

**AN ORDINANCE REVISING THE TOWN OF NUTTER FORT'S  
POLICY PERTAINING TO RECRUITMENT, HIRING AND EMPLOYMENT  
CODIFIED AT ARTICLE 157.03 OF THE  
TOWN OF NUTTER FORT'S CODE OF ORDINANCES**

**WHEREAS**, the Town of Nutter Fort's ethics requirements, including nepotism, are set forth at Article 157.03 of the Town's Code of Ordinances; and

**WHEREAS**, the West Virginia Ethics Commission's ethics requirements on nepotism are set forth at Legislative Rule §158-6-1; and

**WHEREAS**, the Town's requirement states, at Article 157.03(c)(4), that no person will be hired if such hiring would result in a direct or indirect supervision conflict due to a relationship between the prospective employee and a supervisor; and

**WHEREAS**, the West Virginia Ethics Commission's requirement, which applies to all public servants and public employees, states that a public official or public employee may not directly supervise a relative or a person with whom he or she resides; and

**WHEREAS**, the Town's nepotism requirement disallows the indirect supervision while the West Virginia Ethics Commission's nepotism requirement allows indirect supervision; and

**WHEREAS**, the Town's nepotism requirements must follow the West Virginia Ethics Commission's requirements; and

**WHEREAS**, the Town will eliminate the "or indirect" restriction from the Town's ethics requirements to parallel the State's ethics requirements.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NUTTER FORT THAT ARTICLE 157.03 OF THE CODE OF NUTTER FORT IS HEREBY REVISED TO READ AS FOLLOWS:**

**Article 157.03 RECRUITMENT, HIRING AND EMPLOYMENT**

**(c) Ethics and employment.**

(1) No person will be employed by the Town of Nutter Fort when that employment would result in a violation of the ethics in government provisions. Any such appointment may be voided by the Town Council if not done voluntarily by the hiring department.

(2) No hiring authority may appoint or vote for the appointment of his or her father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law to any position within the same department.

(3) No person will be hired to any position within a department when that individual's spouse is already serving in any position within the same department, as an employee of the Town.

(4) No person will be hired if such hiring would result in a direct supervision conflict due to a relationship between the prospective employee and a supervisor which falls within any relationships described .

This Ordinance shall be effective upon passage.

Passed by Council of the Town of Nutter Fort on FIRST READING on this 11th day of April, 2023.

Passed by Council of the Town of Nutter Fort on SECOND READING on this 25th day of April, 2023.

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MAYOR

ATTEST:

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TOWN RECORDER