

Ordinance No. 2021-44

**AN ORDINANCE GOVERNING THE USE OF ELECTRONIC MEETINGS BY CITY COUNCIL,
AMENDING SECTIONS 2-3-2 AND 15-12-14 OF THE MUNICIPAL CODE OF PARK CITY.**

WHEREAS, Park City values transparency and conducting the public's business in public meetings where actions are taken and deliberations are conducted openly;

WHEREAS, while the preference is for City Council to convene in person, Council recognizes that there may be circumstances where electronic meetings are necessary;

WHEREAS, City Council desires to promote flexibility in hosting public meetings and to ensure consistency with the Open and Public Meetings Act, which was amended during the 2021 General Session to grant additional flexibility in how public bodies conduct electronic meetings;

WHEREAS, the COVID-19 virus continues to raise health or safety concerns for in-person public meetings and electronic meetings help facilitate social distancing;

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, THAT:

Sections 2-3-2 and 15-12-14 of the Municipal Code of Park City are amended and adopted to read as outlined in Exhibit A. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 28th day of October, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Andy Beerman
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Mayor Andy Beerman

Attest:



DocuSigned by:
Michelle Kellogg
E5F905BB533F431...

Michelle Kellogg, City Recorder

Approved as to form:

DocuSigned by:
Margaret Plane
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Margaret Plane, City Attorney

Exhibit A:

**Park City Municipal Code
Title 2 Administration
Section 2-3 City Council Procedure**

2-3-2 Meetings

- A. REGULAR MEETINGS. The City Council shall, by ordinance adopted at the beginning of the year, prescribe an annual meeting schedule with at least one regular meeting each month.
- B. SPECIAL MEETINGS.
1. If at any time the business of the City requires a special meeting of the City Council, such meeting may be ordered by the Mayor or any two (2) members of the City Council. The order shall be entered in the minutes of the City Council. The order shall provide at least three (3) hours notice of the special meeting and notice thereof shall be served by the City Recorder or Clerk on each member of the City Council who did not sign the order by delivering the notice personally or by leaving it at the Council member's place of residence. The personal appearance by a member of any specially called meeting constitutes a waiver of the notice required in this section.
 2. No business shall be transacted at any special meeting of the City Council unless it has been stated in the notice of such meeting. Any business which may lawfully come before a regular meeting may be transacted at a special meeting.
 3. RECONSIDERATION. Any action taken by the City Council shall not be reconsidered or rescinded at any special meeting unless the number of members of the City Council present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.
- C. ELECTRONIC MEETINGS. The City Council may hold electronic meetings in accordance with section 52-4-207 of the Utah Code, as amended. ~~convene and conduct an electronic meeting only if a quorum of the Council is physically present at a single anchor location. However, if a proclamation of local, State or national emergency is in effect, a quorum is not required to be physically present at a single anchor location in order for an electronic meeting to be held. The meeting should be conducted and notice must be given in accordance with U.C.A. §52-4-207, as amended.~~

**Park City Municipal Code
Title 15 Land Management Code
Section 15-12 Planning Commission**

15-12-14 Voting ~~and Electronic Meetings~~

- A. Actions of the Commission pass by majority vote. A majority is a simple majority of those members participating in the meeting and entitled to vote on the matter under consideration. The vote of the Chair shall be counted only when he or she votes in order to break a tie vote of the other Commission members. The Commissioner elected Chair Pro Tem shall, at all times, be entitled to cast his or her vote as a member of the Commission, including those occasions on which he or she is acting as Chair Pro Tem. All votes shall be a simple majority.
- ~~B. The Planning Commission may convene and conduct an electronic meeting only if a quorum of the Planning Commission is physically present at a single anchor location. However, if a proclamation of local, State or national emergency is in effect, a quorum is not required to be physically present at a single anchor location in order for an electronic meeting to be held. The meeting should be conducted and notice must be given in accordance with U.C.A. §52-4-207, as amended.~~