

RESOLUTION 26-30

A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL AMENDING POLICIES AND PROCEDURES

WHEREAS, recent discoveries of staff relationships precipitated a staff review of section 3.040 Employment of Relatives (Nepotism); and

WHEREAS, some recommendations were forwarded to City Attorney Jayme Blakesley to review for legality and clear language; and

WHEREAS, a draft was presented to the admin/finance committee who recommended approval;

NOW THEREFORE BE IT RESOLVED by the Council of South Weber City, Davis County, State of Utah, as follows:

Section 1. Amendment: Section 3.040 Employment of Relatives (Nepotism) of the Policies and Procedures is hereby amended to read as attached in **Exhibit 1**.

Section 2: Repealer Clause: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 14th day of July 2026.

Roll call vote is as follows:

Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Dills	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Winsor	FOR	AGAINST


Rod Westbrook, Mayor




Attest: Lisa Smith, Recorder

RES 26-30 Exhibit 1

3.040. Employment of Relatives (Nepotism)

Purpose.

It is the policy of the City to avoid actual or perceived favoritism in employment decisions while permitting limited employment opportunities consistent with applicable law. This section shall be interpreted and applied in a manner consistent with Utah Code Title 10, Chapter 3 (Municipal Officers' and Employees' Ethics Act).

Policy Rationale.

The City is committed to maintaining fair and impartial employment practices and to preventing favoritism, conflicts of interest, and improper influence in personnel decisions.

At the same time, the City recognizes the importance of recruiting and retaining qualified individuals to serve in certain part-time positions that support public safety, recreation, and other community services. In some cases, the pool of available applicants for these positions may be limited.

For that reason, the City permits a limited exception to its nepotism policy for part-time firefighters, crossing guards, and recreation aides, provided appropriate safeguards are in place. Those safeguards include the elimination of supervisory relationships between relatives, recusal from employment decisions involving relatives, and the use of objective, merit-based hiring and employment practices.

This exception is intended to address operational staffing needs while preserving public confidence in the integrity and fairness of the City's employment practices.

(1) Definition of Relative.

For purposes of this section, "relative" has the same meaning as provided under applicable Utah law (UCA § 52-3-1 et seq.) and includes an individual related by blood, marriage, or adoption within the degrees identified in state law, including a spouse.

(2) General Rule.

The City may employ relatives of City officers or employees only as provided in this section. No person may use his or her official position to secure, attempt to secure, or influence the hiring, promotion, compensation, or discipline of a relative.

(3) Prohibition on Supervision.

Under no circumstances may a City officer or employee:

- (a) directly supervise a relative;
- (b) participate in any employment decision affecting a relative; or
- (c) exercise control over the relative's terms and conditions of employment.

Where a potential supervisory conflict exists, the City shall implement a written recusal and reporting structure to ensure compliance.

(4) Limited Exception for Certain Part-Time Positions.

Notwithstanding subsection (2), the City may employ a relative of a City officer or employee in the position of part-time firefighter, crossing guard, or recreation aide, provided all of the following conditions are satisfied:

- (a) No supervisory relationship exists between relatives;
- (b) The related officer or employee recuses himself or herself from all involvement in the recruitment, selection, hiring, supervision, evaluation, discipline, scheduling, promotion, and compensation of the relative;
- (c) The hiring decision is based on objective, merit-based criteria and documented accordingly;
- (d) The position is limited to service as a part-time firefighter, crossing guard, or recreation aide and is not a management, supervisory, department-head, or executive position; and
- (e) The arrangement is reviewed and approved in advance by the City Manager, or the City Manager's designee, to confirm compliance with this policy and applicable law.

(5) Same Department Employment.

A relative employed as a part-time firefighter, crossing guard, or recreation aide may work within the same department as a related officer or employee only if the requirements of subsection (4) are satisfied and a clear supervisory separation is established and maintained at all times.

If adequate separation cannot be maintained, the employment arrangement must be modified or terminated.

(6) Existing Employees Who Become Related.

If two employees become relatives after employment:

- (a) The City shall evaluate whether a prohibited supervisory or conflict relationship exists;
- (b) If a conflict exists, the City shall implement a remedy, which may include reassignment, modification of duties, transfer, or recusal; and
- (c) If no reasonable modification is available, one employee may be required to separate from employment.

(7) Promotions and Advancement.

No employee may be promoted into a position that would create a direct or indirect supervisory relationship with a relative or otherwise violate this section.

(8) No Expansion of Exception.

The exception provided in subsection (4) applies only to part-time firefighters, crossing guards, and recreation aides. No other position may be filled under this exception unless expressly authorized by ordinance amendment.

(9) Prohibited Conduct.

The following conduct is prohibited:

- (a) participating in or attempting to influence employment decisions involving a relative;
- (b) failing to disclose a relative relationship when required; or
- (c) circumventing hiring procedures to favor a relative.

Violations may result in disciplinary action, up to and including termination.

(10) Disclosure Requirement.

All applicants and employees shall disclose any relative relationship with a City officer or employee as part of the hiring process or upon the development of such relationship. Failure to disclose may be grounds for discipline.