

FILLMORE CITY CONFLICT OF INTEREST POLICY

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ARTICLE I. PURPOSE

The purpose of this policy is to protect the interests of Fillmore City and its citizens by requiring Fillmore City municipal officers, elected and appointed, and employees to disclose actual or potential conflicts of interests between their public duties and their personal interests in compliance with Utah Code Ann. § 10-3-1301 et seq., the Municipal Officers' and Employees' Ethics Act.

ARTICLE II. DEFINITIONS

The definitions found under Utah Code Ann. § 10-3-1303 are incorporated by reference.

ARTICLE III. POLICY

A. Business Interests

1. All Fillmore City officials or employees who have a substantial interest in any business entity which is subject to regulation by Fillmore City or conducts, or anticipates conducting, business with Fillmore City, shall disclose any such position held and the precise nature and value of that person's interest: a. Upon first becoming an official or employee; b. Whenever the official's or employee's position with Fillmore City changes significantly; c. Whenever the value of the official's or employee's interest in the business entity significantly increases; and d. Annually.

2. The disclosure shall be made in a sworn statement filed with the Mayor.

3. Upon receiving such disclosure, the Mayor shall either 1) report the substance of all such disclosure statements to the members of the governing body, or 2) provide to the members of the governing body copies of the disclosure statement within 30 days after being received.

4. However, if a disclosure has not been made or distributed to the members of the governing body prior to a discussion by such body concerning matters relating to such business entity, the employee or official shall publicly disclose to the members of the governing body, the nature of his or her interest in that business entity. The disclosure shall be entered in the minutes of the meeting.

5. This policy does not apply to instances where the total value of the interest does not exceed \$2,000. Life insurance policies and annuities may not be considered in determining the value of any such interest.

B. Investment Interests

Any personal interest or investment by an employee or official which creates a conflict between the employee's or official's personal interests and his public duties shall be disclosed in open meeting to the members of the body in the same manner as business interests, provided above.

C. Fillmore City officials and employees shall not:

1. Disclose or improperly use private, controlled, or protected information acquired by reason of their position, or in the course of official duties, to further substantially the officer's or employee's personal economic interest or to secure special privileges or exemptions for the officer, employee, or others.
2. Use or attempt to use their official positions to further substantially their personal economic interest or the economic interest of others.
3. Knowingly receive, accept, take, seek, or solicit for themselves or another, a gift of substantial value or a substantial economic benefit tantamount to a gift that would tend to improperly influence a reasonable person in their position, or for the purpose of rewarding a person of official action taken. However, receiving an occasional nonpecuniary gift, having a value of less than \$50; an award publicly presented in recognition of public services; any bona fide loan made in the ordinary course of business; or a political campaign contribution does not violate this provision.

D. Violations

The consequences and penalties found under Utah Code Ann. §§ 10-3-1309, 1310, 1311, and 1312, for violations, are incorporated by reference.