



CODE OF ETHICS

For members of South Jordan City Council,
Boards, Committees and Commissions
Adopted by the South Jordan City Council

Preamble:

The Citizens and businesses of South Jordan City are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence and trust. In keeping with South Jordan City's Commitment to Excellence, the effective functioning of the government, therefore requires, that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial and fair in their judgment and actions;
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the South Jordan City Council has adopted a Code of Ethics for members of the City Council and of the City's boards, committees and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of South Jordan and not for any private or personal interest, and they will assure fair and equal treatment to all persons, claims and transactions coming before the South Jordan City Council, boards, committees and commissions

2. Comply with the Law

Members shall comply with the laws of the nation, the State of Utah and the City of South Jordan in the performance of their public duties. These laws include, but are not limited to: the United States and Utah Constitutions; the South Jordan City Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial

disclosures, employer responsibilities, and open processes of government; and City policies and procedures.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards, committees and commissions, the staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order as established by the City Council, board, committees and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City Staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Council, boards, committees and commissions, which they may have received from sources outside of the public decision-making process. Exparte communication with developers or others having a financial interest in the City is deemed inappropriate.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence governmental decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.

In accordance with law, members shall disclose investments, interest in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that are not available to the public in general. They shall refrain from accepting gifts, favors or promises for future benefits, which might compromise their independence of judgment or action or give the appearance of being compromised.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interest of third parties before the Council or any board, committee, commission or proceeding of the City, nor shall members of boards, commissions appear before their own bodies or before the Council on behalf of the private interest of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the City Council, board, committee or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members should explicitly state that they do not represent their body or South Jordan City, nor with they allow the inference that they do.

14. Policy Role of Members

Members shall respect and adhere to the Council-manager structure as adopted by ordinance of the South Jordan City government. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, committees and commissions, and City staff.

15. Independence of Boards, Committees and Commissions

Because of the value of the independent advice of boards, committees, and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board, committee and commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealing with City employees to in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for members expected by the City, the South Jordan City Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientation for candidates for City Council, applicants to board, committee and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the South Jordan City Code of Ethics. In addition, the Code of Ethics shall be annually reviewed by the City Council, boards, committees, and commissions, and the City Council shall consider recommendations from boards and commissions, and the staff to update it as necessary.

18. Compliance and Enforcement

The South Jordan City Code of Ethics expresses standards for ethical conduct expected for members of the South Jordan City Council, boards, committees, and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, committees, and commissions and the Mayor, have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The City Council may impose sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment.

Adendum to City Code

2.40.010: PURPOSE:

The purposes of this chapter are to establish standards of conduct for officers and employees of the city to require these persons to disclose actual or potential conflicts of interest between their public duties and their personal interests. (Prior code § 3.16.010)

2.40.020: CROSS REFERENCE; MUNICIPAL OFFICERS AND EMPLOYEES ETHICS ACT:

Statutory provisions governing conflicts of interest are outlined in Utah Code Annotated sections 10-3-1301 through 10-3-1312. (Prior code § 3.16.020)

2.40.030: DEFINITIONS:

As used in this chapter:

APPOINTED OFFICER: Any person appointed to any statutory office or position, or any other person appointed to any position of employment with the city, except special employees. Appointed officers include, but are not limited to, persons serving on special, regular, part time or full time committees, commissions, agencies, councils, foundations created by the governing body or boards, whether or not such persons are compensated for their services. The use of the word "officer" in this chapter is not intended to make appointed persons or employees "officers" of the city according to any meaning that term may have elsewhere.

ASSIST: To act, or offer or agree to act, in such a way as to help, represent, aid, advise, furnish information to, or otherwise provide assistance to a person or business entity, believing that such action is of help, aid, advice or assistance to such person or business entity and with the intent to so assist such person or business entity.

BUSINESS ENTITY: A sole proprietorship, partnership, association, joint venture, corporation, firm, trust, foundation, or other organization or entity used in carrying on a business.

COMPENSATION: Anything of economic value, however designated, which is paid, loaned, granted, given, donated or transferred to any person or business entity by anyone other than the city for or in consideration of personal services, materials, property, or any other thing whatsoever.

CONFIDENTIAL INFORMATION: Information protected under Utah Code Annotated title 63, chapter 2, the government records access and management act, or other applicable provisions of law.

ELECTED OFFICER: Any person elected or appointed to the office of mayor or council member.

IMPROPER DISCLOSURE: Disclosure of confidential information to any person who does not have both the right and the need to receive the information.

MUNICIPAL EMPLOYEE: A person who is not an elected or appointed officer who is employed on a full, part time, or voluntary basis by the city.

SUBSTANTIAL INTEREST: The ownership, either legally or equitably, by an individual, his spouse, and his minor children, or an entity he controls, of at least ten percent (10%) of the outstanding shares of a corporation or ten percent (10%) interest in any other business entity. (Prior code § 3.16.030)

2.40.040: USE OF OFFICE FOR PERSONAL BENEFIT PROHIBITED:

No elected or appointed officer shall:

- A. **Disclosure:** Disclose confidential information acquired by reason of his or her official position or use such information to secure special privileges or exemptions for himself or herself or others;
- B. **Misuse Of Position:** Use or attempt to use his or her official position to secure special privileges for himself or herself or others; or
- C. **Gifts Of Loans:** Knowingly receive, accept, take, seek or solicit, directly or indirectly, any gift or loan for himself or herself or another if the gift or loan tends to influence him or her in the discharge of his or her official duties, but this subsection does not apply to:
 - 1. An occasional nonpecuniary gift having a value of less than fifty dollars (\$50.00); or
 - 2. An award publicly presented; or
 - 3. Any bona fide loan made in the ordinary course of business; or
 - 4. Political campaign contributions if the contribution is actually used in a political campaign. (Prior code § 3.16.040)