



**Resource Guide:
Ethics for
Local Government
Land Use Planning**

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Utah Local Government Conflict of Interest and Ethics Personal Quick Reference Sheet

Governing Law: [Utah Code 10-3-13](#)

Core Principle

Public office is a public trust. Officials must act with fairness, transparency, and impartiality, avoiding personal or financial gain from their position.

What Is a Conflict of Interest?

A conflict exists when you, your spouse, or an associated business has a **direct financial interest** in a matter before you.

Common Examples:

- Voting on contracts involving your employer or business
 - Decisions affecting your property or investments
 - Approving payments to entities you benefit from
-

Required Actions

1. Disclose

- Publicly declare the conflict **before discussion**
- Ensure disclosure is entered into meeting minutes

2. Recuse

- Do not:
 - Participate in discussion
 - Influence others
 - Vote
-

Prohibited Conduct

- Using your position for personal gain
 - Participating without disclosing a financial interest
 - Influencing decisions after recusal
 - Entering improper or unlawful contracts
-

Ethical Red Flags

Ask yourself:

- Would this appear unfair to the public?
- Do I have access or influence others don't?
- Have I communicated privately outside the public process?
- Would my impartiality be questioned?

If yes → Disclose or step back

Best Practices

- Disclose early and often
 - Keep decision-related discussions in public meetings
 - Seek legal advice when unsure
 - Know and follow your local ethics rules (which may be stricter than state law)
 - Separate personal interests from official duties
-

Consequences of Violations

- Voided contracts
 - Civil penalties
 - Possible criminal liability
 - Loss of public trust
-

Quick Checklist

Before acting:

- Do I benefit financially?
- Have I disclosed it?
- Am I avoiding participation?
- Would this hold up under public scrutiny?

Ethical Planning Process Checklist for Participants

from [*APA's "Ethical Principles in Planning" – Adopted May 1992*](#)

Core Principle

- Ensure the planning process continuously pursues and faithfully serves the public interest

Participation & Inclusion

- Recognize the rights of citizens to participate in planning decisions
- Provide full, clear, and accurate information on planning issues
- Offer meaningful opportunities for citizen involvement (including those without formal organization or influence)

Equity & Opportunity

- Expand choice and opportunity for all persons
- Address the needs of disadvantaged groups and individuals

Planning & Decision-Making

- Assist in clarifying community goals, objectives, and policies
- Consider the interrelatedness of decisions
- Evaluate long-term consequences of present actions

Transparency & Access

- Make non-confidential reports, records, and information available to the public
- Ensure information is accessible in a convenient format
- Provide information sufficiently in advance of decision-making

Environmental & Cultural Responsibility

- Protect the integrity of the natural environment
- Preserve the heritage of the built environment

Ethical Planning Process Checklist for Decision Makers

from [*APA's "Ethical Principles in Planning" – Adopted May 1992*](#)

Core Principle

- Strive for high standards of integrity and proficiency
- Maintain public respect for the planning process

Professional Judgment

- Exercise fair, honest, and independent judgment as a decision maker or advisor

Disclosure & Conflicts of Interest

- Publicly disclose all personal interests related to planning decisions
- Define personal interest broadly (including benefits to self, family, or household members)
- Abstain from participation in matters where a personal interest exists
- Leave deliberation spaces unless full disclosure, approvals, and authorization are obtained

Gifts & Influence

- Do not seek or accept gifts or favors that could influence objectivity
- Do not offer gifts or favors intended to influence others

Role Integrity

- Do not serve as decision maker/advisor on matters where you previously acted as an advocate
- Serve as an advocate only when objectives are legal and align with the public interest
- Do not switch roles (advisor ↔ advocate) without proper authorization, disclosure, and required waiting period

Confidentiality

- Do not use confidential information for personal gain
- Do not disclose confidential information except when legally required or to prevent harm
- Verify facts and consult others before disclosing information in exceptional cases

Accuracy & Honesty

- Do not misrepresent facts or distort information

Competence

- Participate only when adequately prepared and capable of providing thorough service

Respect & Fairness

- Respect the rights of all individuals
- Do not discriminate or harass based on protected characteristics

Ethical Planning Process Checklist for Professional Planners

from [APA's "Ethical Principles in Planning"](#) – Adopted May 1992

Core Principles

- Pursue continuous improvement in planning competence
- Support the development of peers and aspiring planners
- Promote respect for the planning profession in service of the public interest

Professional Standards

- Strive for high standards of professionalism (certification, integrity, knowledge, development)
- Adhere to ethical standards consistent with professional codes (e.g., [AICP Code of Ethics](#))
- Avoid wrongful acts that could harm the profession's reputation
- Do not seek influence through improper means

Continuing Education & Contribution

- Participate in ongoing professional education
- Contribute time and effort to underserved groups and communities
- Engage in voluntary professional activities

Honesty & Representation

- Accurately represent personal qualifications, education, and affiliations
- Accurately represent colleagues' qualifications, views, and findings

Professional Respect & Collaboration

- Treat colleagues and other professionals fairly
- Provide responsible and constructive commentary on others' work

Knowledge Sharing & Critical Thinking

- Share research and professional experiences to advance planning knowledge
- Critically evaluate planning theories, methods, and standard practices before applying them

Mentorship & Inclusion

- Support the development of students, interns, and early-career professionals
- Promote opportunities for women and underrepresented groups in planning

Ethical Awareness

- Regularly and critically analyze ethical issues in planning practice

**Utah Local Agency
Meeting Chair Checklist for
Conflict of Interest: Disclosure, Recusal & Minutes**

Before the Meeting

- | | |
|---|---|
| <input type="checkbox"/> Review agenda for potential conflicts (contracts, land use, financial decisions) | <input type="checkbox"/> Coordinate with clerk/recorder on documentation expectations |
| <input type="checkbox"/> Remind members (informally if needed) to identify conflicts in advance | |
-

When an Agenda Item Is Called

1. Prompt for Disclosure (Required)

“Before we begin, do any members have a conflict of interest to disclose under [Utah Code 10-3-13](#)?”

- Pause to allow full disclosure
 - Ensure disclosure is clear (nature of financial interest, etc.)
-

If a Conflict is Disclosed

2. Clarify for the Record

- Ask (if needed):
 - o “Please state the nature of your financial interest for the record.”

3. Direct Recusal

“Thank you. You must refrain from participating in the discussion and voting on this item.”

- Confirm the member will not participate
 - Ask the member to step away from the dais if appropriate (best practice)
-

During Discussions

- | | |
|--|--|
| <input type="checkbox"/> Ensure recused member does NOT: <ul style="list-style-type: none">o Speak on the itemo Signal or attempt to influenceo Participate informally | <input type="checkbox"/> Intervene if needed: <ul style="list-style-type: none">o “For the record, the member is recused and may not participate.” |
|--|--|
-

Before the Vote

- Confirm recusal status:
 - “Let the record reflect that [Name] is recused and will not vote.”
 - Ensure vote count excludes recused member(s)
-

After the Item

- Allow member to return (if they stepped away)
- Transition clearly to the next agenda item

Best Practice Reminders

- ✓ Always prompt disclosure—even if none is expected
- ✓ Over-document rather than under-document
- ✓ Keep all conflict-related actions clearly on the record
- ✓ When in doubt, pause and consult legal counsel

Quick Chair Reference Sheet

- ✓ “Before we take up this item, are there any conflicts of interest to disclose under [Utah Code 10-3-13](#)?”
- ✓ Please state the nature of the conflict.
- ✓ Thank you. You are required to recuse yourself from discussion and voting.
- ✓ Let the record reflect the recusal.”

Minutes Language (Clerk Template)

Disclosure Example:

“[Member Name] disclosed a conflict of interest due to [brief description of financial interest].”

Recusal Example:

“[Member Name] recused themselves from discussion and voting and [left/remained absent from] the dais during consideration of this item.”

Vote Example:

“The motion passed [X-X], with [Member Name] recused and not voting.”
