

ETHICS BOARD HEARING PROCEDURES

CITY OF HURSTBOURNE, KY

- A. The Kentucky Rules of Civil Procedure and the Kentucky Rules of Evidence shall not apply to hearings conducted by the ethics commission; however, the hearings shall be conducted in accordance with this section and in accordance with any additional rules and regulations adopted by the ethics commission 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 ethics commission in connection with the matter to be heard. The ethics commission shall inform the alleged violator, or their representative, of any exculpatory evidence in its possession.
- C. All testimony in an ethics commission hearing shall be taken under oath, administered by the presiding officer. Both the Complainant and the Respondent will have the opportunity to: 1. Answer questions from the commission, 2. Ask questions of the other party and of any witnesses called by the commission, 3. Suggest additional witnesses or introduce documents they believe are relevant. Any suggested witnesses or documents will be admitted into evidence only if the commission determines that the evidence is relevant, competent and necessary given the nature of the proceedings. Parties and witnesses may be represented by an attorney if they choose.
- D. All hearings of the ethics commission shall be public unless the members vote to go into executive session in accordance with KRS 61.810.
- E. After the conclusion of the hearing, the ethics commission shall, as soon as practicable, begin deliberations in executive session for the purpose of reviewing the evidence before it and discussing whether a violation of this ordinance has been proven. Within 30 days after completion of the hearing, the ethics commission shall issue a written report of its findings and conclusions. If the ethics commission 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.
- F. If the ethics commission 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 ethics commission may impose any penalties in the City's ethics ordinance.