

**CITY OF MOAB RESOLUTION NO. 20-2023**

**A RESOLUTION OF MOAB CITY COUNCIL ADOPTING THE RULES OF  
ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS**

**RECITALS**

**WHEREAS**, the City of Moab (“the City”) has reviewed the Rules of Order and Procedure that govern its City Council meetings; and

**WHEREAS**, the Moab City Council (“City Council”) is the legislative body that requires a systematic way of conducting its business through rules of order and procedure designed to provide the orderly conduct for full, open, and comprehensive debate of issues placed on the City Council agenda for action in a forum open to the public; and

**WHEREAS**, the City Council has general provisions for meetings in Section 2.04.020, 2.04.040, 2.04.050, 2.04.060, 2.04.070, and 2.04.100; and

**WHEREAS**, Utah Code Ann. §§ 52-2-101 et. seq., Open and Public Meetings Act, require the City to take its actions openly and conduct deliberations openly, unless statutory exceptions apply;

**WHEREAS**, Utah Code Ann. § 10-3-606 requires that municipalities adopt rules of order and procedure to govern and prescribe parliamentary order and procedure, ethical behavior, and civil discourse in a public meeting; and

**WHEREAS**, the City of Moab finds that it is proper to adopt and revise its rules of order and procedure so that the City Council meeting and other public hearings are conducted fairly, orderly, and efficiently; and

**WHEREAS**, this resolution is adopted to provide a set of rules that governs the City Council meeting or other public hearings.

**NOW, THEREFORE**, the City of Moab enacts the Moab City Council Rules of Order and Procedure as follows:

1. **Quorum:** Three members of the City Council shall constitute a quorum to conduct business in a meeting, excluding the Mayor.
2. **Mayor Pro Tempore:** The Mayor shall appoint the Mayor pro tempore, which

must be confirmed by the majority of the City Council at the first meeting in January.

3. **Convening the Meeting:** The City Council shall schedule regular meetings in advance by resolution on an annual basis. The schedule shall set the time and place of the regular meeting which shall be held typically on the second and fourth Tuesday of each month. The Mayor or two City Council members may place items for consideration on the agenda of a regular or special meeting. The Mayor or the Mayor Pro Tempore shall call the meeting to order at the time scheduled, preserve order at the meeting, and conduct the meeting as stated on the agenda and in compliance with applicable ordinances and rules of order and procedure.
  - a) All meetings shall be conducted fairly, efficiently, and respectfully. The Mayor or Mayor Pro Tempore has discretion to conduct the meeting consistent with these goals.
  - b) The order to convene a special meeting shall be entered in the minutes and provided with at least three hours' notice in compliance with Utah Code Ann. § 10-3-502 and notwithstanding Utah Code Ann. § 52-4-202. If any City Council member makes a personal appearance at the special meeting without notice, the appearance shall constitute a waiver of the notice.
  - c) The public notice requirement may be disregarded for an emergency meeting pursuant to Utah Code Ann. Subsection 52-4-202(5).
4. **Work Session:** A work session may precede or be included in the regular meeting for the City Council to ask questions or receive input from staff or others on agenda items or other matters. The work session may be informal. No final action shall be taken on any item discussed during a work session.
5. **Public Comment:** At every regular meeting of the City Council, there shall be an agenda item titled "Public Comment" near the beginning of the City Council meeting to allow any member of the public to speak to the City Council on any matter of public concern regardless if the item is identified on the agenda for action.
  - a) If any member of the public provides comment on a matter that is set for action later on the agenda, the Mayor may identify the public comment as part of the record for that agenda action but only at the time set for discussion.
  - b) The City Council may not take final action on any unscheduled matter identified

during the public comment portion of the agenda, but any City Council member may ask questions, give recommendations to the Mayor, or request that a matter be placed on the agenda at a later meeting.

- c) To ensure fairness and neutrality, the Mayor shall limit public comments to a maximum of three minutes per individual. The Mayor shall govern the conduct of the public comments to prevent outward displays of support or opposition to those speaking and prohibit allocations of time by one commenter to another.
6. **General Meeting Procedure:** The matters shall proceed in the order specified on the agenda. A motion to amend the agenda shall be made by the City Council member requesting a change of order to the agenda and seconded, with the majority of the City Council in attendance in favor of amending the agenda.
  7. **Consent Agenda:** If there is a routine or uncontested matter that requires approval, the City Council may vote to approve each item as a group on the consent agenda without extensive discussion. Any City Council member may request that any consent agenda item be removed from consideration and reviewed individually. If a consent agenda item is placed on the regular agenda, the City Council shall vote separately on the item or by motion may table the consent agenda item by a nondebatable motion to set it for a future City Council meeting.
  8. **Agenda:** The meeting is governed by the agenda, and the agenda constitutes the City Council's ordered list of items for discussion or decision. Final action may be taken on any action item that is in the open meeting and on the agenda.
    - a) The Mayor shall clearly announce the numbered agenda item and clearly state the subject of the agenda item.
    - b) The Mayor may invite the appropriate person, who may be the Mayor, a City Council member, City Manager or staff, or an invited person, to provide input, recommendations, or a report on the agenda item, as provided in Subsection 9, Initial Presentation Procedures.
    - c) The Mayor may request members of the City Council to address germane questions for clarification to the person who provided input or a report. The person shall be given time to respond.
    - d) At a public hearing, the Mayor shall open the public hearing for public input and announce the time. After hearing public input, the Mayor shall close the

public hearing and announce the time.

- e) With or without the Mayor's invitation for a motion, a City Council member may make a motion for action on the action agenda item. The Mayor shall identify the maker of the motion.
  - f) The Mayor shall recognize the second to the motion and identify the maker of the second, if made. If no City Council member makes a motion to second the original motion, the agenda item is considered concluded without decision, and the City Council moves on to the next agenda item, unless another motion is made.
  - g) The Mayor shall announce the motion and its second, or request the maker of the motion to repeat it, or request the City Recorder to repeat the motion.
  - h) The Mayor shall declare that now is the time on the agenda to discuss the motion. If no discussion occurs or after discussion, the Mayor shall announce that the City Council shall vote on the motion.
  - i) The Mayor may repeat the motion if there has been substantial discussion to clarify the purpose of the motion and vote.
  - j) The Mayor votes only in the case of a tie or as otherwise provided in Utah Code Ann. § 10-3b-302. In the event of a tie vote or a nay vote, such votes shall be roll call votes for the purposes of the minutes.
  - k) The Mayor shall announce the result of the vote and what action has been taken, if any.
  - l) The person who sets an agenda item, whether the Mayor, two City Council members, or staff, may withdraw that agenda item from consideration by communicating the withdrawal to the Mayor prior to the commencement of the meeting.
  - m) During the meeting, the Mayor shall announce that the item has been pulled from the agenda and why.
9. **Initial Presentation Procedures:** After an initial input or report on an agenda item, the Mayor or any City Council member may ask germane questions of the person who provided the input or report and review documents and information as necessary to

understand the issue.

**10. Motions Required for City Council Action.** To act on any agenda item under consideration, a City Council member shall make the motion to approve the action item or adopt the ordinance, resolution, or rule. The motion shall receive a second from another City Council member. Any motion to approve requires the majority of the City Council or three votes to pass. In the absence of a second to a motion, the motion to approve fails, and the agenda item is concluded without decision unless another motion is made. There can be no more than three motions on the floor at the same time. The vote shall proceed first on the last motion made.

- a) **Initial Motion:** Any City Council member may make an initial motion on an agenda item. Prior to voting on the initial motion, the City Council may discuss or debate the motion fully. Each Council member will be given the opportunity to discuss the motion beginning with the council member making the motion and the council member making the second to the motion. The remaining council members then will be allowed to discuss. After each council member has had the opportunity to discuss once, the Mayor may ask for another round of discussion. The Mayor will then close the discussion and call for the vote. The Mayor may limit the length of the discussion for fairness, orderliness, and efficiency. The Mayor may call the question to vote on the matter if a motion has been made and seconded. Any other City Council member may also call the question to vote on the matter.
- b) **Motion to Withdraw:** At any time prior to voting, the same City Council member who made the initial motion to approve the action item or adopt the ordinance, resolution, or rule may, without a second or a vote, withdraw the motion.
- c) **Motion to Amend:** Any City Council member may amend an initial motion but it requires a second by a City Council member. The motion to amend must be germane to the initial motion. The City Council may debate or discuss and shall vote on the amended motion prior to voting on the initial motion. If the motion to amend the initial motion has been seconded and passes, the Mayor shall allow debate and action on the amended motion. If the motion to amend fails, the Mayor shall bring the initial motion back to debate in its original format, not amended.
- d) **Motion to Substitute:** Any City Council member may make a new and different motion, known as a substitute motion, which is not germane to the subject under consideration in the initial motion or the motion to amend the initial motion. The

motion to substitute requires a second. If a City Council member questions the characterization of the motion as a substitute motion, the Mayor shall designate the type of motion made, either a motion to amend or a motion to substitute, which is the final determination. After discussion and debate on the substitute motion, which is the most recent motion on the floor, a vote shall be taken. If the substitute motion passes, the initial motion or motion to amend is eliminated. The substitute motion thus completes the agenda item. If the substitute motion fails, the Mayor now opens the debate on the initial motion, or the motion to amend the initial motion. If the motion to amend passes, the Mayor shall bring the initial motion back to the debate as amended. If the motion to amend fails, the Mayor shall bring the initial motion back to debate in its original format, not amended.

- e) **General Consent:** The Mayor may use general consent or unanimous consent to dispense with any motion if it appears the City Council is all in agreement. The Mayor shall first determine there are no objections to the general consent motion before the motion is approved.

**11. Nondebatable Motions.** The Mayor shall immediately call for a vote of the City Council without debate on the following motions made and seconded. A majority vote is required to approve the motion.

- a) **Motion to Adjourn:** A motion to adjourn requires the City Council to adjourn immediately to its next regularly scheduled meeting and requires a majority vote pursuant to Utah Code Ann. § 10-3-507.
- b) **Motion to Fix the Time to Adjourn:** A motion that requires the City Council to adjourn the meeting to a specific time identified in the motion requires only a motion and a second to the motion as provided in Utah Code § 10-3-507.
- c) **Motion to Recess:** A motion that requires the City Council to immediately take a recess with the length of time identified in the motion.
- d) **Motion to Table:** A motion that requires City Council discussion of the agenda item to cease and the agenda item placed on indefinite hold unless the motion contains a specific time for the return of the agenda item at a future City Council meeting upon the order of the Mayor or two City Council members.
- e) **Call for Previous Question:** A motion that requires the City Council to cut off

debate and put the matter to a vote. The motion is frequently “I move the previous question” or “I call the question.” If the previous question motion is made and seconded, the Mayor shall stop debate and call for the vote on the motion to limit debate.

- f) Call for Orders of the Day: Any City Council member may call for orders of the day to return the discussion to the agenda. This motion does not require a vote.
- g) Action Items: For information requests or specific assignments to staff, the City Council may act informally or by consensus without a motion.

12. **Voting:** Any matter brought for legislative action before the City Council by motion must be decided by an affirmative vote or negative vote of a majority of the City Council. Any action by the City Council requires three yes votes to pass. The Mayor may vote in the case of a tie vote or otherwise pursuant to Utah Code Ann. § 10-3b-302.

- a) The Mayor Pro Tempore shall be entitled to cast a vote as member of the City Council, including when acting as Mayor. The Mayor Pro Tempore may not cast more than one vote on any motion or cast a second vote as Mayor to break a tie vote among City Council members. If there is a tie vote with the Mayor Pro Tempore’s vote, the motion fails.
- b) On any motion to approve an ordinance, resolution, or rule which creates financial obligations of the City, the vote shall be recorded as a roll call vote.
- c) On any motion to approve, if the voice vote tally is unclear, or if there is even one Nay vote, the entire vote shall be recorded as a roll call vote.
- d) If a council member makes the motion to approve which is seconded and then it fails, a council member may request an entry of findings of fact and conclusions of law to be included into the motion and the record. The City Council may motion to recess to allow the City Attorney to prepare the findings of facts and conclusions of law to be included in the motion or to table for consideration at a future meeting.

13. **Closed Meetings:** The City Council may hold a closed meeting pursuant to Utah Code § 52-4-205 for certain purposes only. On the public notice required pursuant to Utah Code Subsection 52-4-202(1), the public notice shall include the meeting agenda, which shall include an agenda item to go into a closed meeting, even if not acted upon

at each meeting.

- a) Any City Council member may make the motion to convene a closed City Council meeting, and in the open meeting, shall state the reasons for the motion. The motion shall be seconded. The City Council shall approve the motion by 2/3 vote of the members of the public body present prior to convening the closed meeting.
- b) The motion to enter into a closed City Council meeting shall specifically state at least one of the following grounds as provided in Utah Code Ann. Subsection 52-4-205(1). A closed City Council meeting may only be held for:
  - i. discussion of the character, professional competence, or physical or mental health of an individual, except to fill a midterm vacancy or temporary absence which occurs in open meeting;
  - ii. strategy sessions to discuss collective bargaining;
  - iii. strategy sessions to discuss pending or reasonably imminent litigation;
  - iv. strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water rights or water shares, to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state, if public discussion would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms;
  - v. strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if the public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms when the public body previously gave public notice that the property would be offered for sale and the terms of the sale are publicly disclosed before the public body approves the sale;
  - vi. discussion regarding deployment of security personnel, devices, or systems;

- vii. investigative proceedings regarding allegations of criminal misconduct; or
  - viii. deliberations concerning an evaluation, protest, or appeal concerning procurement matters as provided in Subsections 52-4-205(1) (m), (n), or (o).
- c) At the conclusion of the closed meeting discussion, the Mayor shall request a motion and a second to adjourn the closed meeting and return to the open meeting.

**14. Reconsideration:** Only a City Council member who is in the majority on a vote may make a motion to reconsider or rescind any action taken. Any City Council member may second the motion. If approved by a majority, the original agenda item shall be reconsidered or rescinded in the current City Council meeting or placed on the next City Council or special meeting agenda for reconsideration and discussion.

- a) At the time of reconsideration, the City Council may discuss and debate the initial motion as if it were on the floor for the first time. The number of City Council members present must be equal to or greater than the number of City Council members present when the matter was first considered in compliance with Utah Code § 10-3-508.
- b) If reconsideration would cancel or abrogate a binding obligation of the City, the City Attorney shall provide a legal opinion to the Council on the subject prior to any action on reconsideration.
- c) At the time of reconsideration, if a motion to rescind the action is made and seconded, the City Attorney shall provide a legal opinion to the Council on the subject prior to any action on the motion to rescind.

**15. Public Hearings at City Council Meetings:** The City Council shall conduct a public hearing during its City Council meeting to consider an annexation, the adoption or any modification of a land use regulation, zoning text, or zoning map, the tentative budget, any bond issuance, or any truth in taxation hearing pursuant to Utah Code § 59-2-919. The City Council may also elect to hold a public hearing on a matter even if it is not required by law.

**16. Rules of Procedure for Public Hearings:** The Mayor may announce that the same rules of order and procedure that apply to a City Council meeting shall apply to a public hearing held during the City Council meeting. The rules of order and procedure and code of conduct shall be made available to the public who attend the public hearing and on the

City's public website.

**17. Formal Nature of Public Hearings:** A public hearing may be more formal than other portions of the City Council meeting to protect the due process rights of the applicant and any other participant.

- a) If a staff report is generated prior to the public hearing, the applicant shall be provided with a copy of the staff report within a reasonable period of time prior to the public hearing.
- b) The matter shall be introduced by staff and followed by testimony from the applicant at the applicant's discretion. Any interested person shall then be given the opportunity to provide testimony for or against the matter. At the conclusion of testimony by interested persons, the applicant shall be given the opportunity to offer rebuttal testimony.
- c) Any person providing testimony will be requested to state the person's name and address, state clearly the person's position on the matter subject to review; and provide testimony, information, or data in support.
- d) Any person other than the applicant may provide testimony only once during a specific public hearing, including public hearings that are postponed or continued for future meetings.
- e) The Mayor may limit the length of testimony or allocate available time equitably for any interested person who requests to testify.
- f) Any testimony, evidence, documents, photographs, or other information received by the City Council shall be entered into the record of proceedings. The City Council has the discretion to postpone action on a public hearing item, and it may continue to receive additional written comments or other evidence until such time as the Mayor closes the public hearing or reschedules the public hearing.
- g) At the conclusion of the public hearing, the City Council may consider the matter and engage in discussion and debate as necessary. Although the rules of evidence do not apply to public hearings, City Council members have discretion to weigh the evidence and measure the credibility of the testimony by a preponderance of the evidence.

h) The City Council may make a final decision at the close of the public hearing, except that the City Council may, in some circumstances:

- i. announce its findings of fact and conclusions of law in support of the decision orally on the record; or
- ii. give directions to staff to prepare a written order, permit, or decision consistent with the City Council findings, which the City Council may adopt or modify at a future City Council meeting.

18. **Modification of Rules:** To the extent these rules of order and procedure conflict with any other law or statute, the other law or statute shall prevail. The City Council or the presiding officer has discretion to modify these rules or the procedures under these rules to the extent necessary to accommodate the needs of a particular situation or changes in the law. The adoption of these rules shall not be deemed to confer any specific substantive or procedural rights upon any person participating at a City Council hearing or meeting.

19. **Adjournment:** The City Council may vote to adjourn the meeting by motion and a second without hearing all matters on the agenda by a majority vote. Any matter not heard may be rescheduled on the next available agenda. The City Council may also adjourn at any time if disruptive conduct at a meeting prevents orderly action.

20. **Expulsion:** The City Council, by a two-thirds vote of the members of the governing body, may fine or expel any member of the governing body if the person engages in disorderly conduct during the open public meeting or closed meeting, fails to disclose a direct or indirect financial conflict of interest regarding the issue discussed at or action proposed to be taken in the open public meeting, or commits a crime during the open public meeting.

21. **Requiring Attendance of Witnesses, Production of Evidence:** The City Council may require the attendance of any person to give testimony or produce records, documents, or things for inspection, copying, or examination necessary or useful to the governance of the municipality. The City Council may by ordinance establish its own procedures for issuing subpoenas to require attendance or production in the same manner as provided in the Utah Rules of Civil Procedure and through the assistance of the City Attorney.

22. **Conduct of Mayor as Council Chair:** The Mayor shall:

- a) preside at City Council meetings;

- b) participate in discussion of any matter;
- c) vote as a member only in case of a tie or if otherwise specifically authorized under state law pursuant to Utah Code Ann. § 10-3b-302;
- d) have no power to veto;
- e) possess primary responsibility to enforce the Moab City Council Rules of Order and Procedure;
- f) maintain the dignity of the City Council meetings;
- g) call the City Council meeting to order and confine discussion to the agenda;
- h) permit staff and public participation at appropriate times;
- i) require knowledge of the Moab City Council Rules of Order and Procedure;
- j) ensure compliance with the Moab City Council Rules of Order and Procedure;
- k) ensure compliance with the Utah Open and Public Meetings Act;
- l) advise or courteously discourage any member who talks disproportionately to other members, including imposing a time limit on council reports;
- m) ensure those who have the floor are not interrupted; and
- n) make the ruling if a member is out of order or noncompliant with City Council procedures.

23. **Written Minutes:** The City Council shall keep written minutes and a recording of all open meetings. Written minutes shall include the date, time, place of meeting, the names of members present and absent, the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body. Any member of the public body may request any other information or record of the proceeding to be entered in the minutes or recorded at the open meeting. The written minutes are intended to be a summary document of the agenda items acted upon and related discussions, not a transcript or verbatim summary of comments made by members of the public body.

24. **Online Version of Minutes.** An online version of the City Council minutes may satisfy the requirements that minutes include “the substance of all matters proposed, discussed, or decided or the substance of testimony or comments” if maintained and publicly available online by providing a link to the meeting recording as required in Utah Code Subsection 52-4-203 (2)(b).

25. **Code of Conduct:** These Rules of Order and Procedure also adopt the “Code of Conduct” to be applied both in and out of open public meetings to members of the Moab City Council, Boards, Committees, and Commissions. Attached as *Exhibit A*.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MOAB:**

Section 1. The Moab City Council Rules of Order and Procedure are adopted by the City.

Section 2. The Code of Conduct is adopted for the Mayor, Moab City Council, Boards, Committees, and other Commissions and attached as *Exhibit A*.

Section 3. This Resolution hereby adopted is effective on 8.22.23.

[execution on following page]

CITY OF MOAB RESOLUTION NO. ~~2023-~~ 20-2023

A RESOLUTION OF MOAB CITY COUNCIL ADOPTING THE RULES OF  
ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS

ADOPTED this 22 day of August 2023

CITY OF MOAB, UTAH

BY:

  
\_\_\_\_\_  
JOETTE LANGIANESE, Mayor

8/22/23  
\_\_\_\_\_  
Date

ATTEST:

  
\_\_\_\_\_  
SOMMAR JOHNSON, City Recorder

8.22.23  
\_\_\_\_\_  
Date

VOTING:

Council Member TAYLOR voting AYE

Council Member WOJCIECHOWSKI voting AYE

Council Member KNUTESON-BOYD voting AYE

Council Member JONES voting AYE

Council Member TERASARY voting ABSTAIN

**EXHIBIT A**  
**CODE OF CONDUCT**

## **Code of Conduct**

### **For Members of the Moab City Council, Boards, Committees, and Commissions**

The Moab City Council adopts a Code of Conduct for Members of the City Council, including the Mayor, and Moab City's boards, committees, and commissions to ensure public confidence in the integrity of local government and its effective, open, and fair operation. If there is a conflict between the City Council's Rules of Order and Procedure and the Planning Commission's, the City Council's Rules of Order and Procedure shall govern until such time as amended Planning Commission Rules of Order and Procedure are adopted. The following standards are established:

- **Act in the Public Interest**

Recognizing that stewardship of the public interest must be their primary concern, Members will work for the common good of the people of Moab and not for any private or personal interest, and they will ensure fair and equal treatment to all persons, claims and transactions coming before the Moab City Council, boards, committees, and commissions.

- **Comply with the Law**

Members shall comply with the laws of the nation, the State of Utah, and the City of Moab in the performance of their public duties. These laws include the United States and Utah Constitutions; the Moab City Municipal Code; statutory provisions pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government, including the Utah Public Officers' and Employees' Ethics Act, Utah Code, Title 67, Chapter 16; and Moab City policies and procedures.

- **Conduct of Members**

The professional and personal conduct of Members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from rudeness, disrespectful comments, insults, name-calling, abusive conduct, personal charges, or verbal attacks upon the character or motives of other Members of Council, Mayor, boards, committees, commissions, the staff, or the public.

- **Respect for Process**

Members shall perform their duties in accordance with the processes and rules of order and procedure as established by the Mayor, City Council, board, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City Staff.

- **Conduct of Public Meetings**

Members shall prepare themselves for public issues in the meeting, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings. Everyone should feel safe in expressing their opinions, views, and concerns. Clapping, shouting, and booing during meetings are not permitted. All persons attending a Public Meeting shall obey any lawful order of the Chair to enforce the Rules of Procedure.

- **Conflict of Interest**

In order to ensure their independence and impartiality on behalf of the common good, 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, which may give the appearance of a conflict of interest. In accordance with law, Members shall disclose investments, interest in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

- **Policy Role of Members**

Members shall respect and adhere to the Council-manager structure as adopted by ordinance of the Moab City government. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, City Manager, City staff, boards, committees, or commissions.

- **Independence of Boards, Committees and Commissions**

Because of the value of the independent advice of boards, committees, and commissions to the public decision-making process, Members of the City Council shall refrain from using their elected positions to unduly influence the deliberations or outcomes of board, committee, commission, and staff deliberation proceedings.

- **Positive Workplace Environment**

Members shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealing with City employees but without giving inappropriate direction to staff.

## **Compliance and Enforcement**

Moab City Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when Members are thoroughly familiar with it and embrace its provisions. The Moab City Code of Conduct expresses standards for ethical conduct expected of the Mayor and Members of the Moab City Council, boards, committees, and commissions. Members themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The Mayor and Chairs of boards, committees, and commissions have the responsibility to intervene when actions of Members are witnessed or reported that appear to be in violation of the Code of Conduct. The City Council by 2/3 vote may also impose sanctions on Members whose conduct does not comply with the City's ethical standards.

## **Sanctions**

- Official verbal reprimand in an open meeting if the Member continuously causes disruptions during a public meeting and does not appropriately respond to a simple warning.
- Formal public letter of censure by Mayor, Chair, or majority of the council or body.
- Loss of any committee assignment.
- In accordance with Utah Code Ann. §§ 52-4-301 or 10-3-607, removal from meetings.

## **Official Warning and Temporary Suspension**

The Meeting Chair shall issue an official warning before taking further action in response to the following actions by a member of the City Council, City Staff, or the Public who does any of the following:

- Repeatedly begins speaking without being recognized by the chair;
- Engages in attacking insults; or
- Engages in boisterous conduct, including applause, whistling, stamping of feet, booing, or making any loud, threatening, profane, abusive, personal, impertinent, slanderous, or obscene utterance that disturbs, disrupts, or otherwise impedes the conduct of the meeting.

This warning shall clearly identify the inappropriate behavior and the potential consequences that will arise if such behavior persists, provide the warned individual with an opportunity to correct the conduct, before the city takes more serious action, including temporary removal from the premises. The City Council shall issue this warning by a majority vote.

### **Suspension from the Meeting**

The city may suspend the abusive individual for the remainder of the meeting and any subsequent meetings which the City has scheduled for that day if the individual does not correct the behavior in response to an official warning. This temporary suspension from City property provides the offending individual with an opportunity to “cool down” and reflect on his or her behavior. The City council shall approve the suspension from the meeting by a majority vote.