

ORDINANCE NO. 1-2026

AN ORDINANCE CREATING CHAPTER 12, ETHICAL OBLIGATIONS OF PUBLIC OFFICIALS, PUBLIC MEMBERS AND TOWN EMPLOYEES, OF THE MUNICIPAL CODE OF THE TOWN OF MOORCROFT, WYOMING, SPECIFYING THE ETHICAL DUTIES AND OBLIGATIONS OF PUBLIC OFFICIALS, PUBLIC MEMBERS AND EMPLOYEES OF THE TOWN OF MOORCROFT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOORCROFT, WYOMING AS FOLLOWS:

Section 1. That Chapter 12, Ethical Obligations of Public Officials, Public Members and Town Employees, of Title 1, Administration and Personnel, of the Town of Moorcroft, Wyoming, is hereby created as set out in this ordinance.

Section 2. Purpose and construction.

a. This chapter is promulgated in accordance with W.S. 15-1-127(c) and recognizes that every public official, public member and Town employee should act in the best interest of the Town and promptly disclose any potential or actual personal or private interest or conflict of interest when acting in their official capacity. The intent and purpose of this chapter is to recognize that the appearance of a public official having a personal or private interest or the appearance of a conflict of interest by a public member or Town employee can be as serious and potentially damaging to the public trust as a public official having an actual personal or private interest or a public member or Town employee having an actual conflict of interest. Accordingly, any potential personal or private interest or conflict of interest should be disclosed, evaluated and administered in a similar manner as any actual personal or private interest or conflict of interest.

Nothing in this chapter shall be construed to supersede the obligations imposed upon public officials under W.S. 9-13-101 through 9-13-109 or the requirements imposed under W.S. 15-9-220 or 16-6-118, which provisions shall control to the extent inconsistent with this chapter.

Section 3. Definitions.

a. As used in this chapter:

- i. "Conflict of interest" means any circumstance where a public member or Town employee is in the position in their official capacity to approve or influence a policy or action of the Town of Moorcroft, which policy or action will likely affect the financial interests of:

- A. The public member or Town employee or the public member's or Town employee's immediate family member or domestic partner;
 - B. Any public or private organization in which the public member, Town employee or an immediate family member or domestic partner of the public member or Town employee is a director, trustee or officer or has more than five percent (5%) equity or investment interest or the right to acquire any equity or investment interest of more than five percent (5%); or
 - C. Any public or private organization in which the public member, Town employee or an immediate family member or domestic partner of the public member or Town employee has a compensation arrangement of any kind. For purposes of this provision, a "compensation arrangement" shall mean and include any arrangement pursuant to which compensation is owed, paid, or received by the public member, Town employee or any immediate family member or domestic partner thereof.
- ii. "Town employee" means an appointed, classified or unclassified full-time or part-time employee of the Town of Moorcroft who receives a salary, or wage, or employment benefits of any kind, as remuneration for their time, service and efforts. A Town employee shall not include any person who serves the Town of Moorcroft as a volunteer, without any remuneration of any kind. For purposes of this provision, the term "remuneration" shall include State or local retirement benefits and health insurance.
 - iii. "Domestic partner" means a person with whom a public official, public member or Town employee maintains a household and an intimate relationship, other than to whom the public official, public member or employee is legally married.
 - iv. "Immediate family member" means a person's parent, brother, sister, spouse, child, or the child or spouse of an immediate family member;
 - v. "Official capacity" means an action of a public official, public member or Town employee, either exercisable alone or with others, to approve, disapprove, shape or otherwise direct the action of the Town council, the action of a Town board or commission or the action of a department of the Town of Moorcroft;
 - vi. "Personal or private interest" means an interest which is direct and immediate as opposed to speculative and remote and is an interest that provides the public official a greater benefit or a lesser detriment than it does for a large or substantial group or class of persons who are similarly

situated. In determining whether a public official has a personal or private interest in a matter, the public official shall first recognize the importance of his or her right to represent their constituency;

- vii. "Private benefit" means the receipt by a public official, public member or Town employee of a gift which resulted from him or her holding an office or position with the Town of Moorcroft. For the purposes of this paragraph, "gift" shall not include any loan, gift, gratuity, special discount or hospitality with a value of fifty dollars (\$50.00) or less;
- viii. "Public official" means any elected or appointed Council person.
- ix. "Public member" means any appointed board member serving on an appointed board or committee of the Town of Moorcroft.
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Section 4. Determination of Conflict, Disclosure and Reporting of Conflict.

a. Self Disclosure. Every public official and public member shall have the affirmative duty to promptly and publicly disclose the existence of any conflict of interest or potential conflict of interest with respect to any proposed transaction, contract, policy, program or other matter under consideration by the public official or public member in their official capacity. When in doubt, the public official or public member shall disclose matters as potential conflicts of interest and disclose all relevant facts relating to the potential conflict. Disclosure of a matter as a potential conflict of interest may be made in writing by the public official or public member to the Town Clerk, or may be made orally at any public meeting called by the Council for the purpose of conducting general business of the Town. Any disclosure made by a public official or public member shall be sufficiently specific in detail as to allow the Council (or the remainder of the Council) to fully understand the nature of the potential conflict.

b. Third-Party Declaration of Conflict. If a public official or public member does not declare a conflict of interest, and if two-thirds of the remaining Council, not including any public official with the alleged conflict, determines that a conflict of interest exists as to any public official or public member on any proposed transaction, contract, policy, program or other matter under consideration, then a conflict of interest shall be deemed to exist. Determination of a conflict by the Council shall be made in open session and all facts supporting that determination shall be specifically detailed and shall become a part of the public record.

c. Non-Mandatory Removal from Meetings. If a public official or public member declares a conflict of interest on a proposed transaction, policy, program or other matter under consideration, or if two-thirds of the Council, less the public official with the alleged conflict, determines that a conflict of interest exists, the Council may, by an affirmative vote of two-thirds of the Council request that a conflicted public official or public member leave the meeting, and any future meetings, during the times where the matter may be discussed or considered. Except as set forth below, this provision shall not be construed to mandate the removal of a public official

or public member. Rather, this provision shall be construed to allow the Council absolute discretion in determining whether a conflicted public official or public member should be removed from any such meetings.

d. Mandatory Removal from Meetings. Notwithstanding the foregoing Section 4(c), pursuant to W.S. §16-6-118, any public official or public member who is interested in any public contract or the performance of any public work, or who represents any person, company or corporation that is interested in any public contract or public work, shall fully absent himself or herself from any and all public meetings while such public contract or public work is discussed or otherwise given consideration and shall not attempt to influence any of the contracting parties, either directly or indirectly. In the event a public official or public member is required to leave any meeting(s), the request of the Council and the absence of the conflicted public official or public member shall be recorded in the official minutes of the Council, board or committee. For purposes of this provision, the term "leave the meeting" shall mean the complete removal and absence of such public member from the meeting space.

Section 5. Conduct of Conflicted Member.

a. General Conduct. The public official or public member, upon the disclosure of a conflict of interest or a determination that conflict exists in accordance with this section, shall not engage in conduct, in their official capacity or appointed capacity, which is intended to influence or otherwise affect the outcome of an issue being considered by the Council for which the public official or public member is conflicted. Except in those events when a public official or public member is required to leave a meeting, this section shall not prohibit a conflicted public official or public member from engaging the public or the Council at a public meeting as a private citizen or constituent or as a party to any matter under consideration by the Council. Nothing herein shall be construed to prohibit a public official or public member from engaging the public or any other public official outside of a public meeting.

b. Voting. No public official shall decide or vote on any matter in their official capacity in which the public member is deemed to have a conflict of interest. Any public official who has a personal or private interest in a matter under consideration shall abstain from voting. Any abstention shall be recorded in the official records of the governing body. An abstention under this section shall only be required in clear cases of a personal or private interest. If a public official has previously voted on any matter in his or her official capacity, he or she shall decline to take any future financial ownership in the transaction, contract, arrangement, policy or other such matter upon which he or she previously voted for the entirety of the time that official is a member of Town council.

c. Incorporation of Wyoming Law. All provisions of Wyoming Statute §§15-1-127, 15-1-128, 9-13-101 through 109, 15-9-220, and 16-6-118, as may be amended from time to time, are hereby incorporated in this Ordinance as if fully set forth herein.

Section 6. Misuse of office; use of title prestige of office.

a. No public official, public member or Town employee shall:

- i. Supervise or manage an immediate family member or domestic partner who is in an office or position or has employment with the Town of Moorcroft;
- ii. Advocate or cause the employment, appointment, promotion, transfer or advancement of a family member or a domestic partner to an office or position of the Town of Moorcroft;
- iii. Use his or her office or position for their own private benefit or use public funds, time, personnel, facilities or equipment for his or her private benefit or that of another person or entity unless otherwise authorized by law.

Section 7. Violations by public members, public officials or Town employees.

a. A violation of any provision of this chapter shall constitute sufficient cause for termination of a person's employment with the Town of Moorcroft, or for the censure of a public official.

Section 8. Severability. Should the courts of this state or the United States declare any section, provision, paragraph, clause, sentence, phrase or part thereof of this Ordinance invalid or unconstitutional or in conflict with any other section, provision, paragraph, clause, sentence, phase, or part thereof of this Ordinance, then such decision shall affect only the section, provision, paragraph, clause, sentence, phase or part thereof declared to be unconstitutional or unauthorized and shall not effect any other part whatsoever of this Ordinance.

Section 9. Repealing Clause. Any portion of any ordinance, order, by-law or resolution in conflict with this ordinance is hereby repealed.

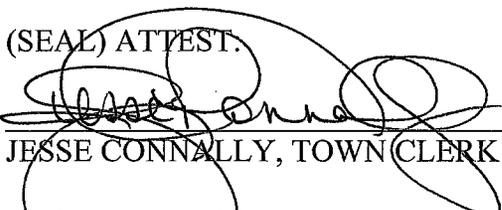
Passed, approved and adopted on the 25th day of February, 2026

FIRST READING: January 14, 2026
SECOND READING: February 11, 2026
THIRD AND FINAL READING: February 25, 2026



DALE PETERSEN, MAYOR

(SEAL) ATTEST.



JESSE CONNALLY, TOWN CLERK

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