

# Planning Commission Training

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# Conflict of Interest

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## Source

The Board shall appoint planning commission members: ... (c) who are free of incompatibility, **conflict of interests**, and association with other municipal organizations, agencies, and entities within Kitsap County.

Kitsap County Code 2.56.035(5) –  
Eligibility of Appointed Members

What is a  
conflict of  
interest?

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It is when a *private* interest interferes, or appears to interfere, with *professional* responsibilities or duties owed to others.

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It's a clash of loyalties that can erode trust, lead to unfair outcomes, and have serious legal consequences.

# Types of conflict

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**Perceived** – when others may believe a conflict is actual even if it is not.

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**Potential** – when a conflict is about to happen or could likely happen.

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**Actual** – when a real conflict already exists.

# Types of interests

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## **Financial**

e.g., accepting gifts

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## **Personal**

e.g., preferential treatment

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## **Loyalties**

e.g., obligations/duties

# General Prohibition

KCC 3.25.030

No Commission member may

- directly or indirectly
- receive, accept, take, seek, or solicit
- anything of economic value
- as a gift, gratuity, or favor
- if it could be
  - reasonably expected it would influence a vote, action, or judgment, or
  - considered as part of a reward for action or inaction.

- Participate in quasi-judicial proceeding with a financial interest in the matter
- Use your position or confidential information for financial gain, special privilege, or exemption for self or others
- Ask for or accept a gift for personal benefit
- Ask for or accept a gift as inducement to doing, not doing, or delaying a duty or action
- Ask for or accept a gift from a person doing or seeking to do business with County where it could look like the business is getting a special benefit
- Ever ask for or accept any gift (even when exception applies) if it would, would appear to, or is intended/designed to impair your impartiality

# Prohibited Activities

## *Examples*

*KCC 3.25.030*

*RCW 42.23.070*



# What is a gift, gratuity, or favor?

*Anything received that is not purchased.*



What is **NOT** gift, gratuity, or favor?



**NOMINAL VALUE**

# Other Limitations

RCW 42.20

RCW 42.23

Cannot delegate duties to another person *(GM)*

Cannot impersonate a public officer or attempt to perform their duties *(GM)*

Cannot knowingly make a false report or misleading statement in any official report or statement *(GM)*

Cannot willfully neglect your duties in order to obtain a benefit or deprive another of a benefit *(GM)*

Willfully neglect to perform your duties *(M)*



# Resources

- [RCW 42.20](#) – Misconduct of Public Officers
- [RCW 42.23](#) – Code of Ethics for Municipal Officers
- [Kitsap County Code 3.25](#) – Code of Ethics Kitsap
- Kitsap County Advisory Group [Handbook](#)
- [MRSC Ethics and Conflicts of Interest](#)