

ORDINANCE 18-02

AN ORDINANCE PROHIBITING MEMBERS OF THE CITY COUNCIL, INCLUDING THE MAYOR, FROM PRIVATE PARTICIPATION IN THE SUBDIVISION PROCESS

WHEREAS, the City strives to maintain the highest ethical standards for the conduct of its elected officials and officers in all aspects of their service to the City and community; and

WHEREAS, the City has determined that participation of members of the City Council, including the Mayor, in the process for subdividing land located within the City limits creates the potential for the members to use their official positions or offices to further substantially their own economic interest or to secure privileges for themselves in violation of the Municipal Officers and Employees Ethics Act and the standards set by the City; and

WHEREAS, the City finds that prohibiting members of the City Council from participating in the subdivision process for land located within the City limits during the members' terms of office is necessary and proper to promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The following section be added to Title 11, Chapter 1 of the Nibley City Code to read as follows:

11-1-13 Prohibition on Subdivision

A. It is unlawful for any person to subdivide any tract or parcel of land located wholly or in part in the Nibley City limits, and no application for any subdivision of any tract or parcel of land may be approved, if any of the following apply:

1. The applicant or subdivider is a member of the City Council;
2. The applicant or subdivider is a spouse of a City Council member;
3. A member of the City Council owns an interest of any kind in the applicant or subdivider;

B. As set forth in Nibley City 1-5-3, the Mayor is a member of the City Council for the purposes of this Section.

C. A violation of this section is a Class B Misdemeanor.

2. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS 15th DAY OF MARCH, 2018.


Shaun Dustin, Mayor

ATTEST:


David Zook, City Recorder

