

**KAUAI COUNTY CHARTER**  
**ARTICLE XX**

**SECTION 20.05 Board of Ethics.** There shall be a board of ethics.

- A. The board shall consist of seven members. (Amended 2006)
- B. The boards shall annually select a chair and a secretary from among its members and shall adopt rules necessary for the conduct of its meetings.
- C. The board shall meet at the call of the chair or of a majority of its members. A majority of the membership shall constitute a quorum for the conduct of business, and the affirmative vote of at least a majority shall be necessary to take any action.
- D. It shall be the function of the board:
  - (1) To initiate, receive, hear, and investigate complaints of violations of the code of ethics and to transmit its findings to the council as to complaints involving county officers and to the civil service commission as to employees. It may also, on its own, file impeachment proceedings in the circuit court.
  - (2) To render advisory opinions or interpretations with respect to application of the code on request. All requests for advisory opinions shall be answered within forty-five days of its filing and failure to submit an advisory opinion within said forty-five days shall be deemed a finding of no breach of the code. Opinions rendered or deemed rendered shall be binding on the board in any subsequent charges concerning the officer or employee of the county until said opinion is amended or revoked by the board. (Amended 2010)
  - (3) To prescribe a form for the disclosure provided in this section and to implement the requirements of the disclosure provisions.
  - (4) To examine all disclosure statements filed and to comment on or advise corrective action to any matters that may indicate a conflict of interest. (Amended 1976)
  - (5) To propose revisions of the code to assure its effectiveness.
- E. In the course of its investigations, the board shall have the power to administer oaths and subpoena witnesses and to compel the production of books and papers pertinent thereto.
- F. All hearings on complaints shall be closed to the public. Only findings of violations shall be referred to the council or the civil service commission. Upon referral to the council or civil service commission, the violations shall be treated as any other similar item of council or civil service commission business.

G. If any officer or employee or former officer or employee shall obtain an advisory opinion from the board and shall govern oneself accordingly or shall act in accordance with the opinions of the board, such person shall not be held guilty of violating any of the provisions of the code.

H. Cooperations. The council and mayor shall cooperate and provide financing and personnel help required by the board in performance of its duties. (Amended 2010)