

ORDINANCE NO. 10-01-2013

AN ORDINANCE MODIFYING SECTION 1-5-4 PARAGRAPH F OF THE SANTAQUIN CITY CODE REGARDING ELECTRONIC MEETINGS

WHEREAS, While Santaquin City encourages the physical attendance of all of its elected officials at its city meetings there is, from time to time, a need for elected officials to connect to the meetings via electronic means; and

WHEREAS, Utah Code Annotated section 52-4-207 requires that if a public body desires the allowance of electronic participation at its meeting it must first outline the procedures for said participation by ordinance or resolution.

WHEREAS, Santaquin City Ordinance 01-01-2012, passed on January 4th, 2012 established procedures for the participation of city council members at public meeting by electronic means; and

WHEREAS, The Santaquin City Council would like to provide additional clarification of the aforementioned procedures and provide additional procedures outlined herein;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SANTAQUIN CITY, UTAH, AS FOLLOWS:

SECTION I.

TITLE I

Chapter 5 – MAYOR AND CITY COUNCIL

1-5-4: MEETINGS, PROCEDURE AND CONDUCT; VOTING:

F. Electronic Meetings: While Santaquin City encourages the physical attendance of all of its elected officials at the meeting anchor location there is, from time to time, a need for elected officials to connect to the meetings via electronic means. Acceptable means of connection include telephone, computer, satellite, or wireless communications. At a minimum, ~~one~~ **a quorum of elected officials** must be in attendance at the meeting anchor site. All other elected officials must give notice to the city recorder ~~forty-eight (48)~~ **a minimum of twenty four (24)** hours in advance of the meeting as to what electronic means they intend to utilize to attend the meeting.

The city recorder must give proper public notice of the meeting twenty four (24) hours in advance which shall include the name and connection method of all elected leaders who intend to connect electronically to the meeting.

In the case of an emergency meeting, as defined in Santaquin City Code I-5-4-B above, a minimum of one elected official must be in attendance at the meeting anchor site. Elected leaders planning to attend an emergency meeting via electronic means must provide notification to the city recorder at least three (3) hours in advance of the emergency meeting as to what electronic means they intend to utilize. Once three (3) or more members of the city council are in attendance at the meeting, either physically or electronically, the council is considered to be in full quorum.

Attendance and/or participation by a Santaquin City elected official to an executive session or closed meeting via electronic means is prohibited.

SECTION II. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word *ordinance* may be changed to *section*, *chapter*, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished, sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

SECTION III. Severability

If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION IV. Effective Date

The City Recorder shall deposit a copy of this ordinance in the official records of the City on October 17th, 2013, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on October 17th, 2013.

Passed and duly adopted this 16th day of October, 2013.



JAMES E. DEGRAFFENRIED, Mayor

ATTEST:



SUSAN B. FARNSWORTH

Santaquin City Recorder



Council Member James Linford	<u>yea</u>
Council Member Rick Steele	<u>absent</u>
Council Member Keith Broadhead	<u>yea</u>
Council Member Matthew Carr	absent
Council Member Kirk Hunsaker	<u>yea</u>


I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 16th day of October, 2013, entitled

**“AN ORDINANCE MODIFYING SECTION 1-5-4 PARAGRAPH F OF THE
SANTAQUIN CITY CODE REGARDING ELECTRONIC MEETINGS”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 16th day of October, 2013.



(SEAL)



SUSAN B. FARNSWORTH
Santaquin City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance which is attached hereto on the 16th day of October, 2013.

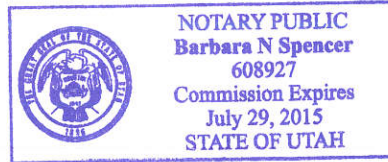
The three places are as follows:

- 1. Zions Bank
- 2. Post Office
- 3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

SBFarnsworth
SUSAN B. FARNSWORTH

Santaquin City Recorder



The foregoing instrument was acknowledged before me this 17 day of October, 2013, by SUSAN B. FARNSWORTH.

My Commission Expires: 7-29-15

Barbara Spencer

Notary Public

Residing at: Utah County