

Ordinance No. 2020-18

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF PARK CITY: TITLE 2, CHAPTER 3 SECTIONS 2 & 5 MEETINGS; AND TITLE 15, CHAPTER 12, SECTIONS 13 & 14

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 City Council and the Planning Commission convene in person, the Council recognizes that there may be circumstances where electronic meetings are necessary;

WHEREAS, when electronic meetings are used, the preference is that a quorum of the public body is physically present at a single anchor location;

WHEREAS, because of the current COVID-19 emergency, electronic meetings may be necessary to facilitate social distancing;

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

Title 2, Chapter 3, Sections 2 & 5, and Title 15, Chapter 12, Sections 13 & 14 of the Municipal Code are amended to read as outlined in Exhibit A. This Ordinance shall become effective upon publication.

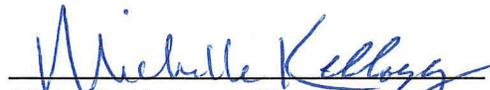
PASSED AND ADOPTED this 19th day of March, 2020.

PARK CITY MUNICIPAL CORPORATION



Mayor Andy Beerman

Attest:


Michelle Kellogg, City Recorder

Approved as to form:


Margaret Plane, Special Counsel

Exhibit A:

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

2-3-2 Meetings

1. 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.

2. 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.

3. ELECTRONIC MEETINGS. The City Council may 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.

2-3-5 Meetings To Be Public

1. All meetings and business of the City Council shall be conducted only in open meeting and in compliance with the provisions of U.C.A. Title 52, Chapter 4, Open and Public Meetings Act.
2. With the exception of an emergency meeting, the City Council may not consider a topic in an open meeting that is not:

1. listed under an agenda item that provides reasonable specificity to notify the public as to the topics to be considered at the meeting. Each topic must be listed under an agenda item on the meeting agenda; and
 2. included with the advanced public notice in accordance with this section.
 3. A topic not listed on the open meeting agenda that is raised during an open meeting may be discussed but no final action may be taken by the public body during that meeting.
- 3.
1. A meeting that is open to the public includes a workshop or an executive session of a public body in which a quorum is present, unless closed in accordance with this chapter.
 2. A workshop or an executive session of a public body in which a quorum is present that is held on the same day as a regularly scheduled public meeting of the public body may only be held at the location where the public body is holding the regularly scheduled public meeting unless:
 1. the workshop or executive session is held at the location where the public body holds its regularly scheduled public meetings but, for that day, the regularly scheduled public meeting is being held at a different location;
 2. any of the meetings held on the same day is a site visit or a traveling tour and in accordance with this chapter, public notice is given;
 3. the workshop or executive session is an electronic meeting conducted according to the requirements of [City Code 2-3-2U.C.A. §52-4-207, as amended](#); or
 4. it is not practicable to conduct the workshop or executive session at the regular location of the public body's open meetings due to an emergency or extraordinary circumstances.

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

15-12-13 Quorum Requirement

The Commission shall not conduct any business at a meeting ~~without unless~~ a quorum ~~is present~~. A quorum shall consist of a majority of the appointed members of the Commission, including the Chair for computation purposes.

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 ~~present at 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.