MIDVALE CITY

ORDINANCE NO. 2019-O-04

AN ORDINANCE AMENDING SECTION 2.36.040 ‘ELECTRONIC MEETINGS’
OF THE MIDVALE MUNICIPAL CODE.

WHEREAS, Utah Code Ann. §52-4-207 authorizes public bodies to convene and conduct an
electronic meeting under the Utah Open and Public Meetings Act; and

WHEREAS, Utah Code Ann. §52-4-207(2)(a) requires a public body to adopt a resolution,
rule, or ordinance governing the use of electronic meetings; and

WHEREAS, the Midvale City Council adopted Midvale Municipal Code 2.36.040 governing
the use of electronic meetings; and

WHEREAS, Midvale Municipal Code 2.36.040(C) currently requires the initial anchor
location for Midvale City Council electronic meetings to be at the City Hall Council Chambers located
at 655 West Center Street, Midvale; and

WHEREAS, the City Hall Council Chambers are no longer located at 655 West Center Street,
Midvale; and

WHEREAS, the Midvale City Council wishes to correct the listed address.

NOW, THEREFORE, BE IT ORDAINED, based on the foregoing, by the City Council of
Midvale City, Utah, as follows:

Section 1. The Midvale City Council desires to amend Midvale Municipal Code 2.36.040 as set forth
in the attached proposed amendment.

Section 2. This Ordinance shall take effect immediately.

APPROVED AND ADOPTED this 19th day of March, 2019.

Robert M. Hale, Mayor

ATTEST:

Voting by the City Council “Aye” “Nay”
Bryant Brown
Dustin Gettel
Paul Glover
Paul Hunt
Quinn Sperry

Published this 29th day of March, 2019.

Ron L. Andreason, MMC
City Recorder
2.36.040 Electronic meetings.

A. Definitions. As used in this title:

"Anchor location" means the physical location from which the electronic meeting originates or from which the participants are connected.

"Electronic meeting" means a Midvale City council Council meeting convened or conducted by means of a telephonic, telecommunications, or computer conference electronic communications.

"Electronic notice" means electronic mail or fax.

"Monitor" means to hear, live, by speaker, or by other equipment, all of the public statements of each member of the Midvale City council Council who is participating in a meeting; or see, by computer screen or other visual medium, all of the public statements of each member of the Midvale City council Council who is participating in a meeting.

"Participate" means the ability to communicate with all of the participating members of the Midvale City council Council, either verbally or electronically, so that each participating member of the Midvale City council Council can hear or see the communication.

"Public hearing" means a meeting at which comments from the public will be accepted.

"Public statement" means a statement made in the ordinary course of business of the Midvale City council Council, with the intent that all other members of the Midvale City council Council receive it.

B. Procedures. The Midvale City council Council may, by following the procedures and requirements of this title, convene and conduct an electronic meeting. The Midvale City council Council, convening or conducting an electronic meeting, shall:

1. Give public notice of the meeting pursuant to Sections 52-4-202 and 54-2-207 of the Utah Code Annotated by posting written notice at the anchor location; and providing written or electronic notice to at least one newspaper of general circulation within the state; to a local media correspondent; and publish notice on the Utah Public Notice Website.

2. In addition to giving public notice required by subsection (B)(1) of this section, provide notice of the electronic meeting to the members of the Midvale City council Council at least twenty-four hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and a description of how the members will be connected to the electronic meeting.

C. Procedures Governing Electronic Meeting. The procedures to be followed at the electronic meeting shall be the same as those followed by the Midvale City council Council in a nonelectronic meeting of the board. The mayor or mayor pro tem shall conduct the meeting and the meeting shall be held pursuant to the agenda posted for that meeting.

Prior to commencing the electronic meeting an electronic link shall be established with all participants and the anchor location. Minutes shall be kept for the meeting in accordance with the requirements of the Open and Public Meetings Law Act. Following passage of a motion to adjourn, the electronic link shall be terminated, and the meeting shall be deemed concluded.

The initial anchor location for meetings of the Midvale City council Council shall be the City Hall Council Chambers located at 655 West Center Street, Midvale, Utah Midvale City Hall. If the meeting is a public hearing, space and facilities will be provided at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting. (Ord. 2/16/2010O-2 § 1 (Exh. A) (part), 2010)