residence is in the Officer's or Employee's home, including non-relatives who are not paying rent, or Staff.

P. "Officer" means any person, whether full-time or part-time, whether paid or unpaid, who is one of the following:

1. Mayor;

2. Council Member;

3. City Administrator;

4. City Clerk;

5. Finance Clerk;

6. Police Chief;

7. Fire Chief;

8. Public Works Director;

9. Any other person that occupies a non-elected office created pursuant to KRS 83A.080; and

10. A member of the governing body of any City Agency who has been appointed to that Agency by the City.

Q. "Official Act" means any legislative, administrative, appointive, or discretionary act of any Public Official or Employee of the City or any Agency, Board, Committee, or Commission thereof.

R. "Personal Benefit" includes benefits other than those that are directly financially advantageous. These include financial benefits to immediate family members, business associates, as well as non-financial benefits to these people and to oneself, including such things as reputation and the success of one's career.

S. "Personal Interest" means a relationship to something where a personal benefit has been, will be, or might be obtained by certain action or inaction with respect to it.

T. "Social Media" is understood to be content created by individuals using the internet. Examples of social media include Facebook, Instagram, YouTube, Twitter/X, LinkedIn, Snapchat, Reddit, and blogs.

U. "Subordinate" means another Official or Employee over whose activities an Official or Employee has direction, supervision, or control.

V. "Transaction" means any matter, including but not limited to contracts, work, business with the City, the sale or purchase of real estate by the City, and any request for zoning amendments, variances, or special permits pending before the City, upon which a Public Officer or Employee performs an official act or action.

STANDARDS OF CONDUCT

SECTION 5. Conflicts of Interest in General

Every Officer and Employee of the City and every City Agency shall comply with the following standards of conduct:

A. No Officer, Employee, or any immediate family member of any Officer or Employee, shall have an interest in a business or engage in any business, transaction, or activity which is in substantial conflict with the proper discharge of the Officer's or Employee's public duties.

B. No Officer or Employee shall intentionally use or attempt to use their official position with the City to secure unwarranted privileges or advantages for themselves or others.

C. No Officer or Employee shall intentionally take, agree to take, fail to take any discretionary action, or attempt to influence any other Officer or Employee as to a discretionary action in order to obtain a personal or financial benefit for any of the following:

1. The Officer or the Employee;

2. A family member;

3. An outside employer;

4. Any business in which the Officer or Employee or any family member has a financial interest;

5. Any business with which the Officer or Employee or any family member is negotiating or seeking prospective employment, other business, or professional relationship; and

6. A non-governmental civic group, social, charitable, or religious organization of which they or their immediate family member is an Officer or Director.

D. No Officer or Employee shall be deemed in violation of any provision in this section, if by reason of the Officer's or Employee's action or inaction, no personal or financial benefit accrues to the Officer or Employee, a family member, an outside employer, or a business as a member of any business occupation, profession, or other group, to any greater extent than any gain could reasonably be expected to accrue to any other member of the business, occupation, profession, or other group.

E. Every Officer or Employee who has a prohibited financial interest which the Officer or Employee believes, or has reason to believe, may be affected by their participation, vote, decision, or other action taken within the scope of their public duties shall disclose the precise nature and value of the interest in writing to the governing body of the City or City Agency served by the Officer or Employee. The disclosure shall be entered on the official record of the proceedings of the governing body. The Officer or Employee shall refrain from taking any action with respect to the matter that is the subject of the disclosure pursuant to Section 8 of this Ordinance.

SECTION 6. Conflicts of Interests in Contracts - KRS 61.252

A. No Officer or Employee of the City or any City Agency shall directly or through others undertake, execute, hold, or enjoy, in whole or in part, any contract made, entered into, awarded, or granted by the City or a City Agency, with the following exceptions:

1. The prohibition in subsection (A) of this section shall not apply to contracts entered into before an elected officer filed as a candidate for City Office, before an appointed Officer was appointed to a City or City Agency Office, or before an employee was hired by the City or a City Agency. If the contract is renewable, then the prohibition in subsection (A) of this section shall apply to the renewal of the contract unless the disclosures required by subpart 3 below are satisfied.

2. The prohibition in subsection (A) of this section shall not apply if the contract is awarded after public notice and competitive bidding, unless the Officer or Employee is authorized to participate in establishing the contract specifications, or awarding, or managing the contract. If so, then the Officer or Employee shall have no interest in the contract, unless the disclosures required by subpart 3 below are satisfied.

3. The prohibition in subsection A of this section shall not apply in any case where the following requirements are satisfied:

   a. The specific nature of the contract transaction and the nature of the Officer's or Employee's interest in the contract are publicly disclosed at a meeting of the governing body of the City or City Agency.

   b. The disclosure is made as part of the official record of the governing body of the City or City Agency before the contract is executed.

   c. A finding is made by the governing body of the City or City Agency that the contract with the Officer or the Employee is in the best interests of the public and the City or City Agency before the contract is executed.

   d. The finding is made as part of the official record of the governing body of the City or City Agency before the contract is executed.

B. Any violation of this section shall constitute a Class A misdemeanor. Upon conviction, the court may void any contract entered into in violation of KRS 61.252. Additionally, violation of this section shall be grounds for removal from office or employment with the City in accordance with any applicable provisions of state laws, ordinances, rules, or regulations of the City.

SECTION 7. Incompatible Offices

A. Pursuant to Section 165 of the Kentucky Constitution, no Officer or Employee of the City may also be a State Officer, Deputy State Officer, member of the General Assembly, or may fill more than one municipal office at the same time, whether in the same or a different City.

B. Pursuant to KRS 61.080, no City Officer may also hold a County Office. In addition, the statute states that the following City and Consolidated Local Government Offices are incompatible with any other public office:

1. Member of the legislative body of Cities of the First Class;

2. Mayor and member of the legislative Council of a Consolidated Local Government; and

3. Mayor and member of the legislative body in cities of the Home Rule Class.

C. In addition to the constitution and statutory provisions, there are common law incompatibilities defined by the courts. City Officers and employment positions are deemed incompatible when one office or position of employment was inherently inconsistent in function with the other. This incompatibility occurs when there arises an implication that the duties and responsibilities of both cannot be performed at the same time with a necessary degree of impartiality and honesty.

D. KRS 61.090 provides that the acceptance of an incompatible office operates to vacate the first office.

SECTION 8. Withdrawal from Participation

A. An Officer or Employee must refrain from acting on or discussing, formally or informally, a matter before the City, if acting on the matter or failing to act on the matter may personally or financially benefit any of the persons or entities listed in Section 5(C) above. Such an Officer or Employee should leave the room if it is a public meeting conducted under KRS 61.810 and KRS 61.815.

B. Withdrawal at a meeting requires public announcement, on the record, of the reason for withdrawal.

SECTION 9. Receipt of Gifts

A. No Officer, Employee, or Appointee of the City or City Agency shall directly or indirectly solicit any gift or accept or receive any gift having a value of $250.00 or more. Gifts include the form of money, service, loan, travel, entertainment, hospitality, promise, or any other form, under circumstances when it could reasonably be inferred that the gift was intended to influence or could reasonably be expected to influence the Officer, Employee, or Appointee in the performance of their official duties, or was intended as a reward for any official action.

B. Certain items are typically excluded from the prohibition. Examples of these items include:

1. Gifts received from family members;

2. Gifts accepted on behalf of the City and transferred to the City;

3. Reasonable travel and travel-related expenses, cost of admission, food, beverages, and entertainment furnished in connection with certain specified public events, appearances, ceremonies, economic development activities, or fact-finding trips related to official government business;

4. Usual and customary loans made in the ordinary course of business;

5. Awards, including certificates, plaques, and commemorative tokens presented in recognition of public service; and

6. Informational, promotional, and educational items.

SECTION 10. Use of City Property, Equipment, and Personnel

A. No Officer or Employee of the City shall use or permit the use of any City time, funds, personnel, equipment, or other personal or real property, for the private use of any person, unless the use is available to the general public, and then only to the extent and upon the terms that such use is available to the general public.

SECTION 11. Nepotism Prohibited

A. No Officer or Employee of the City or a City Agency shall advocate, recommend, or cause the employment, appointment, promotion, transfer, advancement of a family member to an office or position of employment with the City or a City Agency.

B. No Officer or Employee of the City or a City Agency shall supervise or manage the work of a family member.

C. No Officer or Employee shall participate in any action relating to the employment or discipline of a family member, except that this prohibition shall not prevent an elected or appointed officer from voting on, or participating in, the development of a budget, which includes compensation for a family member provided that the family member is included only as a member of a class of persons or a group, and the family member benefits to no greater extent than any other similarly situated member of the class or group.

D. The prohibitions in this section shall not apply to any relationship or situation that would violate the prohibition, but which existed prior to 2024.

SECTION 12. Representation of Interests Before City Government

A. No officer or Employee of the City or any City Agency shall represent any person, group, or business, other than the City, in connection with any cause, proceeding, application, or other matter pending before the City or any City Agency.

B. Nothing in this section shall prohibit any Officer or Employee from representing themselves in matters concerning their own interests.

C. No Elected Officer shall be prohibited by this section from making any inquiry for information on behalf of a constituent if no compensation, reward, or other thing of value is promised to, given to, or accepted by the officer, whether directly or indirectly, in return for the inquiry.

SECTION 13. Misuse of Confidential Information

No Officer or Employee of the City or any City Agency shall intentionally use or disclose information acquired in the course of their official duties, if the primary purpose of the use or disclosure is to further their personal or financial interest or the personal or financial interest of another person, group, or business. Information shall be deemed confidential if it is not subject to disclosure pursuant to the Kentucky Open Records Act at the time of its use or disclosure.

SECTION 14. Political Solicitation

A. An Officer, Employee, or Municipal Candidate may not request or authorize anyone else to request that any subordinate or potential future subordinate, participate or not participate in any political activity, including the making of a campaign contribution.

B. An Officer, Employee, or Municipal Candidate may not engage in any political activity for the City while on duty, in uniform, using City funds, supplies, vehicles, or facilities during any period of time during which they are normally expected to perform services for the City for which compensation is paid.

SECTION 15. Patronage

A. No Officer or Employee may promise an appointment or use their influence to obtain an appointment to any position as a reward for any political activity or contribution.

SECTION 16. Outside Employment

A. An Officer or Employee shall not accept any employment or enter into any contracts that result in a conflict of interest with their duties as an officer or employee of the City.

B. An employee of the City may be self-employed or may take occasional or part-time jobs, if, in the opinion of their supervisor and the executive authority, there is no

conflict with working hours, the employee's efficiency in their City work, or other interest of the City.

C. Employees wishing to take off-duty employment shall have the written approval of their supervisor and the executive authority.

D. Employees or Officers holding management-level positions shall notify the executive authority before creating, contracting with, or being employed by any agency or business firm other than the City for the executive authority of written approval.

E. City employment shall remain the first priority, and if at any time the outside employment interferes with an employee's job requirements or performance for the City, the Employee shall be required to modify the conditions of the outside employment or terminate either the off-duty employment or their City employment.

SECTION 17. Fees and Honoraria

A. An Officer or Employee shall not accept any compensation or honorarium in consideration for an appearance, speech, or article unless the appearance, speech, or article is both related to the Officer's or Employee's employment or activities outside of municipal service and is unrelated to the Officer's or Employee's service with the City.

B. This section shall not preclude an Officer or an Employee from obtaining reasonable travel and travel-related expenses.

SECTION 18. Complicity with or Knowledge of Others' Violations

A. No Officer or Employee may directly or indirectly induce, encourage, or aid anyone to violate any provision of this code. If an Officer or Employee knows or has reasonable suspicion to believe that someone has violated this code, they are required to report it to the Board of Ethics pursuant to Section 36 of this Ordinance.

SECTION 19. Falsely Impugning Reputation.

A. An Officer or Employee may not falsely impugn the reputation of a City Resident, Employee, or another Officer of the City. If an Officer or Employee believes their accusation to be true, and then learns that it was false, even in part, they should apologize in the same forum and manner where the accusations were made. A failure to apologize within a reasonable period of time after learning of the falseness of the accusations will create the presumption that the conduct was intentional.

SECTION 20 Meeting Attendance

A. All Elected City Officers and Members of City Boards and Commissions are expected to attend their meetings. It is a violation of this code to miss more than one-half of the meetings in a 12-month period, absent a valid reason.

SECTION 21. Social Media

A. Elected City Officials who want to interact with the community on social media in their role as a City Official are required to maintain a separate social media account from their personal account if they have one.

B. City Officials shall not conduct City business through their social media sites. If receiving a specific request from a citizen, the City Official shall state words to the effect of: *"Thank you for your question. Please email me at [official email address] or contact me at [phone number]. I look forward to speaking with you."*

C. Elected Officials shall not discuss issues pending before the Council. Elected Officials may seek public input but shall not respond to comments. Engaging in substantive conversations on social media could require retention of the posts and may violate the Open Meetings Act if other Elected Officials are also engaging in the discussion.

D. City Employees are bound by any applicable City Social Media Policies that are adopted.

SECTION 22. Email

A. City Officials shall maintain an official email address and shall provide the email address to the City Clerk. This must be separate from their personal email account.

B. No City business shall occur through a personal email account.

C. City Officials shall retain emails according to the KDLA Record Retention Schedule for emails. City officials shall direct any recordkeeping questions to the City Clerk.

FINANCIAL DISCLOSURE

SECTION 23. Who Must File

A. The following classes of Officers and Employees of the City and City Agencies shall file an annual statement of financial interests with the Board of Ethics:

1. Elected City Officers;

2. Candidates for Elected Office;

3. Officers and Employees who hold policymaking positions, including members of Municipal Boards, such as Board of Ethics, Planning and Zoning Boards,

Boards of Adjustment, Code Enforcement Boards, Economic Development Boards, and Parks & Recreation Boards;

4. Officers or Employees whose job descriptions or whose actual duties involve:

   a. The negotiation, authorization, or approval of contracts, leases, franchises, revocable consents, concessions, variances, special permits, or licenses;

   b. The purchase, sale, rental, or lease of real property, personal property, services, or a contract for any of these;

   c. The obtaining of grants of money or loans.

SECTION 24. When to File Statements and Amended Statements

A. All statements of financial interest shall be filed no later than 5 p.m. on April 30th of each year, provided that:

   1. An Officer or Employee newly appointed to fill an office or position of employment with the City or a City Agency shall file their initial statement no later than 30 days after the date of the appointment.

   2. A Candidate for City Office shall file their initial statement no later than 30 days after the date on which the person becomes a Candidate for Elected Office.

B. The Board of Ethics may grant a reasonable extension of time for filing a statement of financial interests for good cause shown.

C. In the event there is a material change in any information contained in a financial statement that has been filed with the Board of Ethics, the Officer or Employee shall, no later than 30 days after becoming aware of the material change, file an amended statement with the Board of Ethics.

D. By June 15 of each year, the Board of Ethics must review all annual financial disclosure statements filed with it to determine whether any person required to file such a statement has failed to file it, has filed a deficient statement, or has filed a statement that reveals a potential violation of this code. If the Board of Ethics determines that an annual or transactional disclosure statement is deficient or reveals a potential violation of this Code, the Board of Ethics will notify the person in writing of the deficiency, potential violation, and of the penalties for failure to comply with this Code.

SECTION 25. Form of the Statement of Financial Interests

A. The Statement of Financial Interests shall be filed on a form prescribed by the Board of Ethics or the Administrative Official designated by the Board of Ethics.

B. The Board of Ethics, along with the City Administrator, will annually review the list of Officials and Employees required to file Annual Disclosure Statements to determine whether the lists are complete and accurate. Within 90 days after it has been formed, and by Feb. 1 each year thereafter, the Board of Ethics, along with the City Administrator, must create a list of the names and Offices or positions of all Officials and Employees and others required to file Annual Disclosure Statements pursuant to Section 25 of this Code; and notify all such persons of their obligation to file an Annual Disclosure Statement.

C. The Board of Ethics or the designated Administrative Official shall deliver a copy of the form to each Officer and Employee required to file the statement by first class mail, email, or hand delivery no later than March 1st of each year.

D. The failure of the Board of Ethics or the designated Administrative Official to deliver a copy of the form to any Officer or Employee shall not relieve the Officer or Employee of the obligation to file the statement.

SECTION 26. Control and Maintenance of the Statements of Financial Interests

A. The City Clerk shall be the "official custodian" of the Statements of Financial Interests and shall have control over the maintenance of the Statements of Financial Interests. The Statements of Financial Interests shall be maintained by the City Clerk as the "custodian" of public documents and be available for public inspection immediately upon filing.

B. A statement of financial interests shall be retained by the City Clerk or the designated Administrative Official pursuant to the KDLA Record Retention Schedule as follows:

1. Upon the expiration of two years after a person ceases to be an Officer or Employee of the City or a City Agency, the Board of Ethics shall have any Statements of Financial Interests or copies of those statements filed by the person destroyed.

2. Upon the expiration of two years after any election at which a Candidate for Elected City Office was not elected or nominated, the Board of Ethics shall have any Statements of Financial Interests or copies of those statements filed by the person destroyed.

SECTION 27. Contents of the Financial Interests Statement

A. The Statement of Financial Interests shall include the following information for the preceding calendar year:

1. The name, employer/business name; employer/business address, employer/business telephone number, and home address of the filer;

2. The title of the filer's office, office sought, or position of employment;

3. The occupation of the filer and the occupation of the filer's Spouse or Domestic Partner;

4. Information that identifies each source of income of the filer and the filer's immediate family members exceeding $5,000.00 during the preceding calendar year and the nature of the income, e.g. salary, commission, dividends, retirement fund distribution, etc.;

5. The name and address of any business located within the City in which the filer or any member of the filer's immediate family had at any time during the preceding calendar year an interest of $10,000.00 at fair market value or 5% ownership interest or more;

6. The name and address of any creditor owed more than $10,000.00, except debts arising from the purchase of a primary residence, or the purchase of consumer goods which are bought or used primarily for person, family, or household purposes;

7. A designation as commercial, residential, or rural, and the location of all real property within the City, other than the filer's primary residence, in which the filer or any member of the filer's immediate family had during the preceding calendar year an interest of $10,000.00 or more;

8. Each source, by name and address, of gifts or honoraria having an aggregate fair market value of $250.00 or more from any single source, excluding gifts received from family members, received by the filer, or any member of the filer's immediate family during the preceding calendar year;

B. Nothing in this section shall be construed to require any Officer or Employee to disclose any specific dollar amounts, nor the names of individual clients, nor customers of businesses listed as sources of income.

SECTION 28. Noncompliance with Filing Requirement

A. The Board of Ethics or the designated Administrative Official shall notify by certified mail each person required to file a Statement of Financial Interests who fails to file the statement by the due date, files an incomplete statement, or files a statement in a form other than that prescribed by the Board of Ethics. The notice shall specify

the type of failure or delinquency, shall establish a date by which the failure or delinquency shall be remedied, and shall advise the person of the penalties for a violation.

B. Any person who fails or refuses to file the statement or remedy a deficiency in the filing identified in the notice under subsection (A) within the time established in the notice shall be guilty of a civil offense and shall be subject to a civil fine imposed by the Board of Ethics in an amount not to exceed $25 per day, up to a maximum civil fine of $500. Any civil fine imposed by the Board of Ethics under this section, may be recovered by the City in a civil action in the nature of debt if the offender fails or refuses to pay the penalty within a prescribed period of time.

C. Any person who intentionally files a Statement of Financial Interests which they know to contain false information or intentionally omits required information, shall be guilty of a Class A misdemeanor.

ENFORCEMENT

SECTION 29. Board of Ethics Created

A. There is hereby created a Board of Ethics which shall have the authorities, duties, and responsibilities as set forth in this Ordinance to enforce the provisions of this Ordinance.

B. The Board of Ethics shall consist of three (3) members who shall be appointed by the Executive Authority of the City, subject to the approval of the Legislative Body. The initial members of the Board of Ethics shall be appointed within 60 days of the effective date of this Ordinance. The members shall serve for a term of 3 years; except that with respect to the members initially appointed, one (1) member shall be appointed for a term of 1 year, one (1) member shall be appointed for a term of 2 years, and one (1) member shall be appointed for a term of 3 years. Thereafter, all appointments shall be for a term of 3 years.

C. A Board of Ethics Member will serve until their successor has been appointed in the same manner as the original appointment.

D. Each Member of the Board of Ethics shall reside in the City throughout the term in office and shall not be a family member of a City Employee or Officer. The members of the Board of Ethics shall be chosen by their known and consistent reputation for integrity and their knowledge of local government affairs.

E. A member of the Board of Ethics may be removed by the Executive Authority subject to the approval of the Legislative Body for misconduct, incapacity, or willful neglect of duties. Before any member of the Board of Ethics is removed from office under

this section, the member shall be afforded the opportunity for a hearing before the Executive Authority and the Legislative Body.

F. Vacancies on the Board of Ethics shall be filled within 60 days by the Executive Authority subject to the approval of the Legislative Body. If a vacancy is not filled by the Executive Authority within 60 days, the remaining members of the Board of Ethics shall fill the vacancy. All vacancies shall be filled for the remainder of the unexpired term.

G. Members of the Board of Ethics shall serve without compensation unless otherwise approved by the Legislative Body but shall be reimbursed for all necessary and reasonable expenses incurred in the performance of their duties.

H. The Board of Ethics shall elect a Chairperson from among the membership annually at the January meeting which shall occur on the third Tuesday of January each year. The chairperson shall be the presiding officer and a full voting member of the ethics board.

I. In addition to the annual meeting on the third Tuesday in January, meetings of the Board of Ethics shall be held, as necessary, upon the call of the Chairperson or at the written request of a majority of the members. The Board of Ethics shall follow the Open Meetings Act for all meetings.

J. The presence of 2 or more members shall constitute a quorum and the affirmative vote of 2 or more members shall be necessary for any official action to be taken. Any member of the Board of Ethics who has a conflict of interest with respect to any matter to be considered by the Board of Ethics shall disclose the nature of the conflict, shall disqualify themselves from voting on the matter, and shall not be counted for purposes of establishing a quorum by removing themselves from the meeting room for the duration of the consideration of the matter.

K. Minutes shall be kept for all proceedings of the Board of Ethics and the vote of each member on any issue decided by the Board of Ethics shall be recorded in the minutes.

SECTION 30. Alternate Members

A. The Executive Authority of the City, with the approval of the Legislative Body, may appoint two (2) alternate members of the Board of Ethics, who may be called upon to serve when any regular member of the Board of Ethics is unable to discharge their duties. An alternate member shall be appointed for a term of one (1) year. Alternate members shall meet all qualifications and be subject to all of the requirements of this ordinance that apply to regular members.

SECTION 31. Facilities and Staff

A. Within the limits of the funds appropriated by the Legislative Body in the annual budget, the City shall provide the Board of Ethics with the facilities, materials, supplies, and staff needed for the conduct of its business.

SECTION 32. Annual Meeting

A. The Board of Ethics will meet on the third Tuesday of each January to elect a Chair and a Vice Chair from among its regular members and set a plan for any obligations for the year, including any annual reports, reviews of disclosures, etc. A majority of the regular members is required for the Board of Ethics to take any action. The Chair or a majority of the regular members may call a meeting of the Board of Ethics.

SECTION 33. Power and Duties of the Ethics Board

A. The Board of Ethics shall have the following powers and duties:

1. To initiate on its own motion a complaint, receive a complaint from outside of the Board of Ethics, investigate those complaints, hold hearings, and make findings of fact and determinations with regard to alleged violations of the provisions of this Ordinance;

2. To issue orders in connection with its investigations and hearings requiring persons to submit in writing, under oath, reports and answers to questions that are relevant to the proceedings and to order testimony to be taken by deposition before any individual designated by the ethics board who has the power to administer Oaths;

3. To administer Oaths and to issue Orders requiring the attendance and testimony of witnesses and the production of documentary evidence relating to an investigation or hearing being conducted by the Board of Ethics;

4. To refer any information concerning violations of this Ordinance to the Executive Authority of the City, the City Legislative Body, the Governing Body of any City Agency, the County Attorney, or other appropriate persons, body, or bodies, as necessary;

5. To render advisory opinions to City and City Agency Officers and Employees regarding whether a given set of facts and circumstances would constitute a violation of any provision of this Ordinance;

6. To enforce the provisions of this Ordinance with regard to all Officers, Employees of the City, and City Agencies who are subject to its terms by issuing appropriate orders and imposing penalties authorized by this Ordinance;

7. To control and maintain all statements of financial interests that are required to be filed by this Ordinance and to ensure that the statements are available for public inspection in accordance with the requirements of this Ordinance and the Open Records Act;

8. To adopt rules and regulations and to take other actions as necessary to implement the provisions of this Ordinance, provided that the rules, regulations, and actions are not in conflict with the provisions of this Ordinance or any State or Federal Laws;

9. To provide training and education on the City Ethics Code to Officials and Employees;

10. To prepare and submit an Annual Report and any recommended changes to this Code to the Legislative Body and to develop and submit any reports regarding the conduct of its business that may be required by the Executive Authority or Legislative Body of the City;

11. The Board of Ethics along with the City Administrator will annually review the list of Officials and Employees required to file Annual Disclosure Statements to determine whether the lists are complete and accurate;

12. The Board of Ethics will prepare forms for complaints, Financial Disclosure Statements, and will make these forms available at the City Clerk's Office and on the City's website for easy downloading;

    a. By June 15 of each year, the Board of Ethics must review all Annual Financial Disclosure Statements filed with it to determine whether any person required to file such a statement has failed to file, has filed a deficient statement, or has filed a statement that reveals a potential violation of this Code. If the Board of Ethics determines that an annual or transactional disclosure statement is deficient or reveals a potential violation of this Code, the Board of Ethics will notify the person in writing of the deficiency, potential violation, and of the penalties for failure to comply with this Code.

SECTION 34. Training and Education

A. The Board of Ethics will, after passage or amendment of the Ethics Code, make this Ethics Code available to all Officials, Employees, Candidates, and to Municipal Residents.

B. The Board of Ethics will attempt to hold annual workshops for new and experienced Officials, Board of Ethics Members, and Employees to discuss this Code, its values and goals, its enforcement, and the ways in which it has affected the Officials' and Employees' work and the working of the City Government.

SECTION 35. Annual Reports and Annual Review of Ethics Code

A. The Board of Ethics must prepare and submit an Annual Report to the Legislative Body summarizing the activities, decisions, and advisory opinions of the Board of Ethics. The report may also recommend changes to the text or administration of this Ethics Code. The report must be submitted no later than October 31st of each year, covering the previous year and must be filed with the City Clerk and made available on the City website.

B. The Board of Ethics will periodically (no less than every five years) review this Ethics Code, the enforcement of the Ethics Code, and the Board of Ethic's Rules, Regulations, and administrative procedures to determine whether they promote integrity, public confidence, and participation in City Government, and whether they set forth clear and enforceable, common-sense standards of conduct.

SECTION 36. Filing and Investigation of Complaints

A. All complaints alleging any violation of the provisions of this Ordinance shall be submitted to the Board of Ethics or the administrative official designated by the Board of Ethics. All complaints shall be in writing, signed by the complainant, and shall meet any other requirements established by the Board of Ethics. The Board of Ethics shall acknowledge receipt of a complaint to the complainant within 10 working days from the date of receipt. The Board of Ethics shall forward within 10 working days to each Officer or Employee of the City or City Agency who is the subject of the complaint, a copy of the complaint and a general statement of the applicable provisions of this Ordinance.

B. The Board of Ethics may, on its own initiative, determine through an inquiry into informal allegations, information provided directly to the Board of Ethics, by referral, or otherwise that a violation of this Code may exist and prepare a complaint of its own. The Board of Ethics may also amend a complaint that has been filed with it by adding further allegations, adding respondents involved in the same conduct, directly or indirectly, by action or inaction, by deleting allegations that would not constitute a violation of this Code, by deleting allegations that have been made against persons or entities not covered by this Code, or by deleting allegations that do not appear to be supported by the facts. The Board of Ethics may also consolidate complaints where the allegations are materially related. Amended complaints must be sent to the complainant and respondent by the Board of Ethics.

C. Within 30 days of the receipt of a proper complaint, the Board of Ethics shall conduct a preliminary inquiry concerning the allegations contained in the complaint. The Board of Ethics shall afford the person who is the subject of the complaint, an opportunity to respond to the allegations in the complaint. The person shall have the right to be represented by Counsel, to appear and be heard under oath, and to offer evidence in response to the allegations.

D. The person who is the subject of the complaint (respondent), may file with the Board of Ethics a response to the complaint within 30 days after their receipt of the complaint. The response, if any, must be sent to the person filing the original complaint (complainant) by the Board of Ethics within five days after its filing. Within 15 days after receipt, the complainant may also file with the ethics board a response to the respondent's response which the Board of Ethics must send to the respondent within five days after its filing.

E. Extensions of time to any of the time limitations specified in this section may be granted by the Board of Ethics upon a vote of the majority of the members. If no meeting can be held before such time limit runs, the Chair may extend the time frame until the following meeting. The Board of Ethics must give written notice of any extensions of time to the respondent and the complainant.

F. All proceedings and records relating to a preliminary inquiry being conducted by the Board of Ethics shall be confidential until a final determination is made by the Board of Ethics, except:

1. The Board of Ethics may turn over to the Commonwealth Attorney or County Attorney evidence which may be used in criminal proceedings.

2. If the complainant or alleged violator publicly discloses the existence of a preliminary inquiry, the Board of Ethics may publicly confirm the existence of the inquiry, and, at its discretion, make public any documents which were issued to either party.

G. The Board of Ethics shall make a determination based on its preliminary inquiry whether the complaint is within its jurisdiction, and if so, whether it alleges a minimal factual basis to constitute reasonable suspicion as to a violation of this Ordinance. If the Board of Ethics concludes that the complaint is outside of its jurisdiction, frivolous, or without factual basis, the Board of Ethics shall immediately terminate the inquiry, reduce the conclusion to writing, and transmit a copy of its decision to the complainant and to all Officers or Employees against whom the complaint was filed.

H. If the Board of Ethics concludes, based upon its preliminary inquiry, that the complaint is within its jurisdiction and contains allegations sufficient to establish a minimal factual basis to constitute reasonable suspicion as to a violation, the Board of Ethics shall notify the Officer or Employee who is the subject of the complaint and may initiate a hearing to determine whether there has been a violation.

I. If a complaint is accepted or prepared pursuant to subsection (A), the Board of Ethics must conduct an investigation. From this point on, the complainant may not withdraw their complaint, although they may request that the Board of Ethics either make a finding of no probable cause or no violation.

J. In conducting an investigation, the Board of Ethics may administer Oaths, Affirmations, subpoena witnesses, compel their attendance, and require the production of any books or records it deems relevant and material. The Police Department and all City Agencies, Bodies, Officials, and Employees are required to respond fully and truthfully to all inquiries and cooperate with all requests of the Boad of Ethics or its Agents relating to an investigation. It is a violation of this Code for any Official or Employee to deny access to information requested by the Board of Ethics in the course of an investigation or a Public Hearing, except to the extent that such denial is required by Federal, State, or Local Laws.

K. Nothing in this section may be construed to permit the Board of Ethics to conduct an investigation of itself, any of its members, or staff. If the Board of Ethics receives a complaint alleging that the Board of Ethics, any of its members, or staff has violated any provision of this Code or any other Law, the Board of Ethics must promptly transmit to the Legislative Body a copy of the complaint.

L. Any person who knowingly files with the Board of Ethics a false complaint alleging a violation of any provision of this Ordinance by an Officer or Employee of the City or any City Agency, shall be guilty of a Class A Misdemeanor.

SECTION 37. Notice of Hearings.

A. If the Board of Ethics determines that a hearing regarding allegations contained in the complaint is necessary, the Board of Ethics shall issue an order setting the matter for a hearing within 30 days of the date the order is issued, unless the respondent petitions for and the Board of Ethics consents to a later date. The order setting the matter for hearing, along with a copy of any pertinent regulations of the Board of Ethics relating to the hearing, shall be sent to the respondent within 24 hours of the time the order setting a hearing is issued.

SECTION 38. Hearing Procedure

A. The Kentucky Rules of Civil Procedure and the Kentucky Rules of Evidence shall not apply to hearings conducted by the Board of Ethics; however, the hearings shall be conducted in accordance with this section and in accordance with any additional rules and regulations adopted by the Board of Ethics so as to afford all parties the full range of due process rights required by the nature of the proceedings.

B. Prior to the commencement of the hearing, the respondent or their representative shall have a reasonable opportunity to examine all documents and records obtained or prepared by the Board of Ethics in connection with the matter to be heard. The Board of Ethics shall inform the alleged violator or their representative of any exculpatory evidence in its possession.

C. All testimony in a Board of Ethics hearing shall be taken under Oath, administered by the Presiding Officer. All parties shall have the right to call and examine witnesses,

introduce exhibits, cross-examine witnesses, submit evidence, and to be represented by Counsel. All witnesses shall have the right to be represented by Counsel.

D. Any person whose name may be adversely affected thereby may appear personally before the Board of Ethics with or without counsel to give a statement regarding the adverse mention or may file a written statement regarding the adverse mention for incorporation into the record of the proceeding.

E. All hearings of the Board of Ethics shall be public unless the members vote to go into Executive Session in accordance with KRS 61.810.

F. After the conclusion of the hearing, the Board of Ethics shall, as soon as practicable, begin deliberations in Executive Session for the purpose of reviewing the evidence before it and making a determination whether a violation of this Ordinance has been proven. Within 30 days after completion of the hearing, the Board of Ethics shall issue a written report of its findings and conclusions.

G. If the Board of Ethics concludes in its report that no violation of this Ordinance has occurred, it shall immediately send written notice of this determination to the respondent and to the complainant.

H. If the Board of Ethics concludes in its report that, in consideration of the evidence produced at the hearing, there is clear and convincing proof of a violation of this Ordinance, the Board of Ethics shall within 15 days:

1. Issue an order requiring the respondent to cease and desist the violation.

2. In writing, publicly reprimand the respondent for the violations and provide a copy of the reprimand to the Executive Authority and Legislative Body of the City or Governing Body of the City Agency with which the respondent serves.

3. In writing, recommend to the Executive Authority and the Legislative Body or Governing Body of the City Agency, that the respondent be sanctioned, as recommended by the Board of Ethics, which may include a recommendation for discipline, dismissal, or removal from Office.

4. Issue an order requiring the respondent to pay a civil penalty of not more than $1,000.

5. Refer evidence of criminal violations of this Ordinance or State Laws to the County Attorney or Commonwealth Attorney of the jurisdiction for prosecution.

SECTION 39. Appeals

A. Any person who is found guilty of a violation of any provision of this Ordinance by the Board of Ethics may appeal the finding to the Circuit Court of the County within

30 days after the date of the final action by the Board of Ethics by filing a petition with the Court against the Board of Ethics. The Board of Ethics shall transmit to the Clerk of the Court all evidence considered by the Board of Ethics at the public hearing.

SECTION 40. Limitation of Actions

A. Except when the period of limitation is otherwise established by State Law, an action for a violation of this Ordinance must be brought within one year after the violation is discovered.

SECTION 41. Advisory Opinions

A. The Board of Ethics may render Advisory Opinions concerning matters under its jurisdiction, based upon real or hypothetical facts and circumstances, upon its own initiative, when requested by any Officer or Employee of the City or a City Agency covered by this Ordinance.

B. An Advisory Opinion shall be requested in writing and shall state relevant facts and ask specific questions. The request for an Advisory Opinion shall remain confidential unless confidentiality is waived in writing by the requestor. Any proposed Advisory Opinion filed by the requesting party shall be submitted to the Board of Ethic's Legal Counsel for review prior to the issuing of the Advisory Opinion.

C. All Advisory Opinions shall be public documents, except that before an Advisory Opinion is made public, it shall be redacted so that the identity of any person associated with the Opinion shall not be revealed.

E. A written Advisory Opinion issued by the Board of Ethics shall be binding on the Board of Ethics in any subsequent proceeding concerning the facts and circumstances of the particular case, if no intervening facts or circumstances arise which would change the Opinion of the Board of Ethics if they existed at the time the Opinion was rendered. However, if any fact determined by the Board of Ethics to be material was omitted or misstated in the request for an Opinion, the Board of Ethics shall not be bound by the Opinion.

F. A written Advisory Opinion issued by the Board of Ethics shall be admissible in the defense of any criminal prosecution or civil proceeding for violations of this Ordinance for actions taken in reliance on that Opinion.

G. Advisory Opinions will be indexed and maintained on file by the Board of Ethics, by the City Clerk, and will also be available on the City website with unnecessary financial and personal details redacted. Officers, Employees, and Businesses should be notified about Advisory Opinions that may directly affect their conduct.

SECTION 42. Reprisals Against Persons Disclosing Violations Prohibited

A. No Officer or Employee of the City or any City Agency shall be subject to reprisal, directly or indirectly, use or threaten to use any official authority or influence in any manner whatsoever which tends to discourage, restrain, deter, prevent, interfere with, coerce, or discriminate against any person who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of the Board of Ethics, any other Agency, Officer of the City, or the Commonwealth, any facts or information relative to an actual or suspected violation of this Ordinance.

B. This section shall not be construed as:

1. Prohibiting disciplinary or punitive action if an Officer or Employee of the City or any City Agency discloses information which they know:

a. To be false or which they disclose with reckless disregard for its truth or falsity.

b. To be exempt from required disclosure under the provisions of the Kentucky Open Records Act, KRS 61.870 to 61.884.

c. Is confidential under any other provision of law.

SECTION 43. Penalties

A. Except when another penalty is specifically set forth in this Ordinance or by State or Federal Laws, any Officer or Employee of the City or any City Agency who is found by the Board of Ethics to have violated any provision of this Ordinance shall be deemed guilty of a civil offense and may be subject to a civil fine imposed by the Board of Ethics not to exceed $1,000, which may be recovered by the City in a civil action in the nature of debt if the offender fails to pay the penalty within a prescribed period of time.

B. In addition to all other penalties which may be imposed under this ordinance, any Officer or Employee of the City or any City Agency who is found by the Board of Ethics to have violated any provision of this Ordinance shall forfeit to the City or the City Agency an amount equal to the economic benefit or gain, which the Officer or Employee is determined by the Board of Ethics to have realized as a result of the violation. The amount of any forfeiture may be recovered by the City in a civil action in the nature of debt if the offender fails to pay the amount of the forfeiture within a prescribed period of time.

C. In addition to all other penalties which may be imposed under this Ordinance, a finding by the Board of Ethics that an Officer or Employee of the City or any City Agency is guilty of a violation of this Ordinance shall be sufficient cause for removal, suspension, demotion, or other disciplinary action by the Executive Authority of the City, City Agency, or by any other Officer or Agency having the power of removal or discipline.

Any action to remove or discipline any Officer or Employee for a violation of this Ordinance shall be taken in accordance with all applicable Ordinances and regulations of the City and all applicable laws of the Commonwealth.

SECTION 44. Severability

A. If any provision of this Ordinance is deemed by a Court of Competent Jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance shall continue in full force and effect.

SECTION 45. Conflicting Ordinances Repealed

A. All other Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

SECTION 46. Effective Date

A. This Ordinance shall immediately take full force and effect upon publication as required by KRS 83A.060.

Given first reading on the 7th day of August, 2024.

Given second reading and duly enacted by the Legislative Body of the City of Fort Wright on the 21st day of August, 2024.

Mayor Dave Hatter

ATTEST:

City Clerk Kerrie Holland

Publication Date: 8-24-24

General Advice & Formal Opinions

Formal, written opinions issued by the Board or the Board Attorney provide detailed analysis of the application of the Ethics Laws to the specific facts provided by a requestor. Requestors are entitled to act in reasonable reliance on advisory opinions issued to them and not be subject to penalties under the laws within the Board's jurisdiction so long as they have not omitted or misstated material facts.

A total of zero (0) formal opinions, or General Advice were issued in FY 2025/2026.

These Board Opinions and Advise are the Board's interpretation of the statutes through a public process that carries the weight of legislation.

Board Opinions and Advice generally address questions that require the application of the Ethics Laws to situations that have not yet been definitively addressed by legislation, regulation, or prior Board opinions.

The Board's General Counsel can issue Opinions or Advice applying and explaining the ethics laws in situations where the result is clear from the law or policy, or where the Board has already provided a relevant interpretation. The Board does not deliberate on or approve Staff Counsel Opinions, although a requestor may appeal a General Counsel opinion to the Board.

Enforcement & Activity

The Board of Ethics is responsible for enforcing the City's Ethics Laws and is required to include information concerning its enforcement activities in its Annual Report.

Board investigations stem from three main sources: complaints received from the public; referrals from a government agency; or from the initiative of the Board Members. To accept a complaint for investigation, the complaint must:

- Provide the full name and address of the complainant;
- Identify the person or persons who allegedly violated the City's Ethics Ordinance; and
- Contain facts that describe a violation of the City's Ethics Ordinance, including relevant times, places, and names of witnesses, if known.

If the complaint does not meet these requirements, the Board Chairman is required to reject it and notify the complainant of the reasons for the rejection. The complainant is free to re-file their complaint at any time with additional information or to resolve the issues raised by the Board Chairman's response.

If the complaint satisfies the requirements, Board Members begin an investigation into the allegations. If the investigation leads to probable cause that a violation occurred, the Board Chairman can initiate an administrative or judicial enforcement proceeding.

While an investigation is ongoing, a person (e.g., a witness, complainant, subject, etc.) may not disclose any information or documents related to the investigation learned or obtained solely from the Board or Board Staff. Once the investigation has ended, a person may disclose any information about that investigation.

At any point, the Board Members can seek to resolve a matter through a Settlement Agreement. In a Settlement Agreement, subjects of enforcement admit to violations and, in most cases, agree to pay a civil monetary penalty. All Settlement Agreements must be approved by the Board.

In Fiscal Year 2025 – 2026 the Board of Ethics did not receive any complaints, conduct any investigations, or initiate any Enforcement Activity's or Actions.

The Board of Ethics did adopt the following Ethics Violation/Complaint Form with Guidelines for use by the Public.

ETHICS VIOLATION/COMPLAINT FORM

Instructions

1. Complete all sections of the Ethics Violation/Complaint Form. Incomplete forms will not be processed.
2. Give the specific name and title of the individual whom you are filing the complaint against. If you are filing complaints about more than one individual, a separate complaint form must be completed for each individual. The Violation/Complaint Form may be photocopied if need be.
3. Provide a detailed account of the activity that is alleged to be in violation of the Code of Ethical Conduct adopted by the City of Fort Wright, KY. The Fort Wright Board of Ethics jurisdiction extends solely to alleged violations of the Public Official and/or Employee as outlined in Ordinance 09-2024 which establishes a Code of Ethical Conduct applicable to the Officers and Employees of the City and City Agencies. Please make sure that all complaints filed relate to specific individuals only.
4. Attach to the Ethics Violation/Complaint Form all records, documents, minutes, etc that support your allegation.
5. The Ethics Violation/Complaint Form must be completed in full, signed, notarized, and sealed with all attachments in an envelope addressed to the City of Fort Wright Board of Ethics, Attn: Chairperson, 409 Kyles Lane, Fort Wright, KY 41011.

Important Information

Any individual filing a complaint with the Fort Wright Board of Ethics should be aware of the following:

1. No public official or public employee shall discharge any official or employee or change official rank, grade, or compensation, or deny a promotion, or threaten to do so for filing a complaint with, our providing information to, the Board of Ethics or for testifying in any Board of Ethics proceeding.
2. The Board of Ethics will keep information, records, and proceedings related to preliminary inquires and investigations confidential (this includes the identify of the Complainant, unless there has been a Wrongful Use of the Code as identified below).
3. The Board of Ethics may disclose information or records regarding a preliminary inquiry and investigation in relation thereto:
    a. Final Orders of the Board of Ethics which become public.
    b. Hearings conducted in public, as provided by law.

c. Appeal of Board of Ethics Orders.
d. Seeking the advice of legal counsel.
e. Consulting with law enforcement officials or agencies for the purpose of initiating, participating in or responding to an investigation or prosecution by the law enforcement official or agency.
f. Testifying under oath before a governmental body or a similar body of the United States of America.
g. The provision of discovery materials to the subject of an investigation, as required by law.
h. When necessary or incidental to the conduct of the on-going investigation or inquiries.

4. Wrongful use of the Code of Ethics complaint process is established by one or more of the following elements:
   a. The filing of a frivolous complaint which is a complaint filed in a grossly negligent manner without basis in law or fact.
   b. The filing of a complaint without probable cause, primarily for a purpose other than reporting a violation of the Code of Ethics.
   c. Disclosing publicly or causing to be publicly disclosed the fact that an individual is the subject of a complaint or Board of Ethics Investigation.
5. Any person who willfully affirms or swears falsely in regard to any material matter submitted to or before the Board of Ethics shall be guilty of a Class A Misdemeanor.

ETHICS VIOLATION/COMPLAINT FORM

1. Identify the individual by name and title that you are filing a complaint about. Please also provide their contact information.

Name:

_____

Title:

_____

Address:

_____

_____

Phone Number: _____

Email Adress: _____

2. Explain in detail why you believe the individual named above may have violated the Fort Wright Code of Ethics. Attach additional sheets of paper to this complaint if necessary.

3. Attach and make reference to any documents, materials, minutes, or other evidence which support your allegations.

4. Do you agree to cooperate with individuals assigned to investigate this complaint?

   □ Yes □ No

5. Are you willing to appear and testify if a public hearing is conducted on these charges?

   □ Yes □ No

I swear or affirm, under penalty of perjury, that the facts set forth in this complaint are true and correct to the best of my knowledge and belief. I also swear and affirm that I have read and understand the Instructions and Important Information that I have been provided and are made part of this filing.

Signature _____

Print/Type your Name: _____

Home Address: _____

_____

Phone Number: _____

Email Address: _____

Sworn to and subscribed before me this _____ day of _____, 20__.

_____

Notary Public

My Commission Expires: _____

Financial Disclosures

Annual Financial Disclosure requirements help ensure good government by requiring public officials to disclose sources of income, creditors, gifts, and certain business or real estate interests. Members of the public can use this information to assess what interests may affect an official's decision making. The City's Ethics Code requires an annual statement of financial interest from elected officials, appointed officials, and other high-ranking City employees. In calendar year 2026 the Board of Ethics collected and reviewed Annual Financial Disclosures from 26 individuals whose position required Annual Financial Disclosure submissions, and reviewed Candidate Financial Disclosures for all individuals who filed for elected office with the City of Fort Wright prior to the June 2, 2026 filing deadline.

The Board of Ethics approved the use of the following Financial Disclosure Statement in 2026.

CITY OF FORT WRIGHT
STATEMENT OF FINANCIAL DISCLOSURE

In accordance with this jurisdiction's ethics ordinance and amendments, this statement of financial interests shall be filed with the Board of Ethics, or the administrative official designated as the custodian of its records by the Board of Ethics, no later than Friday, July 3, 2026. A newly appointed officer or employee must file this statement no later than thirty (30) days after the date of appointment. A candidate for office must file this statement no later than thirty (30) days after the filing deadline for the elected city office for which that person became a candidate.

Please note that you are advised to read the ethics ordinance and are responsible for fulfilling the requirements contained therein. **If the question is not applicable to your particular situation, indicate "non-applicable." Do not leave blank spaces.**

PLEASE TYPE OR PRINT

1. NAME: _____

   HOME ADDRESS: _____

   CITY: _____ ZIP: _____

   EMPLOYER / BUSINESS NAME: _____

   EMPLOYER / BUSINESS ADDRESS: _____

   CITY: _____ ZIP: _____

   DAYTIME PHONE: _____

2. TITLE OF POSITION HELD / SOUGHT: _____

3. OCCUPATION (If retired state so): _____
   OCCUPATION OF SPOUSE (If none state so): _____

4. LIST SOURCES OF INCOME FOR FILER AND THE FILER'S IMMEDIATE FAMILY MEMBERS EXCEEDING FIVE THOUSAND DOLLARS ($5,000.00) DURING THE PRECEDING CALENDAR YEAR, AND THE NATURE OF THE INCOME (e.g. Your income source is XYZ Company, and the nature of the income is salary, commission, dividends, retirement fund distribution, etc.)

SOURCE OF INCOME	NATURE OF INCOME
_____	_____
_____	_____
_____	_____

5. LIST THE NAME AND ADDRESS OF ANY BUSINESS THAT HAS ENGAGED IN ANY BUSINESS TRANSACTIONS WITH THE CITY DURING THE PAST THREE (3) YEARS, OR WHICH IS ANTICIPATED TO ENGAGE IN ANY BUSINESS TRANSACTIONS WITH THE CITY, IN WHICH THE FILER OR ANY MEMBER OF THE FILER'S IMMEDIATE FAMILY HAD AT ANY TIME DURING THE PRECEDING CALENDAR YEAR AN INTEREST OF TEN THOUSAND DOLLARS ($10,000.00) AT FAIR MARKET VALUE OR FIVE PERCENT (5%) OWNERSHIP INTEREST OR MORE.

NAME OF BUSINESS	ADDRESS

6. LIST THE LOCATION OF ALL REAL PROPERTY WITHIN THE CITY OTHER THAN THE FILER'S PRIMARY RESIDENCE, IN WHICH THE FILER OR ANY MEMBER OF THE FILER'S IMMEDIATE FAMILY HAD DURING THE PRECEDING CALENDAR YEAR AN INTEREST OF TEN THOUSAND DOLLARS ($10,000.00) OR MORE. DESIGNATE PROPERTY AS RURAL, COMMERICAL OR RESIDENTIAL.

LOCATION OF PROPERTY	DESIGNATION

7. LIST EACH SOURCE BY NAME AND ADDRESS OF GIFTS OR HONORARIA HAVING AN AGGREGATE FAIR MARKET VALUE OF TWO HUNDRED FIFTY DOLLARS ($250.00) OR MORE FROM ANY SINGLE SOURCE, IN CONNECTION WITH THEIR POSITION WITH THE CITY, EXCLUDING GIFTS FROM FAMILY MEMBERS, RECEIVED BY THE FILER OR ANY MEMBER OF THE FILER'S FAMILY DURING THE PRECEDING CALENDAR YEAR.

NAME	ADDRESS

8. LIST THE NAME AND ADDRESS OF ANY CREDITOR OWED MORE THAN TEN THOUSAND DOLLARS ($10,000.00) EXCEPT DEBTS ARISING FROM THE PURCHASE OF A PRIMARY RESIDENCE OR THE PURCHASE OF CONSUMER GOODS WHICH ARE BOUGHT OR USED PRIMARILY FOR PERSON, FAMILY, OR HOUSEHOLD PURPOSES.

NAME	ADDRESS

SIGNATURE OF FILER	DATE

Nothing in this financial interest statement shall be construed to require any officer or employee to disclose any specific dollar amounts nor the names of individual clients or customers or businesses listed as sources of income. In the event there is a material change in any information contained in a financial statement that has been filed by the Board, the filer must, no later than thirty (30) days after becoming aware of the material change, file an amended statement with the Board.

Training & Education

The Board of Ethic's Training & Education Program focuses on increasing honesty and integrity in City government. Sessions provide critical information about City and State Ethics Laws, sensitize City Officers and Employees to real-world situations where the Ethics Rules commonly arise, and encourage participants to reach out to the Board of Ethics for further resources and advice.

General Ethic's trainings and topic-specific information sessions cover topics such as Conflicts of Interest, Political Activity, Gifts, Campaign Finance, Lobbying, the use of Social Media, and Financial Disclosures.

In 2026 the City of Fort Wright hosted a General Ethics Training Session in conjunction with the Kentucky League of Cities (KLC), as part of their Certified City of Ethics Program that the City of Fort Wright participates in. The purpose of this training session was to educate individuals to the rules and regulations established in Ordinance 09-24 adopting a Code of Ethics. The Training was conducted by KLC Staff Attorney Michael Simon.

The Board of Ethics has taken steps to schedule a new training session for 2027, which will be held in January 2027 and reported accordingly in the 2027 Annual Report.