

**Ordinance No. 2024-16**

**AN ORDINANCE ENACTING TITLE 2, CHAPTER 7, AND MOVING AND AMENDING SECTIONS 2-4-13, 2-4-14, AND 2-4-15 OF THE MUNICIPAL CODE OF PARK CITY TO CREATE A CONSOLIDATED CODE CHAPTER GOVERNING PARK CITY'S BOARDS, COMMITTEES, AND COMMISSIONS**

WHEREAS, Park City has created boards, committees, and commissions over time through the adoption of resolutions and ordinances.

WHEREAS, the rules governing those boards, committees, and commissions differ and are not found in a consolidated location.

WHEREAS, the City Council finds that consolidating the rules for boards, committees, and commissions into one location and providing more uniform rules for governance will aid in transparency and administration.

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

Section 1. Title 2, Chapter 7, of the Municipal Code of Park City is hereby enacted to read as shown in Exhibit A. Sections 2-4-13, 2-4-14, and 2-4-15 of the Municipal Code of Park City are hereby moved into Title 2, Chapter 7, and amended to read as shown in Exhibit A.

Section 2. This ordinance supersedes any conflicting provisions of previously adopted ordinances and resolutions.

Section 3. This ordinance will be effective on the day of publication.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of September, 2024.

PARK CITY MUNICIPAL CORPORATION

Signed by:

*Nann Worel*

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\_\_\_\_\_  
Mayor Nann Worel

Attest:

DocuSigned by:

*Michelle Kellogg*

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\_\_\_\_\_  
City Recorder's Office

Approved as to form:

DocuSigned by:

*Rufe Henry*

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City Attorney's Office

**Exhibit A**

1 **2-7-1 Purpose**

2 The purpose of this chapter is to establish common rules for the City boards, commissions, and  
3 committees enumerated in section 2-7-2.  
4

5 **2-7-2 City Boards and Commissions Named**

6 A . For the purposes of this chapter, the term “City board” or “board” means the following City  
7 boards, commissions, and committees:

- 8 1. Board of Appeals
- 9 2. Citizens Open Space Advisory Committee
- 10 3. Deed Restriction Advisory Committee
- 11 4. Library Board
- 12 5. Neighborhood First Street Committee
- 13 6. Nonprofit Services Advisory Committee
- 14 7. Police Complaint Review Committee
- 15 8. Public Art Advisory Board
- 16 9. Recreation Advisory Board
- 17 10. Special Event Advisory Committee

18 B. The following boards and commissions are not covered by this chapter:

- 19 1. Appeal Panel (Park City Code Title 15, Chapter 1, Section 18)
- 20 2. Board of Adjustment (Park City Code Title 15, Chapter 10)
- 21 3. Historic Preservation Board (Park City Code Title 15, Chapter 11)
- 22 4. Planning Commission (Park City Code Title 15, Chapter 12)

23  
24 **2-7-3 Conflicts of Law**

25 If a provision of this chapter conflicts with a federal, state, or local law applicable to a particular City  
26 board, such law shall supersede the conflicting provision. If rules for a specific board, commission, or  
27 committee found in this chapter conflict with the common rules, the specific rules will control. The  
28 contents of this chapter will supersede any conflicting resolution or policy established for any specific  
29 board by the board.  
30

31 **2-7-4 Appointment; Advice and Consent**

32 A. Appointments of City board members shall be made by the Mayor with the advice and consent  
33 of the City Council unless otherwise provided by this code or other law regarding a particular  
34 City board. City boards should represent a cross-section of the City. Individuals should serve on  
35 only one board at a time, thus allowing more people to serve on boards.

36 B. Employees of Park City Municipal Corporation are not eligible for membership on a City board  
37 unless an exception in this code or other law applicable to a particular board allows such  
38 appointments.

39 C. Spouses and family members of City employees may be considered for appointment to a City  
40 board when the board is not advisory to the employee’s department or job responsibilities.  
41

42 **2-7-5 Term**

43 A. Member appointments to City boards will be made for three-year terms beginning on July 1 and  
44 expiring on June 30, except when:

- 45 1. A provision of state law or this code applicable to a particular board specifies a different  
46 term; or
- 47 2. An appointment is to fill a vacancy during an unexpired term, in which case, the  
48 appointment shall be for the unexpired term.

**Exhibit A**

- 1 B. Board members shall be limited to two consecutive full terms.
- 2 C. A board member whose term has expired may continue to serve until a replacement board
- 3 member is appointed.
- 4 D. Board member terms should be staggered to promote continuity on the board.

5  
6 **2-7-6 Vacancy**  
7 Vacancies occurring in the membership of a City board shall be filled by appointment by the Mayor with  
8 the advice and consent of the council for the unexpired term.

9  
10 **2-7-7 Oath of Office**  
11 Board members shall take the oath of office required by law for City officers and file the oath with the  
12 City Recorder.

13  
14 **2-7-8 Conflicts of Interest**  
15 City board members are subject to the City’s Conflict of Interest Code, Title 3, Chapter 2, and the  
16 Municipal Officers’ and Employees’ Ethics Act, Title 10, Chapter 3, Part 13 of the Utah Code, or its  
17 successor.

18  
19 **2-7-9 Removal from Office**  
20 A. Any City board member may be removed from office by the Mayor with the advice and consent  
21 of Council for cause prior to the expiration of the term for which the member was appointed.  
22 For the purposes of this section, “cause” includes willful misconduct or intentional failure to  
23 perform stated duties.  
24 B. Any City board member failing to attend two board meetings without advance notice or four  
25 total meetings in one calendar year may be removed by the Mayor with the advice and consent  
26 of Council prior to the expiration of the term for which the member was appointed.  
27 C. If another section of the Park City Code conflicts with the procedures in this section, this section  
28 will control for board members.

29  
30 **2-7-10 Compliance with the Open and Public Meetings Act**  
31 Every meeting of a City board shall conform with the Open and Public Meetings Act, as set forth in Title  
32 52, Chapter 4 of the Utah Code or its successor, including, the requirements for public notice, open  
33 meetings, closed meetings, meeting minutes, and electronic meetings.

34  
35 **2-7-11 Board Meetings**  
36 A. Each City board shall convene regular meetings, the frequency of which shall be determined by  
37 the board except as otherwise provided by rules set forth in this code applicable to a particular  
38 board.  
39 B. Special meetings may be ordered by a majority of the board or the board chair.  
40 C. Except as otherwise provided by law, City boards may establish their own policies and rules of  
41 procedure governing the board and the proper conduct of its meetings provided that those  
42 policies and procedures do not conflict with the provisions of this Chapter.

43  
44 **2-7-12 Election of Board Officers**  
45 Each City board shall select one of its members as chair and another member as vice-chair who shall  
46 perform the duties of the chair during the absence or disability of the chair. These positions shall be for  
47 one-year terms.

48

**Exhibit A**

1 **2-7-13 Quorum and Board Action**

- 2 A. A quorum is a majority of members who have been appointed to and are currently serving on a  
3 particular City board.  
4 B. A City board may hold a meeting and take action only when a quorum is present.  
5

6 **2-7-14 Board of Appeals**

- 7 A. **Purpose and Authority.** The Board of Appeals shall hear all appeals filed according to the  
8 International Building Code, Chapter 5 of the Abatement of Dangerous Buildings Code for Park  
9 City, as adopted by Title 11, Chapter 6 of the Park City Code, and Chapter 12 of the Housing  
10 Code of Park City, as adopted by Title 11, Chapter 5 of the Park City Code. Any appeal made to  
11 the Board of Appeals pursuant to the International Building Code shall be filed within 30 days of  
12 approval or denial of the permit. The time for appeal of actions under the Abatement of  
13 Dangerous Buildings Code and the Housing Code shall be as specified in each of those respective  
14 codes, but in no instance longer than 30 days. All decisions and findings of the Board of Appeals  
15 will be in writing to the Chief Building Official with a copy provided to the appellant.  
16 B. **Organization.** The Board of Appeals consists of three members who are qualified by experience  
17 and training to pass upon matters pertaining to building construction. The Chief Building Official  
18 shall be an ex officio member and shall act as Secretary of the Board of Appeals.  
19 C. **Rules and Regulations.** The Board of Appeals shall adopt reasonable rules and regulations for  
20 conducting its investigations. A copy of all rules and regulations adopted by the Board of  
21 Appeals shall be delivered to the Chief Building Official who will make them available to the  
22 public without cost.  
23

24 **2-7-15 Citizens Open Space Advisory Committee**

- 25 A. **Purpose and Authority.** The Citizens Open Space Advisory Committee will:  
26 1. Investigate and recommend a strategy for the acquisition of open space, including  
27 recommending specific parcels for acquisition and prioritizing available lands for acquisition;  
28 and  
29 2. Recommend improvements to open space to protect critical natural amenities and provide  
30 safe public access.  
31 B. **Organization.** Members may be appointed when dedicated open space funding is available. The  
32 committee will disband when dedicated open space funding is exhausted.  
33

34 **2-7-16 Deed Restriction Advisory Committee**

- 35 A. **Purpose and Authority.** The Deed Restriction Advisory Committee will make recommendations  
36 to the City Manager about the acquisition of deed restrictions pursuant to the Live Park City –  
37 Lite Deed Restriction Program using the following criteria:  
38 1. Supports and maintains a permanent, year-round resident population that grows a diverse  
39 community where a wide range of demographics, economics, occupations, and family  
40 household sizes are served.  
41 2. Consistent with housing policies adopted by the Park City Municipal Code for the acquisition  
42 of deed restrictions.  
43 3. Demonstrated demand exists within the resident housing market for the type of residential  
44 product (studio, flat, townhome, duplex, single family, etc.) that is to be deed restricted.  
45 4. Fulfills a demonstrated need within a defined segment (for rent, sale, owner occupied, etc.).  
46 5. Demonstrates a quantifiable return on investment based upon appraisals.

**Exhibit A**

- 1           6. The market value of the deed restriction is comparable in value to other existing deed
- 2           restrictions within the community as demonstrated by an appraisal.
- 3           7. Most cost-effective and efficient use of the City’s limited supply of financial resources;
- 4           8. A transaction cap of \$200,000 per dwelling unit is to be deed-restricted unless approved by
- 5           the City Council.
- 6        B. **Organization.** The Deed Restriction Advisory Committee will consist of five members. Members
- 7           must be residents of Park City.

8  
9        **2-7-17 Library Board**

- 10       A. **Purpose and Authority.** The Library Board of Directors may with the approval of the governing
- 11       body have control of the expenditure of the Library Account, of construction, lease or sale of
- 12       Park City Library buildings and land, and of the operation of the Library. The Library Board will
- 13       be responsible for the maintenance and care of the Library and will establish policies for its
- 14       operation.
- 15       B. **Organization.** The Library Board will consist of not less than five members and not more than
- 16       nine members. Members must be Park City residents. Not more than one member of City
- 17       Council may be, at any one time, a member of the Library Board. Directors shall serve without
- 18       compensation, but their actual and necessary expenses incurred in the performance of their
- 19       official duties may be paid from Library funds.
- 20       C. **Rules and Regulations.** The Library Board of Directors shall make, amend and revoke rules and
- 21       regulations, not inconsistent with the law, for the governing of the Library. The Library shall be
- 22       free to the use of the inhabitants of Park City, subject to the rules and regulations adopted by
- 23       the Board. The Board may exclude from the use of the Library any and all persons who shall
- 24       willfully violate such rules. The Board may extend the privileges and use of the Library to
- 25       persons residing outside of the City upon such terms and conditions as it may prescribe by its
- 26       regulations.
- 27       D. **Annual Reports.** The Library Board of Directors shall make an annual report to the governing
- 28       body of the City on the condition and operation of the library, including a financial statement.
- 29       Such a report may be in the form of budget documents submitted each year to the City Council.
- 30       The Directors shall also provide for the keeping of such records as shall be required by the Utah
- 31       State Library in its request for an annual report from the public libraries, and shall submit such
- 32       an annual report to the State Library.
- 33       E. **Personnel.** The Library Board of Directors shall appoint a competent person as Librarian to have
- 34       immediate charge of the Library with such duties and compensation for the Librarian’s services
- 35       as it shall fix and determine. The Librarian shall act as the executive officer for the Library Board.
- 36       The Board shall appoint, upon the recommendation of the Librarian, other personnel as needed.
- 37       The Board may delegate the authority of this section to the City Manager and provide for the
- 38       inclusion of Library personnel in the City personnel system pursuant to section 10-3-1104 of the
- 39       Utah Code, or its successor.
- 40       F. **Donations.** Any person desiring to make donations of money, personal property, or real estate
- 41       for the benefit of the Library shall have the right to vest the title to the money, personal
- 42       property or real estate so donated, in trust for the benefit of the Library. All monetary donations
- 43       shall be held in the City treasury to the credit of the Library account, and may not be used for
- 44       any purpose except that of the Library. These funds shall be drawn upon by the authorized
- 45       officers of the City only upon presentation of the properly authenticated vouchers or purchase
- 46       order of the Board.

47

**Exhibit A**

**2-7-18 Neighborhoods First - Street Committee**

- 1  
2 A. **Purpose and Authority.** The Neighborhoods First - Streets Committee implements portions of  
3 the Neighborhoods First - Streets Program, which aims to enhance neighborhood livability and  
4 safety by reducing speeding traffic with traffic calming solutions. By measuring the impacts of  
5 these solutions with the help of clear evidence and documented processes, the Neighborhoods  
6 First - Streets Committee works to improve compliance with posted speed limits, stop signs, and  
7 other traffic control devices.  
8 B. **Organization.**  
9 1. The Neighborhoods First - Streets Committee will be made up of a representative from each  
10 of the following:  
11 i. The Park City Engineering Department,  
12 ii. The Park City Police Department,  
13 iii. The Park City Public Works Department,  
14 iv. The Park City Fire Department,  
15 v. The Park City Transportation Department,  
16 vi. A Park City Resident Advocate,  
17 vii. A Park City Resident, and  
18 viii. Summit County Government Representative.  
19 2. **Selection Process.** All of the representatives will be selected by the department or  
20 organization they are representing except the Park City Resident Advocate will be selected  
21 by the City Manager and the Park City Resident will be appointed by the Mayor with the  
22 advice and consent of the City Council.  
23

**2-7-19 Nonprofit Services Advisory Committee**

- 24 A. **Purpose and Authority.** The Nonprofit Services Advisory Committee provides recommendations  
25 to the City Council on the Public Service Contract and Emergent Community Needs Grant  
26 programs, which are established in the City’s Budget Policies & Objectives. The Committee’s  
27 duties include:  
28 1. Evaluating applications;  
29 2. Interviewing applicants; and  
30 3. Making award recommendations to the City Council.  
31 B. **Organization.**  
32 1. The Nonprofit Services Advisory Committee will consist of not less than five members and  
33 not more than seven members.  
34 2. All members must live, work, volunteer, own property, or own a business within Park City  
35 municipal boundaries.  
36 3. A majority of members must have their primary residence within Park City municipal  
37 boundaries.  
38 4. There should be priority for members who have experience with nonprofit organizations or  
39 who have experience delivering or accessing nonprofit services.  
40 C. **Conflict of Interest.** Members may not be employed by or serve on the board of a nonprofit  
41 organization that applies for or is likely to apply for grant funding through PCMC.  
42  
43

**2-7-20 Police Complaint Review Committee**

- 44 A. **Purpose and Authority.** The purpose of the Police Complaint Review Committee is to act in the  
45 capacity of an advisory body, which will review proposed complaint dispositions of complaints  
46

**Exhibit A**

- 1 filed against police personnel and/or police procedure, if formally requested, and to provide  
2 recommendations to the Chief of Police on those complaints reviewed.
- 3 **B. Organization.**
- 4 1. The Police Complaint Review Committee will consist of five eligible community members  
5 and one appointed City staff member as the City Manager’s designee. An attorney from the  
6 City Attorney’s Office will be assigned to act as a legal liaison to the Committee by the City  
7 Attorney. The Chief of Police shall be an ex officio member and shall provide all necessary  
8 staff support and information to the Committee. The City Council may appoint a Council  
9 Liaison.
- 10 2. The City Manager’s appointed designee shall act as the Chairperson for the Committee and  
11 in the absence of the Chairperson, the Chairperson pro-tem shall perform the duties of the  
12 Chairperson. The Chairperson shall be a non-voting member. The Chairperson pro-tem shall  
13 be elected by a majority vote of the members of the Committee at the first meeting of the  
14 Committee each calendar year.
- 15 3. Members of the Committee shall perform their services on the Committee without pay or  
16 other compensation, except for payment of reimbursement of expenses actually and  
17 reasonably incurred and as approved by the Chief of Police. Community members shall be  
18 deemed volunteers as defined in Title 67, Chapter 20, of the Utah Code, as amended, or any  
19 successor statute. Members shall be immune from any liability with respect to any decision  
20 or action taken in the performance of their duties and responsibilities on the Committee as  
21 provided by Title 63G, Chapter 8, of the Utah Code, as amended, or any successor statute.
- 22 **C. Eligibility for Membership.** To be eligible for appointment to the Committee, a person shall be  
23 at least 21 years of age. No person may have any felony convictions, or misdemeanor  
24 convictions where a dishonest act or false statement is an element of the offense. If a  
25 Committee member, during his or her term, is formally charged with such an offense, the  
26 Committee member shall immediately notify the Chief of Police of such charge(s). Post-  
27 appointment convictions shall be a basis for removal.
- 28 **D. Members' Ethics.** In addition to being bound by Title 3 of the Park City Code, if a conflict of  
29 interest arises with respect to a particular complaint review, the Committee member(s) shall  
30 recuse themselves from that review. Any violation of this provision or the provisions incorporated  
31 herein by reference shall be grounds for removal from the Committee.
- 32 **E. Training.** Each member must receive training specified by the Chief of Police, regarding police  
33 policy, practice, procedure, and the duties of the Committee. Training may include attendance  
34 at police training classes and participation in ride-a-longs during police shifts.
- 35 **F. Community Requested Review of Proposed Complaint Disposition.** The Police Department will  
36 establish and publicize the processes by which a proposed complaint disposition can be  
37 reviewed by the Committee.
- 38 **G. Complaint Review Process.**
- 39 1. When a review is requested, the Chief of Police, acting as the department liaison, shall  
40 supply all the sitting Committee members with all pertinent documents and investigative  
41 materials related to the original complaint and investigation. Any information furnished by  
42 the complainant shall be forwarded to the Committee.
- 43 2. The Committee shall meet within a reasonable time after receiving a request for review.
- 44 3. After the review meeting, the Committee shall reach a conclusion and provide an advisory  
45 recommendation. Committee advisory recommendations may include:
- 46 i. further investigative action or review by the Chief of Police to clarify and/or to expand  
47 the investigation or review;
- 48 ii. review of department policy or procedure for adjustment, revision, or modification; or

**Exhibit A**

- 1           iii. both.
- 2           4. Within 30 calendar days after receiving the Committee's report, the Chief of Police shall
- 3           ensure that the individual requesting the review and the original complainant, if they are
- 4           not the same person, are notified of the intended actions of the Chief of Police via a 'Letter
- 5           of Final Disposition.' The reports containing the Committee's conclusions and
- 6           recommendations will not be disclosed to the original complainant, the person requesting
- 7           the review, or any other member of the public, except under Title 63G of the Utah Code.
- 8           5. A copy of the Committee's conclusion(s) and recommendation(s) will be forwarded to City
- 9           Council members.
- 10          6. All Committee documents will be maintained in the Administrative Offices of the Chief of
- 11          Police in a secured location in accordance with Record Retention Schedules.
- 12          H. **Cooperation and Coordination.** The Chief of Police shall provide complete and prompt
- 13          cooperation to the Committee members in the discharge of its duties.
- 14          I. **Committee Actions.** The recommendations of the Committee shall not be deemed to bind the
- 15          Chief of Police or the City Manager in their final disposition. Nothing in this document shall be
- 16          construed to be a delegation of the powers of the Chief of Police, City Manager, or the Mayor
- 17          and City Council.
- 18          J. **Committee Policy and Procedures Review.** Policy and procedures for the Committee will be
- 19          reviewed for changes and updates on an annual basis. This review will be open to the public.
- 20

**2-7-21 Public Art Advisory Board**

- 22          A. **Purpose and Authority.** The Public Art Advisory Board will create and propose updates for a
- 23          public art policy and plan, make recommendations to the City Council regarding public art
- 24          placement and expenditures, and establish future funding opportunities for public art.
- 25          B. **Organization.** The Public Art Advisory Board will consist of eight members.
- 26          C. **Policy.** The Public Art Advisory Board will be governed by a policy that will be adopted by
- 27          Council.
- 28

**2-7-22 Recreation Advisory Board**

- 30          A. **Purpose and Authority.** The Recreation Advisory Board's purpose and duties are as follows:
- 31                  1. To advise the City Council and staff on parks and recreation policy as requested by the City
- 32                  Council.
- 33                  2. To support and promote the policies and programs of the Recreation Department.
- 34                  3. To advise and support staff on staff-recommended budget priorities concerning parks and
- 35                  recreation projects and programs.
- 36                  4. To serve as a liaison between the community and public agencies on parks and recreation
- 37                  issues within Park City.
- 38                  5. To stimulate and initiate community involvement and support for City Council annual and
- 39                  long-term goals and priorities, and all parks, recreation and beautification projects and
- 40                  programs.
- 41          B. **Organization.** The Recreation Advisory Board will consist of between five and nine members,
- 42          and one additional representative from the City Council who is a non-voting member. Members
- 43          shall be residents of Park City and shall serve without compensation.
- 44

**2-7-23 Special Event Advisory Committee**

- 46          A. **Purpose and Authority.** The Special Event Advisory Committee will advise and make
- 47          recommendations to City Council regarding special events in Park City.



**Exhibit A**

- 1        B. **Organization.** The Special Event Advisory Committee will consist of seven members. Members
- 2        shall be residents of Park City and should represent a cross section of various neighborhood
- 3        areas throughout Park City. Members may be appointed when City Council determines a need
- 4        exists. The committee will disband when there is not a clear need.