

TOWN OF ALTA

RESOLUTION 2024-R-4

**A RESOLUTION REPEALING AND REPLACING THE
RULES OF ORDER AND PROCEDURE
FOR ALTA TOWN COUNCIL MEETINGS**

WHEREAS, Utah Code § 10-3-606 requires the legislative body to adopt rules of order and procedure; and

WHEREAS, Utah Code §§10-3-502, 504-508, 601, 607 and 608 set out State Code minimum requirements regarding the rules and procedures related to council meetings:

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF ALTA, UTAH that the Council shall adopt Rules of Order and Procedure to govern its meetings as attached as Attachment 1 below.

This Resolution shall take effect immediately.

PASSED AND APPROVED this 14th day of February, 2024

BY


Roger Bourke, Mayor

ATTEST


Jen Clancy, Town Clerk

Vote:

Mayor Bourke

yes

Councilmember Anctil

yes

Councilmember Byrne

yes

Councilmember Morgan

yes

Councilmember Schilling

yes

RULES OF PROCEDURE AND ORDER FOR THE ALTA TOWN COUNCIL

Pursuant to Utah Code 10-3-606, the Town of Alta hereby adopts the following rules of order and procedure to govern its meetings of the Town Council:

RULE 1. REGULAR, SPECIAL AND EMERGENCY COUNCIL MEETINGS

- A. **Regular Meetings:** The town council shall set the schedule of yearly meetings at the June town council meeting. Said meeting schedule shall be duly posted as required by state law. If the meeting date is a legal holiday, then the meeting may be held at the same time and place above described on the next following day which is not a legal holiday. The town council may provide for a different time and place for holding regular meetings of the town council.
- B. **Special Meetings:** If at any time the business of the town requires a special meeting of the town council, such meeting may be ordered by the mayor or any two (2) members of the town council. The order shall be entered in the minutes of the town council. The order shall provide at least 24 hours' notice of the special meeting and notice thereof shall be served by the Town Clerk on each member who did not sign the order by delivering the notice personally or by leaving it at the member's usual place of abode and by electronic means. The personal appearance by a member at any specially called meeting constitutes a waiver of the notice required in this subsection.¹
- C. **Emergency Meetings:** If an emergency meeting is deemed necessary, the body is required to provide the best notice practicable, including details such as the time, place, and topics to be discussed during the emergency session. An attempt must be made to notify all members of the public body of the impending emergency meeting. A majority of the members of the town council must approve the emergency meeting before it can proceed.²

RULE 2. AGENDA

A written Agenda, published in advance, shall guide the meetings. The Agenda must be published at least 24 hours prior to the meeting unless it is an emergency meeting. Items may be placed on the agenda with 10 days notice either by the Mayor or by any two Councilmembers. Matters not on the Agenda may be discussed, but no final action is taken on matters not on the Agenda.

RULE 3. ORDER AND PROCEDURE

Council meetings are chaired by the Mayor. Agenda items are usually considered in the order listed but may be reordered with the consent of councilmembers. A Resolution or Ordinance shall be in writing before a vote is taken on it³. All Town Council meetings shall be conducted in accordance with Roberts Rules in Plain English, Second Edition by Doris Zimmerman.

¹ UCA 10-3-502

² UCA 52-4-202

³ UCA 10-3-506

RULE 4. QUORUM AND VOTING

- A. The Mayor is a regular and voting member of the Council including but not limiting to establishing a quorum and voting.⁴
- B. A quorum consists of three Councilmembers.⁵
- C. The minimum number of votes required to pass any action is three, even if there are absences or vacancies on the Council. Any ordinance, resolution, or motion of the council having fewer favorable votes than three is defeated and invalid.⁶
- D. A roll call vote will be taken and recorded for all Resolutions, Ordinances, and any actions that would create a liability against the town and in any other case at the request of any member of the town council by a "yes" or a "no" vote and shall be recorded.⁷
- E. The Mayor may not veto any ordinance, tax levy, or appropriation passed by the council.
- F. Councilmembers must vote if they are present unless they choose to abstain or are recused for a conflict of interest.

RULE 5. MEETING MINUTES AND AUDIO RECORDING

Draft Meeting Minutes will be made available to Councilmembers and the public within 30 days after the meeting. They shall be designated as a draft copy until formally approved by the Council as a public document and filed in the official records of the Town. Once minutes are approved, they along with any public materials distributed at the meeting shall be made available to the public withing three business days. The audio recording of the open meeting shall be available to the public for listening within three business days after holding an open meeting.

RULE 6. OPEN MEETINGS

All meetings of the Town Council shall be held in compliance with the provisions of Title 52, Chapter 4, Utah Open and Public Meetings Act.

RULE 7. ETHICAL REQUIREMENTS

The Mayor and Council members must comply with the Municipal Officer's and Employees' Ethics Act described in Utah Code §§ 10-3-1301⁸ to 10-3-1312⁹. At each Town Council meeting Councilmembers shall disclose in the open meeting any actual or potential conflicts of interests regarding any items on the agenda.

RULE 8. RULES OF DECORUM

- A. The Mayor and Councilmembers shall treat each other with respect and act in a civil and courteous manner to each other and the public.
- B. Public remarks must not be personal, impertinent, unduly repetitive, slanderous, profane, threatening, abusive, or otherwise impeding the orderly conduct of a Council meeting.
- C. A time limit may be established for public comments that address the Council on any item, even if it is not on the Agenda.

⁴ UCA 10-3b-402

⁵ UCA 10-3-504

⁶ UCA 10-3-507

⁷ UCA 10-3-506

⁸ UCA 10-3-1301

⁹ UCA 10-3-1312

- D. For internal communications between the Council, or the Council and staff, Council shall make best efforts to respond promptly upon receiving any communication requiring a response. Internal communications between Council shall not violate Open Public Meeting requirements.
- E. Prior to any Council meeting Councilmembers shall notify the Town Clerk if they will be attending a Town Council meeting in person, electronically or that they cannot attend the meeting.

RULE 9. MAYOR PRO TEMPORE

The Town Council shall elect one of its members as Mayor Pro Tempore to preside at the Town Council Meeting, attend a required Board Meeting in the case the Mayor is unable to attend the meeting, or perform, during the mayor's absence, disability, or refusal to act, the duties and functions of Mayor. The Town Clerk shall enter in the minutes of the council meeting the election of a councilmember as Mayor Pro Tempore.¹⁰

¹⁰ UCA 10-3b-402