

ORDINANCE NO. 2025 - 18

AN ORDINANCE AMENDING TITLE III, ENTITLED "ADMINISTRATION", CHAPTER 30, ENTITLED "CITY OFFICERS AND EMPLOYEES," AND CREATING SECTION 30.48 OF THE CODE OF ORDINANCES OF THE CITY OF ROCK SPRINGS ENTITLED "ETHICS & CONDUCT."

WHEREAS, the citizens of the City of Rock Springs are entitled to a government that maintains the highest standards of honesty, integrity, and transparency in conducting the public's business; and,

WHEREAS, elected officials serve as stewards of the public trust and must exercise their duties with impartiality, fairness, and respect for the law; and,

WHEREAS, the enactment of a Code of Ethics affirms the commitment of the governing body of the City of Rock Springs to place the interests of the community above personal or private interests; and,

WHEREAS, clear standards of ethical conduct guide elected officials in situations where conflicts of interest, misuse of office, or questions of propriety may arise; and,

WHEREAS, establishing a Code of Ethics strengthens public confidence in local government and promotes accountability in decision-making; and,

WHEREAS, a Code of Ethics fosters civility, respect, and professionalism among elected officials, municipal staff, and members of the public; and,

WHEREAS, the adoption of ethical rules reduces the risk of corruption, abuse of power, or the appearance of impropriety in the administration of public affairs; and,

WHEREAS, the consistent application of ethical principles contributes to effective governance, efficient public meetings, and sound public policy; and,

WHEREAS, adopting a Code of Ethics demonstrates the governing body's dedication to leadership by example and its commitment to preserving the integrity of democratic institutions.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That section 30.48 of the Code of Ordinances of the City of Rock Springs is hereby created to read as follows:

§ 30.48 ETHICS AND CONDUCT.

(A) This ethics code supplements, but does not supplant, Wyoming state law.

(B) Purpose. To secure public trust; prevent conflicts of interest; ensure fair, transparent, and accountable government; and establish clear standards, disclosure duties, enforcement processes, and proportional remedies for violations.

(C) Definitions.

(1) Elected Official: includes the Mayor and members of the Rock Springs City Council.

(2) Immediate Family: Spouse/domestic partner; child/stepchild; parent/stepparent; sibling/stepsibling; person residing in the official's household for six (6) months or more.

(3) Financial Interest: A direct or indirect monetary or ownership interest, including through Immediate Family or an entity where the official holds 5% or more in equity, a director or officer role, or receives \$5,000.00 or more annually, whichever is greater.

(4) Gift: Anything of value for which the recipient does not pay full value, excluding items listed in paragraph (G)(5).

(5) Restricted Source: A person or entity that (a) has or seeks a contract, permit, license, or land-use approval with the City within the past 12 months; or (b) has a matter pending before the governing body.

(D) Applicability; Baseline Duties.

(1) Applicability. This Code shall apply to Elected Officials and to all appointed members of City boards & commissions.

(2) Fiduciary Duty. Elected Officials serve the public interest and the City as a whole, not private interests.

(3) Duty of Candor and Diligence. Officials shall act honestly, prepare adequately, and participate in deliberations in good faith.

(4) Duty of Civility & Respect. Officials shall conduct themselves with respect during meetings and public interactions. Abusive, threatening, or harassing conduct toward other officials, staff, or members of the public is strictly prohibited.

(E) Conflicts of Interest & Recusal.

(1) Prohibited Participation. An Official shall not participate in, attempt to influence, or vote on a matter in which the Official or Immediate Family has a Financial Interest.

(2) Disclosure & Recusal Procedure. Upon learning of a potential conflict, the Official shall:

(a) publicly disclose the nature of the interest before discussion; and,

(b) file a written Affidavit of Disclosure as required by Wyo. Stat. §6-5-118; and,

(c) recuse by leaving the dais and refraining from communications intended to influence the matter.

(3) Remote/De Minimis Interests. A conflict does not arise from an interest shared with a broad class of similarly situated persons (e.g., citywide tax, utility rates) unless the Official's interest is unique in kind or degree.

(4) Incompatible Offices; Employment. An Official shall not hold another City office or paid City employment, or a position that supervises, is supervised by, or audits the City, unless expressly permitted by charter or statute.

(5) Personal/Close Relationships. Non-financial relationships creating a reasonable appearance of bias must be disclosed; the governing body may determine whether recusal is required.

(F) Use of Office; City Resources; Confidential Information.

(1) Misuse of Position. No Official shall use their title, City seal, or access to confer a special advantage, secure private gain, or coerce others.

(2) Resources. City property, staff time, email, equipment, and confidential data shall be used only for City business, except for incidental personal use consistent with City policy. The following activities are strictly prohibited:

(a) Accessing, viewing, downloading, or distributing pornographic, sexually explicit, or obscene material.

(b) Using municipal systems or equipment for any illegal activity, including copyright infringement, unauthorized access, or fraud.

(c) Transmitting offensive, harassing, or discriminatory messages or images.

(d) Attempting to gain unauthorized access to any system, account, or data.

(e) Using municipal systems for personal business ventures, political activity, or private financial gain.

(f) Malicious Software. Introducing viruses, malware, or other malicious code into the network.

(3) Confidential Information. Officials shall not disclose or use nonpublic information gained by reason of office for personal or third-party benefit. This duty continues after service.

(4) Post-Service Limits. For 12 months after leaving office, a former Official shall not represent any private party before the governing body on a matter in which the Official personally and substantially participated.

(G) Gifts, Meals, Travel & Benefits.

(1) Gift Ban (Restricted Sources). An Official shall not solicit or accept any Gift from a Restricted Source, except as allowed by paragraph 4 of this section.

(2) General Gift Limit. From any single source not otherwise restricted, an Official may accept Gifts totaling no more than \$250.00 per calendar year.

(3) Travel & Honoraria. Travel, lodging, meals, per diem, or honoraria offered in connection with official speaking, training must be disclosed in writing and approved by the governing body or its designee. This includes travel, lodging, meals, per diem, or honoraria paid by vendors or organizations affiliated with the city.

(4) Other Gifts: Any gift, regardless of value, is prohibited if it is given with the understanding that it will influence the public official's official actions.

(5) Exceptions. Gifts with a value of \$250.00 or less, commemorative plaques, informational materials, publicly available discounts, admission where the Official speaks in an official capacity, unsolicited tokens from other governments, and food or beverages at widely attended events if equally available to attendees.

(6) Returned/Donated Gifts. An impermissible Gift shall be returned or donated to the City or a charity within 30 days, with written notice filed.

(H) Financial Dealings with the City.

(1) Prohibited Interests. Officials shall not have a Financial Interest in any City contract, purchase, sale, or land-use approval, unless a statutory exception applies and disclosure/competitive safeguards are in place.

(2) Disclosure of Bids/Proposals. If an Official (or Immediate Family/controlled entity) intends to bid or propose under a lawful exception, the Official shall file advance disclosure and shall not communicate with City evaluators beyond publicly noticed, written channels.

(I) Meeting Decorum; Abuse; Harassment; Social Media.

(1) Decorum. Officials shall model respectful conduct; avoid personal attacks; follow the presiding officer's rulings; and comply with adopted rules of procedure.

(2) Abusive Language Prohibited. Officials shall not use slurs, derogatory epithets, or profanity directed at any member of the public, staff, or other officials in their official capacity. This includes statements made during meetings, public appearances, and official communications.

(3) Harassment & Abusive Behavior. Officials shall not engage in harassing, bullying, or threatening conduct toward members of the public, staff, or other officials. Harassment includes, but is not limited to, sexual harassment, repeated unwanted behavior, intimidation, or any other conduct that creates a hostile or offensive environment.

(4) Social Media. Use of official accounts must preserve records, avoid blocking based on viewpoint (consistent with law), and label personal accounts clearly. Officials shall not disclose confidential information or purport to bind the City on personal accounts. Abusive or harassing online conduct directed at staff, public, or colleagues is prohibited.

(J) Complaints; Discipline.

(1) Filing of Complaints. Any resident, elector, City employee, vendor, or Official may submit a written complaint alleging violation of this Code.

(2) Notice of Charges. Upon receipt of a complaint deemed sufficient by the governing body's presiding officer (or designee), the accused Official shall be provided formal written notice of the charges, including specific factual allegations and the Code provisions allegedly violated.

(3) Response. The accused Official shall have at least 20 days to submit a written answer to the charges.

(4) Evidentiary Hearing. After notice and answer, the governing body shall conduct a public evidentiary hearing. The accused Official shall have the right to:

(a) Be represented by counsel

(b) Present evidence and witnesses

(c) Cross-examine adverse witnesses

(d) Make a closing statement

(5) Standard of Proof. Violations must be established by clear and convincing evidence.

(6) Vote on Discipline. Following the hearing, the governing body may impose sanctions by a two-thirds vote of all members present, excluding the accused Official. Sanctions may include:

(a) Written warning

(b) Mandated training

(c) Public censure

(d) Loss of committee chair or liaison role

(7) Constitutional Protections. Nothing in this section shall abridge a respondent's First Amendment rights or right to due process. All proceedings shall be fair, impartial, and conducted with full opportunity for defense.

(8) Publication of Decision. Final decisions shall be posted on the City website with findings of fact, conclusions of law, and sanctions imposed.

(K) Disclosures & Records.

(1) Annual Statement of Interests. By December 31 of each year, Officials shall file a statement disclosing: employers; paid positions; equity equal to or greater than 5%, or income greater than or equal to \$5,000; real property in the City (excluding primary residence address specifics); and any other boards or foundations where the Official serves.

(2) Event-Based Disclosures. Within 10 days Elected Officials shall disclose:

(a) gifts accepted under paragraph (G);

(b) travel and/or honoraria under paragraph (G)(3); and

(c) recusals under (E)(2) (with a summary of nature of interest).

Note: the annual/event-based disclosure is satisfied upon filing the Affidavit of Disclosure required by Paragraph (E)(2)(b) and Wyo. Stat. § 6-5-118.

(3) Public Access. Disclosures shall be posted online, with privacy redactions as required by law.

(L) Whistleblower Protections. No Official, employee, or member of the public shall suffer retaliation, intimidation, or adverse treatment for making a good-faith complaint, disclosure, or participation in any investigation under this Code. Retaliation includes termination, demotion, harassment, denial of benefits, or any action reasonably likely to deter reporting. Allegations of retaliation shall be processed under the same procedures as other complaints in subsection (J).

(M) Severability; Effective Date.

(1) Severability. If any provision is held invalid, the remaining provisions shall remain in full force and effect.

(2) Effective Date and Transition. This ordinance takes effect on January 1, 2026.

PASSED AND APPROVED this _____ day of _____, 2025.

ATTEST:

President of the Council

City Clerk

Mayor

1st Reading: _____

2nd Reading: _____

3rd Reading: _____