

RESOLUTION NO. 2025-08

A RESOLUTION OF THE VINEYARD CITY COUNCIL ADOPTING A
CODE OF CONDUCT

WHEREAS, pursuant to Utah Code Annotated Section 10-3-606, and Title 3 of Vineyard City Code, the Vineyard City Council desires to adopt a Code of Conduct to provide guidance to members of Vineyard City Council, Boards, Committees and Commissions; and

WHEREAS, the Vineyard City Council has determined that this Code of Conduct will provide detail of the ethical behavior and civil discourse that is required of public officials by state law; and

WHEREAS, the Vineyard City Council has determined that it is in the public interest and will promote the public welfare to adopt a Code of Conduct; and

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF
VINEYARD, UTAH AS FOLLOWS:


Section 1. Adoption. The Code of Conduct, attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted by the Vineyard City Council.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

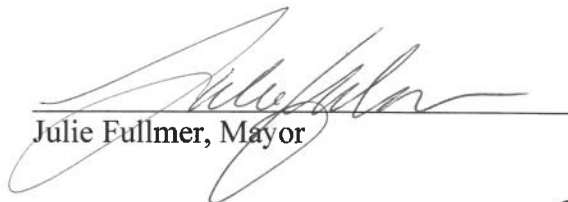
Section 3. Effective Date. This Resolution shall become effective immediately upon its approval by the City Council.

Passed and dated this 12th day of March 2025.

Attest:



Tony Lara, Deputy Recorder



Julie Fullmer, Mayor



PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

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ROLL CALL VOTE:

MAYOR JULIE FULLMER

COUNCILMEMBER JACOB HOLDAWAY

COUNCILMEMBER BRETT CLAWSON

COUNCILMEMBER MARDI SIFUENTES

COUNCILMEMBER SARA CAMERON

TOTALS

MOTION	SECOND	AYES	NAYS	ABSENT
		X		
	X	X		
X		X		
		X		
		X		
		5		

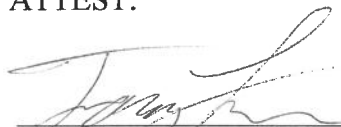
This Resolution was passed by the City Council of Vineyard, Utah on the 12th day of March 2025, by a roll call vote as described above.

CITY RECORDER'S CERTIFICATE AND ATTEST

This Resolution was recorded in the office of the Vineyard City Recorder on the 12th day of March 2025.

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Resolution No. 2025-08.

ATTEST:



Vineyard City Deputy Recorder



CODE OF CONDUCT

Vineyard City Council, Boards, Committees and Commissions

Introduction

Elected and appointed officials hold positions of trust and responsibility. This Code of Conduct establishes expectations for ethical behavior, accountability, and civil discourse to promote effective governance and public confidence (See [U.C.A. § 10-3-606](#)). It shall apply to all members of the city council, boards, committees, and commissions in the City of Vineyard. For the purposes of this Code of Conduct, “member” shall refer to all members of the city council, boards, committees, and commissions including the Mayor and Chair. Where a distinction is required, “presiding officer” shall refer to the Mayor or the Chair of a board, committee, or commission.

1. General Responsibilities

- a. **Commitment to Public Service:** Members shall prioritize the public good over personal interests. City Council members hold an elected office and as such, they may represent the positions on which they campaigned and were elected. Members shall arrive to meetings prepared to engage in civil discourse even when there are disagreements.
- b. **Respect for Others:** Members shall respect the collaborative nature of governance, ensuring that all voices are heard and treated with dignity.
- c. **Comply with the Law:** Members shall comply with the laws of the United States of America, the State of Utah, Utah County, and the City of Vineyard.
- d. **Oath of Office & Pledge of Professional Conduct:** At the time they are sworn into office, and in January of every year thereafter, all members of Vineyard City Council, boards, committees, and commissions shall sign the Pledge of Professional Conduct, committing to abide by this Code.

Article I: Legal and Ethical Standards

These legal and ethical standards constitute clarification and reinforcement of the laws applicable to elected and appointed officials. These laws include but are not limited to the State Municipal Code ([U.C.A. § 10-1-101 et seq.](#)), Municipal Officers’ and Employees’ Ethics Act (“Ethics Act”) ([U.C.A § 10-3-1301 et seq.](#)), Government Records Access and Management Act (“GRAMA”) ([U.C.A § 63G-2-101 et seq.](#)) and Open and Public Meetings Act (“OPMA”) ([U.C.A § 52-4-101 et seq.](#)).

- A. Among these legal duties, members are required to observe these principles:
1. **Confidentiality:** Keep confidential information classified as controlled, private or protected in compliance with the GRAMA (See [U.C.A § 63G-2-201](#)).
 2. **Conflict of Interest:** Disclose any personal or financial interests that could influence decision-making in accordance with the Ethics Act.
 3. **Transparency:** Conduct all business in accordance with the OPMA.
 4. **Authority:** Respect your role and authority by respecting the role and authority of others. Do not act beyond your authority (See [U.C.A § 10-3b-403](#), as amended) [will change to [U.C.A § 10-3b-303](#) 1/1/2026]).
 5. **Abuse of Position:** In addition to the prohibitions in the Ethics Act, it is prohibited to use authority for personal gain by coercing an officer, municipal employee, business or municipal entity. This includes directing the work of staff beyond the authority of a member's office or position, or using staff services for personal purposes.

Article II: Meeting Protocols

Meeting protocols in the Code of Conduct are to reinforce the OPMA and existing municipal code governing the administration of city meetings including Robert's Rules of Order (See [VMC § 3.04](#)). Unless otherwise specified, these rules apply to open and closed meetings only.

- A. **Personal Conduct:** Model professional conduct to peers, staff and the public in attendance by avoiding
1. Personal attacks which include but are not limited to:
 - a. Use of derogatory language (e.g. racist, sexist, homophobic or similar terms).
 - b. Criticism of physical appearance
 - c. Repeatedly interrupting other speakers which is counter to open dialog and debate. It is incumbent on the chair to provide opportunity for the voices of the public and all members to be heard in an organized manner.
 - d. The chair shall allocate a defined time for public comment.
 - e. The chair shall allocate a defined time for discussion and debate among members commensurate with the meeting agenda and complexity of the issue.
 - f. The chair shall allocate an equal share of the allocated time for discussion to each member so that the voices of all members may be heard.
 2. Foul language of any kind.

- B. Threatening language or behavior relating to safety:** Model safe conduct by avoiding threatening language or behavior. This includes but is not limited to:
1. Direct threats of violence or intimidation (e.g. “I know where you live,” “I want to punch you,” or “I’m going to make you regret that”).
 2. Direct gestures of violence or intimidation (e.g. raising a fist as if to strike, aggressively entering someone’s personal space without invitation).
 3. Direct threats of doxing or swatting, e.g. threats to release private information or to make false reports in order to instigate a response by law enforcement.

Article III: Representation to the Public

Because they hold public offices, members have a legal responsibility to the public, and to follow laws applicable only to persons who hold public office (e.g. Utah Municipal Code, Ethics Act, OPMA and GRAMA). These duties include a requirement not to act beyond their authority when speaking as an official representative of the City. However, members are also private citizens and, as such, are guaranteed their First Amendment Rights to speak freely. It is important for the public to understand that members may speak and behave in both capacities. Maintaining public trust requires members to clearly distinguish between their actions as a duly elected or appointed public official and their actions as a private citizen, and to conduct themselves ethically and professionally in both. This section is to address the distinction and determine how members may signal when they are speaking as a representative of the city.

- A. Citizen and Representative Speech:** Members are guaranteed their First Amendment rights when speaking as a private citizen or when representing their position on an issue facing the city. It is best practice for members to make an effort to clarify the voice they are using in order to help the public understand how the member is communicating.
- B. Official Speech:** When communicating as an elected or appointed representative of the city, a member should
1. Follow the same conduct outlined in [Meeting Protocols § a. Personal Conduct](#).
 2. Accurately represent the official positions and decisions of the council which are those with a formal vote and therefore recognized as an official position of the council in a public meeting.
 3. A council member has the right to speak their mind about their individual position at any time and any place so long as they are not speaking or implying to speak for the entire body.
- D. Threatening Language or Behavior:** Members are held to the same standards for threatening language or behavior as outlined in [Article II: Meeting Protocols § B.2](#) when in public as they are in open meetings.

Article IV: Violations

This Code of Conduct expresses standards for professional, lawful, and ethical conduct expected of members. Members are responsible for ensuring these standards are understood and potential violations are addressed. In addition, the presiding officer, has the responsibility to intervene when the chair observes actions of members that appear to be in violation of the Code of Conduct, or alleged violations are brought to the attention of the chair. By doing so, they ensure that the public can continue to have full confidence in the integrity of its municipal government.

1. Ethical Violations

- A. Ethical violations include any violations of the standards set forth in [Article I: Legal and Ethical Standards](#).
- B. All alleged ethical violations will be referred to the [Utah Political Subdivisions Ethics Commission](#).
- C. The process for submitting and ethics complaint is outlined in the [Utah Political Subdivision Ethics Commission](#).

2. Conduct Violations

- A. Conduct violations include any violations of [Article II: Meeting Protocols](#) or [Article III: Representation to the Public](#).
- B. All alleged violations of Article II: Meeting Protocols in an open meeting may be called as a Point of Order in accordance with [VCA 3.04.040](#) or Robert's Rules of Order.
 - 1. If Point of Order is called three (3) or more times and recognized by the chair for the same member and in the same meeting, the presiding officer may:
 - i. Call a recess and discuss the violations with the member privately.
 - ii. Document the number of points of order and who raised them.
 - iii. Call for a closed session at the next regularly scheduled session to discuss the violations as a council in accordance with U.C.A. § 52-4-205 Subsection [\(1\) \(a\)](#).
 - iv. Expel the member from the current meeting in accordance with [U.C.A. § 10-3-607 Subsection \(3\)](#).
 - 2. If Point of Order is called 3 or more times for the presiding officer, then the council, board, commission or committee may:
 - i. Call a recess and have a member of the body discuss the violations with the presiding officer privately.
 - ii. Document the number of points of order and who raised them.
 - iii. Call for a closed session to discuss the violations as a council in accordance with U.C.A. § 52-4-205 Subsection (1) (a).

- iv. Expel the presiding officer from the current meeting in accordance with [U.C.A. § 10-3-607 Subsection \(3\)](#).
- C. All alleged violations of Article III: Representation to the Public should be reported to the City Recorder, the City Attorney, the Mayor or any member of the City Council.
 - 1. If a violation is alleged, and if permitted by OPMA, a member shall call for a closed session to address the allegations.
 - 2. This Code of Conduct is intended to promote ethical conduct and maintain public trust. No action taken in good faith to raise concerns about potential violations of this Code of Conduct shall be considered a violation of this Code of Conduct provided such action is taken in a respectful and professional manner.

Article V: Consequences for Violations

- A. The council cannot take additional action on the same violation (i.e. there is no double jeopardy).
- B. The expectation is that the body escalates consequences upon repeated violations and not apply the most extreme consequence first.
- C. Formal consequences for violations of Article I: Legal and Ethical Standards shall be referred to and determined by the [Utah Political Subdivisions Ethics Commission](#), the Office of the County Attorney, and/or the Office of the Utah Attorney General.
 - 1. Once the case is referred to the relevant authority, the body shall only be involved as directed by the relevant authority.
- D. Repeated or significant violations of [Article II: Meeting Protocols](#) and/or [Article III: Representation to the Public](#) may result in formal consequences.
 - 1. Formal Complaint and Review Process
 - a. A formal complaint detailing the alleged violations shall be submitted in writing to the presiding officer of the public body or, if the presiding officer is the subject of the complaint, to the vice chair or mayor pro tempore.
 - b. The governing body shall schedule a meeting and closed session, as permitted by OPMA, to review the complaint and provide the accused member an opportunity to respond. The accused member may be represented by an attorney during the review meeting.
 - c. Following the review, the governing body may take action in a public meeting, including dismissal of the complaint, informal counseling, or formal consequences as outlined in this section.
 - 2. Adoption of Formal Consequences

- a. All formal consequences shall require a two-thirds (2/3) vote body in a public meeting.
 - b. Subject to a vote according to Article V.B.2.a. Formal consequences may include:
 - i. Formal public letter of censure signed by members or the presiding officer
 - ii. Expel the member from the current meeting in accordance with [U.C.A. § 10-3-607 Subsection \(3\)](#).
 - a. The expulsion of a member from the current meeting does not prevent the member from attending the next meeting.
 - iii. Referral to the State Ethics Commission, County Attorney and/or Attorney General.
 - iv. The accused member may appeal the action of the governing body to the State Ethics Commission, County Attorney and/or Attorney General.
3. Reconsideration of Consequences
- a. A member who has been subject to formal consequences may petition the governing body for reconsideration after a period of three (3) months of demonstrated compliance with this Code of Conduct.
 - b. Upon receipt of a petition, the governing body shall conduct a review to determine whether the member has adhered to the ethical and professional standards and whether modification or removal of the imposed consequences is warranted.
 - c. Reversal or modification of formal consequences shall require a super majority vote of the governing body in a public meeting.

Article VI: Implementation and Training

- A. The Code of Conduct will be included in Council and board orientations.
- B. Members will receive annual training on ethical standards, meeting protocols, and public responsibilities.