

Midway City Council
20 February 2024
Regular Meeting

Ordinance 2024-06 /
Public Comment



ORDINANCE 2024-06

AN ORDINANCE TO AMEND SECTION 2.18.040 OF THE MIDWAY CITY MUNICIPAL CODE TO ADOPT PROVISIONS REGARDING PUBLIC COMMENT

WHEREAS, pursuant to Utah Code Section 10-9a-509 the Midway City Council may formally initiate proceedings to amend city ordinances; and

WHEREAS, Midway City desires to amend Section 2.18.040 to adopt new provisions regarding public comment in both in person and electronic meetings; and

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

Section 2.18.040 shall be amended to read as follows:

2.18.040 Electronic Meetings

1. All councils, boards, commissions, committees, agencies and authorities established under the authority of this Title may hold and conduct electronic meetings in accordance with this Section and the requirements of applicable Utah law.
2. Electronic meetings shall comply in all respects with the requirements of the Utah Open and Public Meetings Act, Title 52, Chapter 4, Utah Code (as amended from time to time), including providing required public notice of all meetings.
3. Notice of an electronic meeting to be held by any public body shall be given to each member of the body prior to the electronic meeting in the manner and time provided by the Open and Public Meetings Act in order to allow all members the opportunity to participate in the meeting electronically.
4. All electronic meetings (except for permissible closed meetings under the Open and Public Meetings Act) shall be held in a location that allows attendance by the public at the electronic meeting.
5. A recording and written minutes of all electronic meetings shall be made as required by the Open and Public Meetings Act.

6. Public Comment is not required under the Utah Open and Public Meetings Act and is allowed at the sole discretion of the Mayor. All public comment shall: 1) only be made by those physically present at the City Council meeting and only after the person states his or her name and address for the record; 2) may last no longer than 1 minute unless otherwise allowed by the Mayor; 3) must be germane to the authority of the City Council and be directly related to city programs, projects, services or events; and 4) may not address an item already on the agenda. Those attending remotely may ask for an exception to this Policy by submitting a written request no later than 24 hours in advance, stating the reasons they cannot attend in person, their name and address, and the topic which they desire to address. The Mayor has the discretion to grant or deny these requests, and also has the discretion to cut off speech which he/she reasonably perceives is causing a disruption, or that imminently threatens to cause a disruption to the orderly and fair progress of the meeting, whether by virtue of its irrelevance, its duration, or its very tone and manner. The City Council reserves its right under Utah Code Ann. § 10-3-608 and § 52-4-301 to cut off and/or remove any person who is disorderly during a City Council meeting and to prosecute the same under any then existing provision of law.

This Ordinance shall take effect upon publication as required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this day of 2024.

Council Member Jeff Drury _____
Council Member Lisa Orme _____
Council Member Kevin Payne _____
Council Member Craig Simons _____
Council Member JC Simonsen _____

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)

DRAFT