

ORDINANCE NO. 2020-05-05

AN ORDINANCE PROVIDING FOR BEAR RIVER CITY PUBLIC BODIES
TO CONVENE AND CONDUCT ELECTRONIC MEETINGS IN
ACCORDANCE WITH UTAH CODE 52-4-207

WHEREAS, the Bear River City Council, Planning Commission or other public bodies may hold an electronic meeting if the City has adopted a resolution, rule, or ordinance governing the use of electronic meetings; and

WHEREAS, Bear River City wishes to adopt standards and procedures for electronic meetings to be held under limited circumstances.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF BEAR RIVER CITY AS FOLLOWS:

Section 1, Definitions.

For the purpose of this ordinance the following definitions shall apply:

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

"Electronic Meeting" shall mean a public meeting convened or conducted by means of a conference using electronic communications.

"Monitor" means to hear or observe, live, by audio, or video equipment, all of the public statements of each member of the public body who is participating in a meeting.

"Participate" means the ability to communicate with all of the members of a public body, either verbally or electronically, so that each member of the public body can hear or observe the communication.

"Public Body" means the City Council, Planning Commission, or other official city body or commission that is created by city ordinance or resolution and consists of two or more persons and expends, disburses or is supported by tax revenue and is vested with the authority to make decisions regarding the public's business.

Section 2. Electronic Meeting Requirements.

No meeting of a public body of Bear River City may be convened and held as an electronic meeting except on the following conditions.

a. A request for an electronic meeting has been made by a member of a public body, to the City Recorder, Clerk, or Secretary, at least three days prior to the date of the meeting to allow for arrangements to be made for the electronic meeting; and

- b. The Chair of the public body has approved the meeting to be held as an electronic meeting; and
- c. Notice of the electronic meeting has been given as provided herein.

Section 3. Notice of Electronic Meetings.

The City Recorder, Clerk, or Secretary of the public body, upon receiving a request from the Chair of the public body for a meeting to be convened as an electronic meeting, shall give public notice of the meeting as required by Utah Code section 52-4-202 of the Utah Open and Public Meetings Act; and post written notice at the anchor location for the meeting, if an anchor location is required by law. The City Recorder, Clerk, or Secretary shall in addition to giving the public notice required by Utah Code Section 52-4-202, provide notice of the electronic meeting to the members of the public body at least 24 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. The notice to the members of the public body shall give a description of how the members will be connected to the electronic meeting.

Section 4. Place of Meeting.

Unless an anchor location is not required by law or other executive order, the City Recorder, Clerk, or Secretary of the public body shall establish one or more anchor locations for the public meeting, at least one of which shall be where public body would normally meet if they were not holding an electronic meeting.

Section 5. Meeting Facilities.

The City Recorder, Clerk, or Secretary shall see that facilities or technologies are provided so that interested persons and the public may attend electronically and monitor the open portions of the meeting; and if the meeting includes a public hearing, provide technology and facilities at the anchor location (if one is required) so that the public may attend, monitor, and participate in the public hearing portion of the meeting.

This ordinance shall take affect immediately upon posting.

Dated and passed this ____ day of May 2020.

Bear River City



Jeff Dallin, Mayor

ATTEST:



Sue Ann Holmgren, City Recorder