



Conflict of Interest

Municipal Codes | August 25, 2023

All officials are required to follow the Utah Public Officers' and Employees' Ethics Act ([Title 67-16](#)). Most of these regulations restrict officials from acting in a way that benefits them financially. Additionally, they may not act in a way that creates a conflict between their private interests and public duties. Many conflict of interest disclosures are publicly available.

Beyond those requirements, state statute provides code for counties' and municipalities' conflict of interest requirements that expand upon, rather than differ, from the statewide statute. For counties this is the County Officers and Employees Disclosure Act ([Title 10-3-13](#)), and for municipalities this is the Municipal Officers' and Employees' Ethics Act ([Title 17-16a](#)). The state county code, for example, discusses compensation for assistance and disclosure requirements. The state municipality code requires disclosure for interest in businesses and, like counties, disclose personal interest that creates a conflict of interest between their private interests and public duties.

Many municipalities, beyond what state code dictates, include additional conflict of interest requirements in their personal code. Most reiterate what is already said in state statute, however, many add further clarification as to what constitutes a conflict of interest. Municipalities frequently dictate conflict of interests disclosures as related to contracts.

State

State Code

The Utah Public Officers' and Employees' Ethics Act ([Title 67-16](#)) discusses what public officers and employees may and may not do during their tenure as a public servant. Below is a detailed list of the required disclosures and potential conflict of interests.

- Public officers, employees, and legislators, may not accept employment or engage in any business or professional activity that they might reasonably be expected to improperly disclose controlled information, disclose or improperly use controlled, protected, or private information, use their official position to affect their economic interest, or accept employment that might expect would interfere with the ethical performance of his public duties (Utah State Code [67-16-4](#)).
- Public officers, employees, and legislators may not knowingly receive, accept, take, seek, or solicit, directly or indirectly for themselves or another a gift of substantial value or a substantial economic benefit tantamount to a gift that would improperly influence the individual or be construed as an award. Additionally, the individuals may not receive the economic benefit if there has been or may be governmental action affecting the donor or lender (Utah State Code [§67-16-5](#)).
- Public officers, employees, and legislators may not require donation, payment, or service to a government agency in exchange for approval. This does not apply to the donation of property, funds or services to an agency that is required by statute, mutually agreed upon by all parties, made voluntarily, or a condition of a decree or settlement agreement (Utah State Code [§67-16-5.3](#)).
- No person may donate or offer to donate personal property, money, or services, to an agency in exchange for approval of an application or permit. This does not apply to the donation of property, funds or services to an agency that is required by statute,



mutually agreed upon by all parties, made voluntarily, or a condition of a decree or settlement agreement (Utah State Code [§67-16-5.6](#)).

- Public officers and employees may not receive or agree to receive compensation for assisting any person or entity in a transaction unless the officer files a sworn written statement containing information on the transaction to head of the employee's agency, the head of the agency with which the transaction is being conducted, and with the state attorney general. The information provided will be publicly available (Utah State Code [§67-16-6](#)).
- Public officers and employees who have substantial interest in a business entity subject to regulation by the agency the public officer is employed shall disclose the position held by the entity when first becoming a public officer and whenever their position or interest in the business entity changes significantly (Utah State Code [§67-16-7](#)).
- Public officers and employees may not, in an official capacity, participate in or receive compensation as a result of a business or entity in which they have substantial interest unless disclosed (Utah State Code [§67-16-8](#)).
- No public officer or public employee shall have personal investments in any business entity which will create a substantial conflict between their private interests and their public duties (Utah State Code [§67-16-9](#)).

Special Districts

According to the Utah Association of Special Districts, the ethics provisions found in Title [67-16](#) apply to district employees and board members.

Counties

State Code

The County Officers and Employees Disclosure Act dictates the following conflict of interest requirements:

- No elected or appointed officer may receive or agree to receive compensation for assisting any person or business entity in any transaction involving the county in which they are an officer unless they disclose information related to the transaction such as the service rendered and the nature of the service performed (Utah State Code [§17-16a-5](#)).
- Appointed and elected officials with a substantial interest in a business entity subject to regulation in the county of the elected or appointed officer should disclose the position held and the nature of the interest (Utah State Code [§17-16a-6](#)). Officials doing business with anticipating doing business with the county should publicly disclose the matter prior to any discussion by the body relating to the business entity (Utah State Code [§17-16a-7](#)).
- Personal interest or investments by elected or appointed officials that create a potential or conflict of interest between their personal interests and public duties should disclose them in an open meeting (Utah State Code [§17-16a-8](#)).



Municipalities

State Code

According to the Municipal Officers' and Employees' Ethics Act, elected officials are required to disclose:

- Substantial interest in any business entity subject to regulation by the municipality they are elected in (Utah State Code [§10-3-1306](#)).
- Substantial interest in any business entity that does or anticipates doing business in the municipality they are elected in (Utah State Code [§10-3-1307](#)).
- Any personal interest or investment that creates a conflict between the personal interests and public duties (Utah State Code [§10-3-1308](#)).

Any municipality absent from this document has not adopted conflict of interest requirements.

Municipalities

Municipal Requirements

Annabella

- Appointed members of the Parks and Recreation Commission may be removed by a majority vote of the entire town council for a conflict of interest (Municipal Code [§2-3-2](#)).

Blanding

- City council members must disclose any interest in contracts entered into by the city (Municipal Code [§1-11-7](#)).

Bluffdale

- No member of a governing body may have any interest in contracts entered into by the city (Municipal Code [§1-100-080](#)).

Cedar Hills

- No member of the city council may have any interest in contracts entered into by the city (Municipal Code [§1-11-10](#)).

Copperton Township

- Representatives are prohibited from engaging in outside activity or financial investment that constitutes a restricted conflict of interest. They must publicly disclose any conflict of interest and have no involvement in any governmental action in which they have a restricted conflict of interest (Municipal Code [§2-07-040](#)).
- Officers must disclose if a relative or business associate desires to participate in a tax sale (Municipal Code [§3-65-050](#)).

Cottonwood Heights

- Any city personnel experiencing a conflict of interest should declare their interests publicly. If the personnel determines the conflict of interest means they cannot be



objective, they must abstain from considering, debating, or voting (Municipal Code [§2-190-050](#)).

- Requires city personnel who are members of a public body that creates conflict between their personal interests and public duties be disclosed in open meetings. (Municipal Code [§2-190-090](#)).

Corine

- Elected officials that own substantial interest in a business which does or anticipates doing business in the town must disclose such interest prior to discussion by the governing body (Municipal Code [§1-8-7](#)).

Daniel

- Any elected official is required to disclose conflict of interest requirements and not participate in any decisions related to the purchase of goods and services (Municipal Code [§1-9-5](#)).

Draper

- No city officer may acquire an interest in a contract that is subject to official city action when they believe that the city (Municipal Code [§19-2-020](#)) and every city officer who has an interest in the aforementioned code must disclose on the record of the extent of the interest (Municipal Code [§19-2-010](#)).

Delta

- Public servants may not participate in any contract involving the city when the public servant has knowledge that their relative is involved (Municipal Code [§1-09-090](#)).

Eagle Mountain

- Appointed and elected officials shall disclose every conflict of interest of which a public official has knowledge of prior to consideration of any action in any public meeting (Municipal Code [§1-15-010](#)). Officials are required to disclose the conflict prior to the meeting and may not speak in the public meeting on the matter under consideration and will normally leave the meeting (Municipal Code [§1-15-020](#)). The officials must abstain from voting (Municipal Code [§1-15-040](#)).

Emigration Canyon Township

- Employees must not participate in any outside activity that constitutes a restricted conflict of interest (financial interest) that could impair judgement (Municipal Code [§2-01-207](#)).

Enoch

- All public body members should complete an annual written disclosure statement or when there is a change in the nature of the conflict. A conflict of interest must be made orally in an open meeting to the members of the body (Municipal Code [§3-500-512](#)).

Erda

- Contracts that result from a conflict of interest are voidable (Municipal Code [§1-5-12](#)).



Francis

- Upon declaring a conflict of interest, the planning commission member should not participate in the discussion and vote of the matter (Municipal Code [§2-20-030](#)).
- All city council members shall complete a written conflict of interest statement that is made available to the public (Municipal Code [§2-50-110](#)).

Garden City

- Any officer of the town with direct or indirect pecuniary interest in any contract entered into by the Town must disclose the conflict to the town administrator (Municipal Code [§3-716](#)).
- Appointed hearing officers may be removed for a conflict of interest. Administrative Code Enforcement Judges should be free of any bias or conflict of interest that might affect impartiality of decisions (Municipal Code [§3-802](#)).

Garland

- May not be interested in any contract entered into by the city (Municipal Code [§1-9-11](#))

Harrisville

- Officers have a conflict of interest if they receive private benefits as a result of an action. They should declare conflict of interests publicly and abstain from voting/considering the action (Municipal Code [§2-06-030](#)).

Heber

- Bids, proposals, and contracts create a conflict of interest under the Municipal Officers' and Employees' Ethics Act must be rejected unless a disclosure has been made by the official subject to the conflict (Municipal Code [§3-14-160](#)). Contracts that result under a conflict of interest are voidable.

Herriman

- Contracts that result from a conflict of interest are voidable (Municipal Code [§1-10-18](#)).

Highland

- Officials may not use their position to influence governmental decisions in which they have a financial interest, or to secure economic benefit for themselves or others. The conflict of interest must be disclosed as soon as it is created or known (Municipal Code [§2-04-070](#))
- Contracts that result from a conflict of interest are voidable (Municipal Code [§2-1-16](#)).

Hooper

- City council members may not participate in actions that may benefit them privately (Municipal Code [§1-1-5](#)).

Hyrum

- No officer or employee of the city with supervisory authority to purchase goods, services or construction, shall have any financial interest in connection with their purchase (Municipal Code [§3-04-100](#)).



Kanarrville

- Conflict of interests must be disclosed orally in an open meeting before the discussion of the topic involved (Municipal Code [§31-014](#)).

Kearns Township

- Officers are prohibited from using non-public information in ways that could provide themselves or another a gain or benefit, from using their position to secure special privileges, and participating in outside activity that constitutes a restricted conflict of interest. They are prohibited from engaging in outside activity or financial investment that constitutes a restricted, or financial, conflict of interest. They must publicly disclose restricted and unrestricted conflict of interests (Municipal Code [§2-07-040](#))
- Officers, representatives, agents, or members of councils must not have a financial interest in any contract, bid, or proposal, receive any compensation or gift, or have any conflict of interest (Municipal Code [§3-16-110](#))
- Officers may not bid on or benefit from the purchase of property offered for sale if connected with the tax sale (Municipal Code [§3-65-050](#)).
- Appointed hearing officers should submit a statement of no potential or actual conflict (Municipal Code [§19.10.030](#)).

Lake Point City

- On any matter in which a commissioner has a conflict of interest, the member should disclose the conflict as required by law and not participate or vote on the matter as a member of the commission. This does not restrict the member from participating in the discussion as a member of the public or a land use applicant (Municipal Code [§3-1-10](#)).

Laketown

- No officer, employee, agent, representative or member of any committee of the town shall have a financial interest in any contract, bid, or proposal; receive any compensation or gift from any bidder or proposer; or have any other conflict of interest (Municipal Code [§1-10-1](#)).

Layton

- No member of the appeal board should hear an appeal from the department they are employed or can be related to the appealing employee (Municipal Code [§2-55-060](#)).

Lindon

- The appointed members of the planning commission should abstain from voting if they have a conflict of interest. If the commission determines a conflict of interest, the should publicly declare the conflict and recuse themselves from participation in the meeting, discussion, and vote on the matter (Municipal Code [§17-08-050](#)).

Lynndyl

- No person involved in making procurement decisions may have personal investments in a business entity that will create a substantial conflict between their private interests and duties (Municipal Code [§4-08-010](#)).



Magna Township

- Representatives must publicly disclose and have no involvement in any governmental action in a restricted conflict of interest (Municipal Code [§2.07.201](#)). A restricted conflict of interest is financial interest. They must disclose unrestricted (political, family, fraternal, social and other) conflicts of interests (Municipal Code [§2.07.201](#)).
- Representatives and officers may not have financial interest or conflict of interest in any contract, bid, or proposal (Municipal Code [§3-16-110](#)).
- Appointed hearing officers should submit a statement of no potential or actual conflict (Municipal Code [§19-10-030](#)).

Mapleton

- A member of a city body that has a conflict of interest on a matter being considered by the city body may not vote on the matter if they receive compensation, if it involves the regulation of a business entity and that individual has substantial interest in the business, and if it involves the procurement of goods or services from a business entity the individual has substantial interest in (Municipal Code [§2-54-010](#)).

Marriott-Slaterville

- The planning commission may not vote on an issue if they declare a conflict of interest (Municipal Code [§2-25-020](#)).
- Officials experiencing conflict of interests should declare the conflict publicly and abstain from participation and voting on the action (Municipal Code [§2-27-030](#)).
- Contracts resulting from a conflict of interest are voidable (Municipal Code [§3-20-170](#)).

Midvale

- Hearing examiners should be free of conflict of interests (Municipal Code [§7-02-040](#)).
- Any officer or employee of the city with a direct or indirect pecuniary interest in any contract entered into by the city must disclose such conflict of interest to the city manager (Municipal Code [§3-02-170](#)).

Midway

- Members of commissions that recognize a potential conflict of interest in a matter up for discussion must publicly disclose their interest publicly (Municipal Code [§2-03-060](#)).

Millcreek

- Individuals with conflicts of interests must publicly disclose the interest. If the conflict is restricted (a financial interest), they must not participate in the action related to the conflict of interest (Municipal Code [§2-07-201](#)).
- Contracts that result from a conflict of interest are voidable (Municipal Code [§2-22-160](#)).

Minersville

- If a member of the town council has a potential conflict of interest, they must disclose the matter to the town attorney and might have to recuse themselves from discussion. Members must also not participate in discussions for a decision if they have a conflict of interest (Municipal Code [§2-306](#)).



Murry

- Any city personnel who have a conflict of interest between their personal interests and public duties must disclose their conflict in a public meeting (Municipal Code [§2-46-090](#)). Prior to voting on governmental action, the city personnel must declare their interests publicly and abstain from participating in the action (Municipal Code [§2-46-050](#)).

Naples

- Disclosure of possible conflicts of interests should be filed upon election, and, an oral disclosure must be made before discussion of the topic involved in a conflict of interest (Municipal Code [§2-05-260](#)).

Nibley City

- Failure to disclose potential conflict of interest constitutes malfeasance in office and may result in removal (Municipal Code [§3-10-110](#)).

North Salt Lake

- No member of the city council may have an undisclosed pecuniary interest, directly or indirectly, in any contract entered into by the city (Municipal Code [§1-11-10](#)).

Oak City

- Every appointed or elected officer who has substantial interest in a business entity that is subject to the town must disclose the position and nature of their interest (Municipal Code [§32-25](#)).
- Any personal interest or investment that creates a conflict of interest must be disclosed in open public meeting to the members of the town council (Municipal Code [§32-26](#)).
- Town council 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 (Municipal Code [§31-17](#)).
- If required to be disqualified from voting by the Municipal Officers' and Employees' Ethics Act because of a conflict of interest or other reason, a disqualified Council member shall not participate in the discussion or vote of that particular item (Municipal Code [§31-18](#)).

Ogden City

- No appointed or elected official may improperly disclose private, controlled, or protected information obtained by the position or may use their position to secure privileges or economic interest (Municipal Code [§2-7-3](#)).
- No appointed or elected official may accept gifts that would improperly influence their duties (Municipal Code [§2-7-4](#)).
- Appointed and elected officers must disclose interest in entities doing business with the city and interest in entities regulated by the city (Municipal Code [§2-7-5](#)).
- Elected and appointed officers may not receive compensation for assisting a person or business entity in any transaction involving the city unless they disclose the information in an open and public meeting (Municipal Code [§2-7-6](#)).
- No appointed or elected official may participate in the contract process if they or their immediate family has an interest in regard to the contract (Municipal Code [§2-7-8](#)).



Orem

- Anytime a public servant's duty requires governmental action on which they or a family member has a direct financial or personal interest, the public servant should disclose the conflict and recuse themselves from deliberating, voting, or taking action on the matter (Municipal Code [§2-6-8](#)).
- Appointed administrative law judges should be free of conflicts of interests that might affect the impartiality of the decision (Municipal Code [§11-3-4](#)).
- Contracts that result from a conflict of interest are voidable (Municipal Code [§2-7-11](#)).

Park City

- A hearing officer must not participate in any appeal where the officer has a conflict of interest (Municipal Code [§2-6-2](#)).
- Officers of the city who have a substantial or personal interest or investment in any business entity that anticipates doing business with the city shall publicly disclose that interest prior to the discussion of the relevant matters with the entity. Any personal interest or investment by a City officer or employee 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 municipal body (Municipal Code [§3-2-4](#)).
- Appointed administrative law judges shall have no personal, financial, or other conflict of interest in the matter for which the hearing is being held (Municipal Code [§11-19-2](#)).

Parowan

- Contracts that result from a conflict of interest are voidable (Municipal Code [§13-04-110](#))

Perry

- Officials who may receive private benefits from a result of a government action may not participate in that action (Municipal Code [§2-19-030](#)).
- A member of the planning commission who experiences a conflict of interest must abstain from voting on the action that presents the conflict and leave the room during the consideration of the action (Municipal Code [§15-03-060](#)).
- Hearing officers should have no personal, financial, or other conflict of interest in the matter for which the hearing is held (Municipal Code [§17-02-040-4](#)).

Plain City

- No elected or appointed officer should use their position for their personal benefit (Municipal Code [§1-8-4](#)).
- Officers of the city who have a substantial or personal interest or investment in any business entity that anticipates doing business with the city shall disclose the interest when first appointed or elected and again if their position or interest has changed (Municipal Code [§1-8-6](#)).
- Any personal interest or investment by a municipal employee or by any elected or appointed official of the city 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 city council (Municipal Code [§1-8-8](#)).



Pleasant Grove

- No member of an appeal board shall hear an appeal from the department in which the member is employed or is related to the appealing employee (Municipal Code [§2-7-4](#)).

Provo

- If, in the performance of an official duty, a Municipal Council member requires governmental action on a matter with a direct financial interest, the council member should publicly disclose the conflict, be disqualified from deliberating, deciding, and/or voting, and leave the dais or meeting table (Municipal Code [§2-70-010](#)).

Rocky Ridge Town

- Members on the planning and zoning commission may not vote on items for which they have a conflict of interest (Municipal Code [§2.28](#))

Riverdale

- No member of the city council may have a direct or indirect interest in any contract entered into by the city (Municipal Code [§1-9-11](#)).

Riverton

- No public servant shall participate in any contract involving the city when the public servant or their family has financial interest pertaining to such contract, or their relative is negotiating or has an arrangement concerning future employment by a person or entity benefitting from a contract. An public servant who financially benefits from a contract must disclose the benefit to the city government heads (Municipal Code [§2-120-090](#)).
- Hearing examiners should have no conflict of interests in the matter for which a hearing is held (Municipal Code [§7-06-040](#)).
- No corporation, partnership or individual shall do work for Riverton City if they employ a member of the governing body unless the interest was disclosed before the bids were solicited or and the contract went through a formal bidding process (Municipal Code [§3-15-020](#)).

Salem

- No officer or employee of the city shall be directly or indirectly interested in any contract, work, project, business, or in the sale of any item involving the city without first disclosing this interest to the mayor and council (Municipal Code [§2-1-070](#)).
- No employee or agent of the City shall work for or be employed by any contractor, developer, or subdivider for certain services (Municipal Code [§13-3-190](#)).

Salt Lake City

- If the performance of a public servant constitutes governmental action on a matter involving a conflict of interest, the public servant should publicly disclose the matter and disqualify themselves from participating in any deliberation and voting of the matter (Municipal Code [§2-44-030](#)).
- Contracts that result from a conflict of interest are voidable (Municipal Code [§3-24-130](#)).
- Appeals hearing officers should not participate in hearings in which they have a conflict of interest (Municipal Code [§21A-06-040](#)).



Santa Clara

- An administrative hearing officer must not participate in any appeal where the officer has a conflict of interest (Municipal Code [§17-60-070](#))
- Bids, proposals, and contracts that create a conflict of interest shall be rejected unless a conflict disclosure has been made (Municipal Code [§3-20-160](#)).

Sandy

- Personal interest or investment by any elected or appointed official that creates a conflict between personal interests and public duties must be disclosed in an open meeting to the members of the body (Municipal Code [§1-3-7](#)).
- Appointed hearing officers should be free of conflict of interest that might effect the impartiality of decisions (Municipal Code [§1-4-8](#)).

Saratoga Springs

- Hearing officers must be free of conflict of interests (Municipal Code [§3-09-02](#)).

Smithfield

- No member of the city council or city employee may be interested directly or indirectly in any contract entered into by the city (Municipal Code [§3-24-080](#)).
- Hearing officers shall not participate in appeals in which they have a conflict of interest (Municipal Code [§10-08-304](#)).

South Ogden

- Elected officials who own or have a substantial interest in any business entity subject to regulation by the City should disclose the position held and nature of the interest in the entity when first elected, or when business or interest changes. The official may not receive compensation as a result of the transaction between the city and business entity (Municipal Code [§1-6-1](#)).

South Salt Lake

- Appointed hearing officers and administrative law judges should be free from an bias or conflict of interest (Municipal Code [§2-22-060](#)).
- Individuals, including officers and appointees, participating in a procurement process should comply with all applicable ethics and conflict of interest laws. Those laws prevent individuals from using the procurement system to secure special privileges, from receiving gifts and payments for assisting in transactions, from having interest in business seeking city business and interest conflicting with public duties, and from receiving individual material benefits or contracts benefitting self or family (Municipal Code [§3-12-290](#)).

Spanish Fork

- No member of the city council or city employee may be interested directly or indirectly in any contract entered into by the city without first disclosing the interest to the city manager (Municipal Code [§2-04-060](#)).
- Contracts that result from a conflict of interest are voidable (Municipal Code [§3-08-100](#)).
- No employee or agent of the City shall work for or be employed by any contractor or subdivider for certain services (Municipal Code [§15-4-16-100](#)).



Spring City

- The appointed members of the beautification commission shall not have any conflict of interest that would inhibit their ability to be fair and impartial in performance of their duties (Municipal Code [§2-2-2](#)).

Springville

- No employee or agent of the City shall work for or be employed by any contractor or subdivider for certain services (Municipal Code [§14-5-116](#)).

South Weber

- Elected and appointed officials are required to disclose actual or potential conflicts of interest between their public duties and their personal interests (Municipal Code [§1-4-10](#)).

St. George

- Appointed administrative hearing officers should not participate in appeals in which they have a conflict of interest (Municipal Code [§1-15-1](#)).

Syracuse

- No member of the Governing Body or City employee may have a direct or indirect interest in any contract entered into by the City (Municipal Code [§13-40-100](#)).

Taylorsville

- Contracts that result from a conflict of interest are voidable (Municipal Code [§2-32-170](#)).

Vernal

- Appointed appeals and variance hearing officers should not participate in appeals in which they have a conflict of interest. If they do, the matter should be brought to the city council to make a decision and determine what remedies are necessary to mitigate the conflict (Municipal Code [§16-10-010](#)).

Washington Terrace

- Appointed members of planning commission may not vote if they declare a conflict of interest (Municipal Code [§2-14-010](#)).
- Officers who may receive private benefits that may come as a conflict of interest should not participate in the action. If an officer is experiencing a conflict of interest, they must declare his interest publicly, abstain from voting on the action, excuse themselves from the room, and not discuss the matter privately with members of a public body (Municipal Code [§2-24-030](#)).
- Contracts that result from a conflict of interest are voidable (Municipal Code [§4-29-170](#)).

White City Township

- Representatives must publicly disclose and have no involvement in any governmental action in a restricted conflict of interest. A restricted conflict of interest is financial interest. Must disclose unrestricted (political, family, fraternal, social and other) conflicts of interests (Municipal Code [§2.07.201](#)).
- Officers and representatives may not have a financial interest in any contract, bid, or proposal, receive any compensation or gift, or have any conflict of interest. If an officer



has an interest in a contract submitted to the city, the officer must disclose the conflict and not participate in the procurement process (Municipal Code [§3-16-110](#)).

West Jordan

- Contracts that result from a conflict of interest are voidable (Municipal Code [§1-11-8](#)).