



COPPERTON TOWN COUNCIL MEETING

AUGUST 20, 2025, 6:30 PM
BINGHAM CANYON LIONS CLUB
8725 HILLCREST STREET, COPPERTON, UTAH 84006

COPPERTON TOWN COUNCIL MEETING MINUTES AUGUST 20, 2025

Council Members Present:

Sean Clayton, Mayor
Tessa Stitzer, Mayor Pro Tempore (via Zoom)
Kathleen Bailey, Council Member (via Zoom)
Linda McCalmon, Council Member
Kevin Severson, Council Member

Council Members Excused: None

Staff Present:

Nathan Bracken, Legal Counsel
Diana Baun, Town Clerk
Dan Torres, Economic Development Manager
Chief Nathan Bogenschutz, UFA
Lt. Chris Benedict, UPD
Det. Ruby Lechuga, UPD

Others Present:

1. REGULAR COUNCIL MEETING

Mayor Clayton, presiding, called the meeting to order at 6:30 PM and noted a quorum was present.

The Pledge of Allegiance was recited.

2. COMMUNITY INPUT

- a. Recognize Visiting Officials – None**
- b. Unified Fire Authority (UFA)**

COPPERTON COUNCIL MEMBERS

MAYOR SEAN CLAYTON, MAYOR PRO TEMPORE TESSA STITZER,
COUNCIL MEMBER KATHLEEN BAILEY, COUNCIL MEMBER KEVIN SEVERSON,
COUNCIL MEMBER LINDA MCCALMON

Chief Nathan Bogenschutz presented the Unified Fire quarterly report for the Town of Copperton, noting that it was delayed by one month due to 70 personnel being deployed with Utah Task Force One to flooding in New Mexico. The report covered the period from April 1 to June 30. During that time, there were 20 calls for service, of which 10 were emergent. Nineteen of those calls were handled by Station 115's engine, and one was managed by an ambulance from Riverton, with a total of eight responses from Riverton. Response times for emergent calls averaged in the 50th percentile for four minutes from dispatch to arrival, which was considered strong performance. There was only one fire-related incident, with most calls involving medical emergencies, the most common being diabetic issues.

Mayor Sean Clayton asked about fireworks-related incidents.

Chief Bogenschutz stated that he was not aware of any and suggested the single fire response might have been a campfire.

Mayor Clayton recalled a June incident on Rio Tinto property, which Chief Bogenschutz confirmed could have been classified differently depending on the jurisdiction. Chief Bogenschutz also informed the council that Unified Fire would have crews present for Copperton Town Days on Friday and Saturday. He added that the state had implemented stage two fire restrictions for all state lands and unincorporated private lands due to hot, dry conditions and several fires throughout the county. He emphasized that only natural gas or propane-fueled fires in contained devices were permitted under these restrictions.

Council Member Kevin Severson asked about the difference between stage one and stage two restrictions.

Chief Bogenschutz explained that stage one allowed fires in confined, safe spaces such as parks, while stage two permitted only natural gas or propane fires.

Council Member Severson commented on confusion he experienced while in the mountains, where fires were allowed despite his assumption of stage one restrictions.

Chief Bogenschutz clarified that Uinta National Forest was the only forest in Utah still under stage one restrictions and that the regulations differed between state and federal lands. Council Member Severson confirmed that a forest ranger had explained the distinction to him, noting the complexity of the rules.

Council Member Kathleen Bailey asked Chief Nathan Bogenschutz about House Bill 48, which addressed the Wildland Urban Interface (WUI), noting that the topic had been discussed at a recent board meeting and that meetings with him were expected to follow.

Chief Bogenschutz confirmed he had sent an email on the subject and explained that the bill, passed during the most recent legislative session, required every city, town, and county in Utah to adopt the 2006 Wildland-Urban Interface (WUI) Code. Each municipality was also required to identify on a map the areas within its boundaries that fell into the designated WUI category. He stated that residents in higher-risk areas would eventually be subject to a fee

determined by the state and that homeowners would be provided with options to mitigate risks around their homes. Over the next several years, fire officials planned to conduct home assessments to recommend fire risk reduction strategies. He emphasized that it was the responsibility of municipalities to both adopt the code and identify the qualifying areas. He added that the state fire marshal and wildland duty office would be available to assist in working through the requirements with the council.

Nathan Bracken raised a question, noting that within the Municipal Services District, most communities would likely not fall under the WUI criteria, with possible exceptions for Brighton and Emigration Canyon. He expressed uncertainty about how the legislation would apply if none of the MSD municipalities qualified.

Chief Bogenschutz responded that in such cases, the municipality would still be required to adopt the code, but if no homes fell within the designated areas, the adopted map could simply show no qualifying zones. He explained that if future development occurred in areas that would fall into the WUI category, then those new developments would be subject to the code.

Nathan Bracken followed up by asking how the requirement would work if a municipality already had its own land use code and no areas qualified for WUI designation.

Chief Bogenschutz replied that, based on the briefing he had received earlier that day, municipalities would still adopt the WUI code but would not need to designate any specific areas on the map if none existed. He noted that other cities, such as Holladay and Cottonwood Heights, had already identified WUI zones, particularly above Wasatch Boulevard, while leaving other parts of their cities outside the designation. He added that some municipalities, including Herriman, had already completed the process and that draft formats from those examples were available to guide others in meeting the new requirements.

d. Unified Police Department (UPD)

Lieutenant Chris Benedict of the Unified Police Department introduced Detective Ruby Lechuga to the council as the new Community Oriented Policing (COP) Detective for Copperton. He noted that she was already actively engaged in the role and would be present at community events on Friday and Saturday alongside Chief Nathan Bogenschutz.

Detective Ruby Lechuga shared her background, explaining that she began her law enforcement career in 2015, initially serving as a domestic violence investigator in Magna and Copperton. She stated that most of her experience had been in Midvale, but she expressed a strong personal connection to both Magna and Copperton and said she was enthusiastic about her new assignment. She added that she and her team planned to provide light-up bracelets for children at the upcoming community events to make the activities enjoyable.

Lieutenant Benedict confirmed that Detective Lechuga would be joined at the events by Detective Jeknavorian, who had previously been introduced to the council. He then presented the July statistics (Attachment A), reporting 48 total calls for service. Of those, 22 were short-form reports, and seven were long-form reports, averaging six calls per officer. He noted that

two public peace offenses were recorded, both connected to fireworks incidents. He emphasized that family-related offenses were down for the month, which was a positive trend. He added that many of the calls for service involved juveniles at Copperton Park, where activity levels were high during the summer.

3. WORKSHOP DISCUSSION

a. Workshop Discussion on Town Council Emergency Communications

Madison Warner, Emergency Municipal Planner assigned to Copperton through the Municipal Services District, addressed the council (Attachment B) along with her associate, Brian Buckhout, to follow up on discussions from the previous meeting regarding emergency communications and the use of the UpAhead app. Mayor Sean Clayton noted that the town was already using UpAhead for event notifications, such as for Town Days, and expressed interest in expanding its use for additional purposes. She reviewed a presentation provided to the council. She explained that UpAhead was an opt-in system, requiring residents to subscribe, which made it effective for urgent but non-life-threatening notifications, such as water line breaks. For life-safety emergencies, she described the Integrated Public Alert and Warning System (IPAWS), which used cell towers to send alerts to everyone in the affected area, including visitors, without requiring sign-ups. She distinguished between the two systems by emphasizing that IPAWS was reserved for true emergencies requiring immediate evacuation, while UpAhead was appropriate for less critical but still time-sensitive issues. She discussed best practices for internal communication during emergencies, encouraging the council to maintain flexible information-gathering methods such as group texts, calls, or apps like WhatsApp. She stressed the importance of reaching out to designated liaisons, such as Chief Nathan Bogenschutz for fire issues or police liaisons for law enforcement concerns, and maintaining open communication with external partners like Rio Tinto. She noted that Mayor Clayton was the designated emergency manager but asked the council to designate backups for when he was unavailable. Mayor Clayton confirmed that Council Members Tessa Stitzer and Kathleen Bailey would serve as secondary and tertiary contacts. She outlined available resources and technologies, including Wireless Priority Service (WPS), which ensured priority cell service restoration for emergency responders, and ARES/HAM radio operators who conducted quarterly tests in the Copperton area. She highlighted the importance of both horizontal and vertical information sharing, explaining that Copperton should coordinate not only within the council but also with neighboring jurisdictions, since emergencies like fires could easily cross boundaries. She noted that declaring a local state of emergency was a best practice when resources were overwhelmed, both to request additional support from the MSD and the county and to strengthen eligibility for FEMA cost-sharing during recovery. She also discussed public messaging, emphasizing the need for verified information, consistency across agencies, and accessibility. She recommended pre-written message templates for UpAhead and IPAWS alerts to save time during incidents, suggested maintaining town social media pages as trusted information sources, and encouraged designating a Public Information Officer from within the council to work with the MSD's PIO and others during emergencies. She stressed that communications should be brief, fact-based, and written at approximately a third-grade reading level, with translation or alternative access options provided for residents who might not have internet access. She then provided an overview of the structure and processes within an Emergency Operations Center (EOC), including how information was gathered,

assessed, and shared during major incidents. She explained the planning “P” cycle, situation reports, essential elements of information, and the use of emergency service functions (ESFs) covering specialized areas like firefighting, sheltering, and animal care. She emphasized the importance of anticipating cascading impacts, such as a fire spreading toward industrial sites, and stressed that Copperton officials might be called upon to provide updates or participate in coordination calls even if they had no significant developments to report. She concluded by recommending additional FEMA and National Incident Management System (NIMS) training courses, including ICS 127, ICS 800, and G402 for elected officials, and said the county planned to provide training and tabletop exercises in the coming year. She added that quick reference guides outlining steps for elected officials during emergencies would also be provided.

Mayor Clayton thanked Madison for the detailed presentation, agreed that the town hoped such emergencies would never occur but recognized the importance of being prepared, and asked if Madison and her team could provide assistance when the council began drafting messaging templates to ensure they were clear and appropriately written. She confirmed that they would assist and said she would provide sample templates. Mayor Clayton also confirmed that he had sent Ms. Warner the contact information for Council Members Tessa Stitzer and Kathleen Bailey so she could coordinate with them as designated backups.

4. CONSENT AGENDA

- a. Approve Council Meeting Minutes**
 - i) July 16, 2025**

Council Member Severson moved to approve the July 16, 2025 Council Meeting Minutes as published. Council Member McCalmon seconded the motion; vote was 5-0, unanimous in favor.

- b. Fiscal Items - Mayor Clayton**
 - i) Approval of expenditures**

Mayor Clayton asked for approval of \$1899.50 in legal fees in July.

Council Member McCalmon moved to approve the Fiscal Items listed above as discussed. Council Member Severson seconded the motion; vote was 5-0, unanimous in favor.

5. PRESENTATION ITEMS

- a. Hazard Mitigation Plan**

Madison Warner, Emergency Municipal Planner assigned through the MSD and Salt Lake County Emergency Management, presented the proposed multi-jurisdictional Hazard Mitigation Plan to the council. She explained that hazard mitigation referred to actions taken to reduce or eliminate long-term risks to communities. The plan, which was updated every five years, built upon the 2019 version and served as a strategic guide for 26 entities across Salt Lake County. Its purpose was to help community planners, managers, emergency officials,

and elected leaders identify risks and mitigation strategies, while also ensuring eligibility for FEMA disaster recovery funding and mitigation grants under the Robert T. Stafford Act. She highlighted that the plan was multi-jurisdictional because hazards and resources did not respect municipal boundaries. By sharing strategies and pooling resources, jurisdictions could both lower costs and improve coordination. She cited examples of hazards that affected multiple communities, such as fires along railway lines, and explained how solutions identified in one community could be applied elsewhere. She emphasized that adoption of the plan was a requirement for federal grant eligibility. The plan consisted of two volumes. Volume One served as the countywide base plan, while Volume Two contained jurisdiction-specific annexes. Copperton's annex included information on demographics, geography, infrastructure, commerce, and identified vulnerabilities. It also incorporated jurisdiction-specific strategies, action steps, potential funding sources, and prioritized goals. Warner noted that several new hazards had been added since the 2019 plan, including extreme temperatures, heavy rain, lightning, and high winds. She detailed the extensive stakeholder engagement process, which included school districts, nonprofits, elected officials, emergency planners, and community members, with input collected through surveys and outreach efforts such as a booth at Copperton Town Days. She outlined how hazards were assessed and ranked by likelihood and potential damage, and how critical assets and vulnerabilities were identified. The Copperton annex included a table of suggested mitigation actions with assigned priorities, estimated costs, and potential funding sources. Warner explained that the goals of these actions were primarily to protect life and health, strengthen interagency coordination, and improve resilience. She clarified that the plan was forward-looking and did not alter Copperton's existing operational or emergency response plans. She informed the council that the plan had already been adopted by the Salt Lake County Council in July and by the MSD board the previous week. However, since Copperton's agenda listed the presentation as an informational item rather than an action item, formal adoption would need to occur at the following council meeting.

Nathan Bracken advised that adoption should be accompanied by a resolution, consistent with the process used by the county and MSD. He asked Ms. Warner to provide template language for such a resolution so Copperton could align its adoption with partner jurisdictions. Ms. Warner confirmed she could provide the necessary language. She added that although the plan was still technically a draft until formally adopted, revisions could be made if the council identified concerns, though she did not anticipate major issues. Mr. Bracken concluded that the council would review the annex and place formal adoption on the next meeting's agenda.

6. COUNCIL BUSINESS

a. Discussion Regarding Recent Dust Concerns in Copperton

Ryan Perry, Community and Social Performance Manager for Rio Tinto, and Sean Daley, Principal Advisor for the company's Environmental Team, addressed the council regarding dust emissions from Rio Tinto operations. Mr. Perry stated that dust had been a recurring challenge this year and highlighted two specific events, on August 9 and August 11, when Copperton experienced visible impacts from the concentrator facility. He explained that a combination of unusually dry conditions, variations in the rock being processed, and operational factors had contributed to the issue. He noted that softer rock created more dust

when dropped from height into the system, and although Rio Tinto employed water and dust control measures, it was a difficult balance between keeping materials dry enough for processing while also dampening dust emissions. He reported that Rio Tinto had reviewed the incidents and identified improvements, including better monitoring at the crusher and conveyor systems, early notification to the concentrator to increase preventative measures, and installation of automated sprinkling systems during a planned shutdown next month. These systems would allow adjustments without manual intervention and were expected to significantly reduce dust. He acknowledged that the company's goal was to avoid being a negative presence in the community and committed to ongoing evaluation of additional mitigation strategies. On community health concerns, Mr. Perry stated that Rio Tinto maintained an air monitoring station in Copperton that collected data monthly through filters. The results were released quarterly by the Department of Air Quality (DAQ) and made publicly available, allowing residents to compare local conditions with other areas of the valley. He emphasized that these monitoring systems provided transparency regarding air quality impacts.

Council Member Kevin Severson asked if Rio Tinto had received many complaints following the incidents. Mr. Perry replied that most feedback came through Facebook, which raised concerns within the company about the need for direct communication. He confirmed that he had been in contact with Council Members Tessa Stitzer and Kathleen Bailey on both days of the incidents to provide updates and receive feedback.

Mayor Sean Clayton commented that on August 11 he observed dust throughout the valley, not just from Copperton but also from areas near the dried lakebed at The Point, and that the widespread windy, dry conditions had contributed to the severity. He recalled experiencing "dirty rain" in Taylorsville that day, underscoring that the entire region had been affected.

Mr. Perry added that Rio Tinto representatives would be present at Copperton Town Days to engage directly with residents and answer questions. Mayor Clayton asked how to access the monitoring data, and Sean Daley confirmed it could be obtained through quarterly DAQ reports. He noted that Rio Tinto maintained two monitors, one in Copperton and one in Herriman, both of which were included in the same report. Mayor Clayton expressed appreciation for the clarification and confirmed that the information would be found under DAQ's public reports.

b. Dump Voucher Program

Tabled for discussion in September.

c. Bingham Cemetery Board

Council Member Tessa Stitzer reported on recent volunteer efforts at the Bingham Cemetery. She thanked the Howland family for dedicating their time to cleaning various gravesites and surrounding areas, noting the significant help and relief their contribution provided. She added that another volunteer group would be assisting with cleanup on September 13. That effort would be smaller in scale but would include emptying trash cans and removing debris from

gravestones. She also announced that information would soon be posted on the town's website and social media regarding the annual Wreaths Across America program. She explained that the program invited residents, relatives, and friends to sponsor wreaths, which were placed in December on the graves of veterans and fallen officers interred in the cemetery.

Mayor Sean Clayton thanked Council Member Stitzer for the update. She recommended keeping the cemetery item on the agenda for at least the next two to three months, explaining that she had been working with Tammy and Jerry, along with local families and volunteer groups, to review equipment needs and costs discussed in a recent working session. She stated that preliminary numbers had been compiled but were not yet finalized, and she felt it would be best to maintain the discussion as an ongoing agenda item.

d. Discussion Regarding Ordinance 2025-O-05, Restating Titles 1 (General Provisions) and 2 (Administration) of the Copperton Municipal Code to Comply with H.B. 35

Nathan Bracken presented a draft restatement of Copperton's municipal code, noting that the project had been underway for some time and that the costs were being shared with Kearns. He explained that while some provisions were common to both jurisdictions, other sections were unique to Copperton. His goal was to review Titles 1 and 2 with the council at this meeting, gather feedback, and then bring the remaining provisions—such as business licensing, animal regulations, and other lesser-used sections—at the next meeting. He anticipated that the council could adopt the complete code update in October, though November or December remained possible fallback dates. He outlined that Titles 1 and 2 were foundational because they related directly to the council's structure and operations. He reminded the council that when Copperton was incorporated as a metro township in 2017, it was required to adopt Salt Lake County's code until it created its own. Since then, many updates had been made, but most were specific to metro townships rather than towns. He explained that the draft revisions clarified distinctions, modernized language, and streamlined provisions to reflect Copperton's status as a town. Within Title 1, Mr. Bracken codified provisions already adopted, such as the town's name and logo, and revised the appeals section to apply only when no more specific process existed. Title 2 contained more substantive updates, including rules of interpretation and definitions to ensure consistency throughout the code. He also incorporated provisions previously adopted by the council—such as purchasing procedures, the budget process, and cemetery regulations—into Title 2, while leaving certain items, such as social media and personnel policies, out of the code so that they could remain as policies, which would be easier to amend.

Mayor Sean Clayton agreed that keeping those as policies was more practical, and Council Member Kevin Severson expressed support for that approach.

Mr. Bracken noted that the draft code also included an option for the council to appoint a town manager in the future. While he did not expect Copperton to need one soon, he explained that incorporating the option now would avoid the need for substantial revisions later. He also codified the roles of various officials, including the clerk, engineer, treasurer, and attorney, clarifying their authority and identifying the MSD as the designated agent for certain functions.

He asked the council to review the cemetery provisions, particularly in light of recent discussions about the Bingham Cemetery Board, to ensure they reflected current expectations. He also requested copies of information related to the Wildland-Urban Interface code so that it could be incorporated into the presentation scheduled for September. He further explained that the draft contained a comprehensive list of general definitions to be used across the code, along with chapter-specific definitions where necessary. He noted that this structure would make interpretation more consistent. Looking ahead, he said the next set of revisions would focus on Title 8 (animal control), Title 12 (code enforcement), and business licensing, which were more likely to draw council discussion. He also identified several lesser-used sections—such as stormwater and flood control, building codes, and parking—that were largely governed by federal or county regulations but still needed to be updated for Copperton’s code structure. He concluded by emphasizing that Titles 1 and 2 formed the foundation for the rest of the code, and he requested the council’s feedback on these drafts before proceeding with the remaining sections. Mayor Clayton confirmed that he had forwarded Chief Nathan Bogenschutz’s information on the Wildland-Urban Interface requirements, and Bracken said he would include those in the next update.

e. UPAHEAD – Emergency Text and Council Messaging Policy Updates

No updates at this time.

7. COMMITTEE/BOARD UPDATES

a. Legal Updates – *Nathan Bracken, Legal Counsel*

Nathan Bracken informed the council of an upcoming change to how the state of Utah would fund its Drinking Water Program, noting that while it did not directly apply to the Town of Copperton, it would affect the Copperton Improvement District as the local water provider. He explained that the program, which enforces federal mandates of the Safe Drinking Water Act, had historically been supported through federal funding but was facing a 65% reduction in federal contributions. This created a \$6 million gap in the state’s Division of Drinking Water budget. To address this shortfall, the legislature decided to impose a fee on water providers beginning next year. The draft fee structure would amount to approximately \$4.60 per culinary connection. He clarified that the fee was mandatory under state law and that while some providers might absorb the cost, others would likely pass it on to customers. He also noted that some entities, such as agricultural and industrial users, as well as wholesale water providers like Jordan Valley and Central Utah, were exempt from the fee, which had raised concerns among retail providers about fairness. Mr. Bracken likened the structure to gas taxes, where each purchase at the pump contributes to infrastructure costs. He emphasized that while the town itself would not be directly impacted, the Copperton Improvement District would be required to comply, and residents might see the effects through their water bills. He said he wanted the council to be aware of the development in case they received questions, noting that informational meetings and webinars were already being held on the subject.

b. Bingham Cemetery Board – *Council Member Tessa Stitzer*

No updates at this time.

c. Copperton Community Council – *Council Member Tessa Stitzer*

Council Member Tessa Stitzer reminded the council that Copperton Town Days would take place over the upcoming weekend. She announced that a free “Movie in the Park” event was scheduled for Friday at sundown, featuring the Minecraft movie, and encouraged everyone to invite family and friends. On Saturday, Town Days would run from 11 a.m. to 4 p.m. and include bounce houses, a car show, food and dessert trucks, and various vendor opportunities. She noted that since she was helping run the event, she would not be available to staff the council’s booth. She explained that the booth had already been arranged and set up with assistance from Maridene, but volunteers were still needed from the council to meet with residents, share information, and engage with community members during the event. She left the discussion of booth coverage to the rest of the council.

d. Planning Commission – *Council Member Kevin Severson*

No updates at this time.

8. COPPERTON COUNCIL REPORTS

a. Mayor Sean Clayton

- i) Greater Salt Lake Municipal Services District (GSLMSD)**
- ii) Council of Governments (COG)**

Mayor Sean Clayton outlined logistics for Copperton Town Days, stating that an EZ Up tent would be placed next to the Municipal Services District (MSD) booth to reinforce the MSD’s role as the town’s administrative partner. He confirmed event hours of 11 a.m. to 4 p.m. on Saturday, asked council members to cover the booth in hour-to-hour-and-a-half shifts, and reported that he would be out of town for work and not return until approximately 5 p.m. It was noted that Council Member Kevin Severson would be out of town, Council Member Linda McCalman could assist, and Council Member Kathleen Bailey would participate as health permitted.

Mayor Clayton then reported on the Greater Salt Lake Municipal Services District, stating that the board’s recent agenda centered on budget adjustments. He said he had proposed reducing the board’s meeting frequency from two meetings per month to one to lessen burdens on staff and officials, while acknowledging concerns from others that fewer meetings might delay approvals. He remarked positively on the MSD’s new Taylorsville office space and the organizational separation from county facilities. He added that earlier in the day he had emailed MSD contacts—identified as two individuals named Daniel and two named Brian—requesting evaluation of a large pothole at the end of town and raising concern about nearby dust conditions.

b. Council Member Linda McCalmon

i) Unified Police Department (UPD)

ii) Salt Lake Valley Law Enforcement Service area (SLVLESA)

Council Member Linda McCalmon reported that activity had slowed somewhat following the recent budget approvals. She stated that the Unified Police Department board had passed a resolution to surplus two vehicles and had accepted a donation earmarked for body armor. She added that the board had entered a closed session, the details of which could not be disclosed. She also provided an update on Salt Lake Valley Law Enforcement Service Area (SLVLESA) matters, noting that budget discussions were actively underway. She explained that rising property values created the option for a tax increase this year, though no final decision had been made. She stated that SLVLESA's certified tax rate had been adjusted from 0.002245 to 0.002246, which was the highest allowable rate for the year. She concluded by noting that Rachel Anderson, legal counsel, and Carolyn Keigley, the board chair, had provided updates regarding facilitation with Salt Lake County. She mentioned having briefly spoken with Nathan Bracken about the matter before the meeting.

Nathan Bracken responded that he believed the issue had a connection to ongoing discussions about property acquisition, suggesting it would be useful to include Chief Mazuran in future conversations given his involvement and perspective.

c. Council Member Kathleen Bailey

i) Unified Fire Authority (UFA)

ii) Unified Fire Service Area (UFSA)

Council Member Kathleen Bailey reported on the most recent Unified Fire Authority meeting. She noted that there had been an unusually high number of large fire incidents in the past month compared to previous periods. She explained that no clear cause had been identified, though investigations were ongoing. She stated that no formal actions were taken during the meeting because it had not been properly noticed, likely due to administrative turnover when the UFA's secretary position changed hands. As a result, the meeting was primarily informational. She highlighted several topics discussed, including ongoing cost-saving measures within the department. UFA was phasing out old phone lines, outdated phones, and unnecessary connections, while also addressing server improvements. She added that UFA was considering a new software vendor as part of these IT changes. A presentation was given on the use of P-Cards (purchasing cards), including a detailed breakdown of every transaction made with them. Council Member Bailey explained that UFA staff offered to provide this level of detail monthly at no additional cost. She said board members were divided on the issue, with some requesting full transparency and others preferring to rely on existing fraud-prevention measures. She further reported that UFA was considering locking in a Request for Proposal (RFP) rate with its bank. Since no action could be taken at this meeting, the board might need to convene again if rates changed significantly, though no immediate issues were anticipated. She also highlighted the importance of UFA's behavioral health support group, which had been funded through a grant. The program trained peers to provide support for

colleagues experiencing stress and trauma, offering an alternative to immediate referral to professional counseling. Council Member Bailey gave the example of a recent incident at a reservoir where peer support had been particularly valuable. She noted, however, that since the grant funding was in its third and final year, the program would need alternative funding sources to continue. Finally, she mentioned that further discussion on the Wildland-Urban Interface and related congressional requirements would occur at the next meeting. She concluded that this covered all the major updates.

d. Deputy Mayor Tessa Stitzer

i) Wasatch Front Waste and Recycle (WFRD)

Council Member Tessa Stitzer reported that she had been unable to attend the most recent meeting but noted that the board had selected a new chief executive officer or general manager to succeed Pam Roberts, who would be stepping down at the end of September. She added that the next meeting was scheduled for Monday and said she would provide a more detailed report at the following council meeting.

e. Council Member Kevin Severson

i) Salt Lake County Animal Services

Council Member Kevin Severson reported on upcoming and ongoing matters related to animal services. He announced that on October 10 there would be a spaghetti dinner fundraiser at the Sheraton beginning at 6 p.m., noting it was the organization's largest annual fundraiser and had not been held the previous year. He explained that several proposed fee schedule changes were under consideration for 2026. He said the current \$50 animal license fee would be converted into a \$100 membership fee, which would cover licensing, annual vaccinations, and microchipping. He emphasized that microchipping would continue to be provided at no cost to all Salt Lake County residents. He noted that the \$50 late fee for licensing would be eliminated, as it discouraged residents from licensing pets after missing the deadline. He added that impound fees would be raised, particularly for repeat offenses, in an effort to reduce recurring incidents. Other modest adjustments included a \$10 increase in the rabies vaccination fee, as well as updated charges for livestock removal and related services. He reported that facility improvements were underway at the Murray shelter. Adoption and impound services were being reconfigured to share a central lobby, with upgrades to security and public restrooms funded through a donation from Mark Miller Subaru. Repairs were also in progress on the roof, as well as the front and side parking lots, which contained large potholes. Additional facility updates included new grooming tubs and general clinic improvements. Planned capital projects for 2026 included replacing carpet and damaged flooring, resurfacing the south parking lot, repairing barn and shed areas, updating the auditorium and employee facilities, and repairing rust damage to metal doors and windows. Council Member Severson also outlined legislative initiatives being pursued. These included streamlining court holds, as some impounded dogs had remained in custody for years while awaiting hearings. He explained that proposed changes would allow faster judicial resolution. Other initiatives included updating rabies vaccination requirements to eliminate the need for direct veterinary

supervision, transferring liability from veterinarians to organizations, and adding rabies vaccination and microchip licensing information to a state-managed database to improve owner identification and reunification. Finally, he stated that he had inquired about urban deer management programs. He learned that no municipalities in Salt Lake Valley had implemented such programs, though Herriman representatives suggested that cities in Utah County, including Highland and Alpine, had used them multiple times in the past decade. Mayor Sean Clayton confirmed that both Highland and Alpine had done so, with Draper and Herriman also considering or discussing the practice.

9. OTHER ANNOUNCEMENTS

a. Public Comment

Wyatt Shawstead addressed the council with concerns about Copperton's urban deer population. He explained that after investing in relandscaping his yard, deer destroyed his flowers and trees within 24 hours. He added that deer activity had become constant in his neighborhood, with groups appearing morning, afternoon, and late at night, particularly gathering in the park. He attributed part of the problem to residents feeding the animals and asked whether Copperton had ordinances prohibiting feeding wildlife. He noted that such feeding not only damaged property but was harmful to the deer themselves by disrupting natural feeding behaviors and spreading disease.

Mayor Sean Clayton responded that Copperton did not currently have a specific ordinance against feeding wildlife but could adopt one.

Nathan Bracken confirmed that Title 8 of the town code governed animal services through the county, but he believed Copperton could still enact its own ordinance addressing urban wildlife feeding. He asked Council Member Kevin Severson if animal services could enforce such a rule. Council Member Severson replied that enforcement would be difficult since deer fell under the jurisdiction of the Division of Wildlife Resources (DWR) rather than local animal services.

Mayor Clayton suggested that Copperton could adopt a code referencing state law, which already prohibited feeding deer, and DWR had previously visited the town to discuss management. Mr. Bracken confirmed that Copperton could adopt a "no feeding" ordinance specific to its jurisdiction. Council Member Tessa Stitzer added that such an ordinance would fall outside animal services and would need to be enacted separately as Copperton's own regulation.

The discussion then turned to broader management of the deer population. Mayor Clayton noted that while Copperton did not meet the minimum 1,000-resident requirement for participation in the state's urban deer mitigation program, DWR had indicated flexibility. He explained that Alpine and Highland had implemented such programs, which required insurance, contracted trapping and culling, chronic wasting disease testing, and, if animals tested negative, meat donation to food banks. He estimated that removing approximately 100 deer from Copperton could cost around \$100,000, including butchering and testing, and said

funding options would need to be explored. He added that partial reductions could be considered, targeting deer less likely to leave in subsequent years.

Council Member Severson recalled past efforts by DWR to address elk in the area, noting that elk were migratory and could be deterred by removing lead cows. He explained that deer, by contrast, were non-migratory and had become rooted in Copperton, making management more complex. Mayor Clayton said DWR had previously attempted relocation efforts, but deer often died after being moved and new herds returned to the area.

Council Member Severson agreed with Mr. Shawstead that deer caused significant property damage, sharing his own experience of garden plants being eaten down despite proximity to his home. Mr. Shawstead reiterated that feeding bans would be a good starting point if removal efforts proved too costly. Mayor Clayton concluded that at minimum, the town should begin by communicating to residents that feeding deer was harmful and discouraged.

b. Announcements

None at this time.

Mayor Clayton moved to recess the Town Council Meeting and move to a Closed Session to discuss the character, professional competence, or physical or mental health of an individual; pending or reasonably imminent litigation; the purchase, exchange, or lease of real property; and the deployment of security personnel, devices, or systems. Council Member Severson seconded the motion; vote was 5-0, unanimous in favor.

10. CLOSED SESSIONS IF NEEDED AS ALLOWED PURSUANT TO UTAH CODE §52-4-205

- a. Discuss the character, professional competence, or physical or mental health of an individual (§ 52-4-205(1)(a))
- b. Discuss pending or reasonably imminent litigation (§ 52-4-205(1)(c))
- c. Discuss the purchase, exchange, or lease of real property (§ 52-4-205(1)(d))
- d. Discuss the deployment of security personnel, devices, or systems (§ 52-4-205(1)(f))

11. ADJOURN

Mayor Clayton moved to adjourn the City Council Meeting. Council Member McCalmon seconded the motion; vote was 5-0, unanimous in favor.

The August 20, 2025 Town Council Meeting adjourned at 8:38 P.M.

This is a true and correct copy of the August 20, 2025 Town Council Meeting Minutes, which were approved on September 17, 2025.

Attest:



Diana Baun, Town Clerk


Sean Clayton, Mayor

PATROL ACTIVITY REPORT / JULY 2025 / COPPERTON CITY
(ZONES 21)

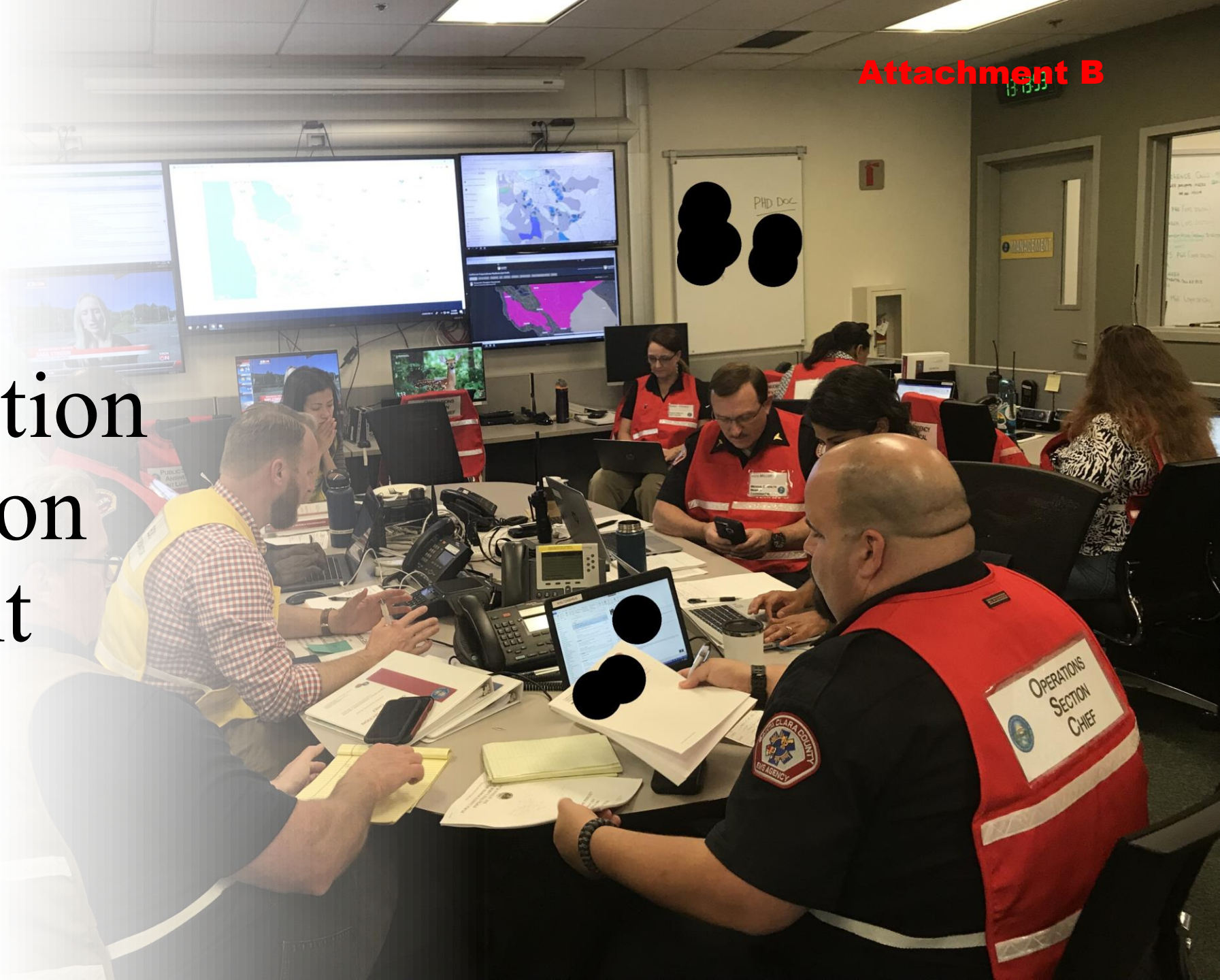
Attachment A
8/20/2025

	<u>2024</u>	<u>2025</u>											
	J	J	F	M	A	M	J	J	A	S	O	N	D
Total Calls	31	41	20	28	18	23	100	48					
Total Shortforms	13	5	4	9	7	6	10	22					
Total Cases (GO)	9	13	7	11	6	12	9	7					
Calls Per Officer	10	14	7	9	6	8	33	16					
Patrol Allocations	3	3	3	3	3	3	3	3					

	J	J	F	M	A	M	J	J	A	S	O	N	D
ARSON													
ASSAULT						1	1						
BURGLARY							1						
BURGLARY ALARM													
CIVIL RIGHTS													
CONSERVATION													
CRIMES AGNST PER													
DAMAGED PROP	2				2	1							
DRUG COURT													
DRUGS						1							
ESCAPE		1											
EXTORTION													
FAMILY OFFENSE	2	3	1	2	2	1							
FORGERY													
FRAUD						1	1						
HEALTH/SAFETY	1												
HOMICIDE													
INV OF PRIVACY						1							
KIDNAP													
LARCENY			1				1						
LIQUOR													
MORALS													
OBST JUDICIAL													
OBST POLICE													
PROPERTY CRIME													
PROSTITUTION													
PROACTIVE ENF							1						
PUBLIC ORDER		4	2	3	1	3	5	2					
PUBLIC PEACE	2	2	2	4	1		2	2					
ROBBERY													
ROBBERY ALARM													
RUNAWAY													
SEXUAL ASLT													
SEXUAL EXPLOIT													
SEXUAL OFFENSE		1											
STOLEN PROP													
STOLEN VEHICLE						1							
TRAFFIC	1	2	1			1							
WEAPON OFFENSE	1			2		1							
BLANK (NO NCIC)													
TOTAL	9	13	7	11	6	12	9	7	0	0	0	0	0

	J	J	F	M	A	M	J	J	A	S	O	N	D
Booking Arrests	-	1	1	1	-	1	N/A	N/A					
Citations	1	1	6	1	-	1	4	-					

Emergency Operations Communication & Information Management





Part 1: The Basics

Internal Situational Awareness

Group text or messaging
app for internal comms

Group calls for more
urgent situations

Getting information
from your liaisons

Line of succession

WPS/GETS

Horizontal & vertical
sharing

Declaring State of
Emergency

Evaluating Information

- "Is it a verified crisis?"
- "Are these verified facts?"
 - It's ok to say "*we are still gathering information*" & provide a time for next update
- Be genuine & accountable
- Create a trusted source of information (social media, etc)
- The media will create a story whether you speak up or not
 - *Let experts play their roles*



Messaging

- Use consistent, professional messaging across platforms & designate a single speaker for recorded media (PIO/MSD)
- Ensure your message is accessible to all (non-English speakers, translator, those w/o access to social media)
- Write public messages at a 3rd grade reading level
- Pre-write templates/messaging for Up-Ahead
 - FYIs, avoid area, where to find more info
 - Evacuation & life safety messages can be done through IPAWS (county)



EXAMPLES

FIRE EVACUATION

Long WEA:

Due to a fast-moving fire, an immediate evacuation has been ordered in Copperton for all residents. Leave now; take only those essential items you have ready and can carry with you. Pets must be in a carrier or on a leash. Lock your windows and doors as you leave. Stay off the phone unless you need to report a life-threatening emergency.

Short WEA:

Immediate evacuation ordered in Copperton due to wildfire.



Part 2: Large/Expanding Incidents



Data Collection

Fact Finding Stage

- Request for Information (RFI)
- Essential Elements of Information; EEIs (Known/Unknown)
 - Emergency Service Function (ESF) categorize expertise into 15 sections
 - Leveraging Subject Matter Experts (SMEs) / Liaisons to source EEIs
 - Private Sector Agency Reps
 - County/State will need this info

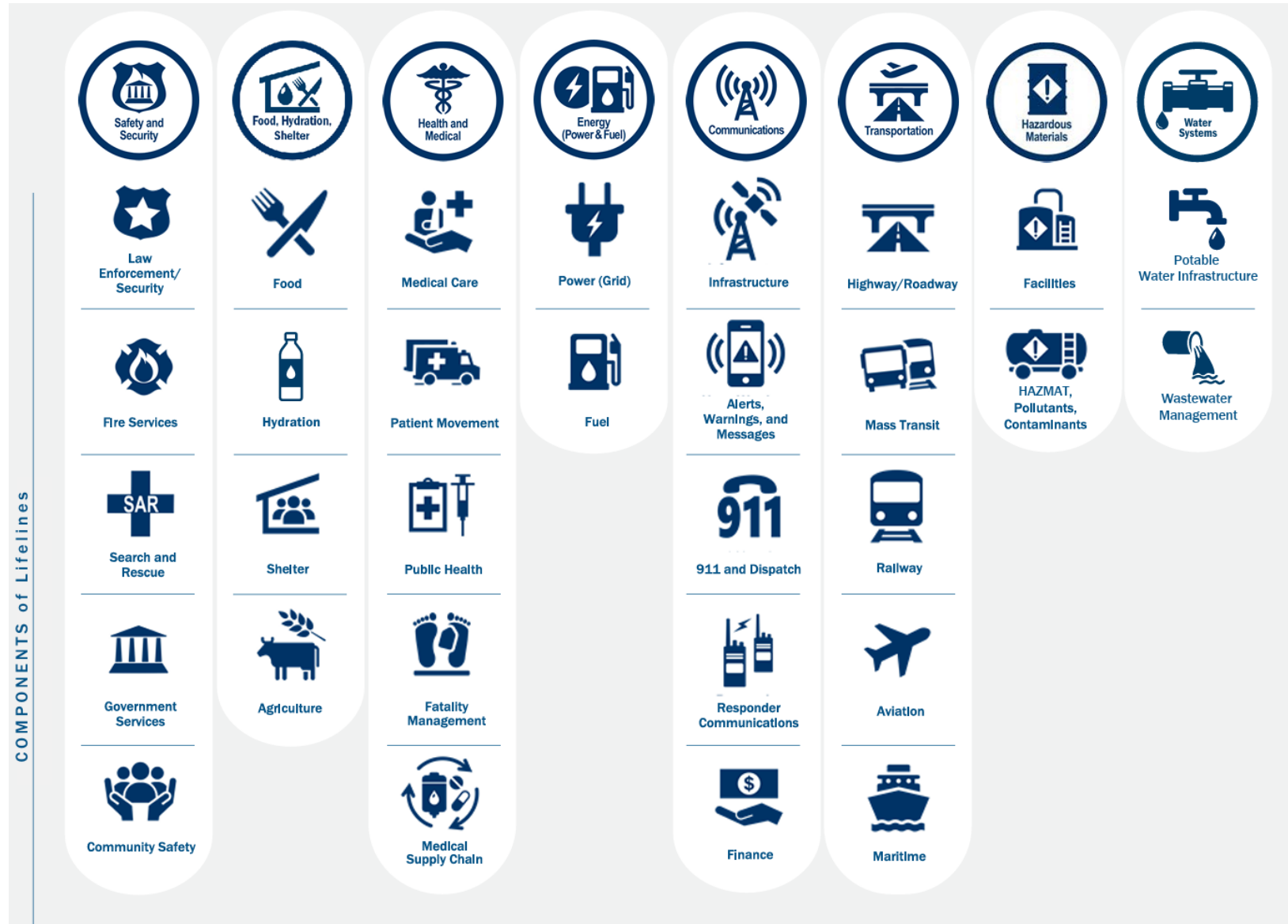




Assessment

Impact Assessment

- Determine if the incident is stable, cascading into a more hazardous situation or downsizing
- Secondary Factors
 - Weather forecast, Human factors
- Cascading Effects
 - Initial event led to other failures
- Advance planning can attempt to mitigate secondary impacts from the initial incident
- Consider critical infrastructure and community lifelines
 - aids in impact assessments and scaling up or down our response



Impact Assessments

- **Casualties & Injuries:** Number of fatalities and injuries
- **Infrastructure Damage:** Buildings, utilities, transportation networks affected
- **Environmental Damage:** Contamination, pollution, or long-term ecological effects
- **Economic Losses:** Business interruptions, government expenditures, and property damage
- **Community & Social Impact:** Displacement, isolated communities, psychological effects, and public sentiment
 - Determines how we scale up or down our operational footprint
 - Drives decisions on public messaging, resource request, proclamations and recovery operations



Dissemination of Information: Situation Reports

Situation Reports "SitReps",

- Keeps stakeholders informed of the current situation, drives decisions to action and keep "one team" cohesion in supporting the response
- Reports due in by a specific time daily and frequency distances as incident slows
- For Official Use Only (FOUO) **Internal**
- Used to generate executive summaries (**Internal**) for elected officials and public information officer (PIO) to build talking points and public messaging (**External**)
- **Highlights:** status updates, challenges, key decisions, and staffing posture
- Helps identify emerging issues before they become major problems
- Sets an expectation of when information will be released
- Holds accountability and public records





Dissemination of Information: Coordination Calls

Coordination Meeting is an expedited method to collect and disseminate information or to discuss concerns that don't fit within a formal report template.

- Start within an hour of an initial event to brief support staff and issue roles and tasks
- Coordination Calls/meetings continues daily as needed
- Stakeholder should be present even if they have Nothing Significant to Report (NSTR)
- Document meeting minutes to identify action items, hold accountability and maintain public records
- Coord Calls should be no longer than necessary, Brief out high level factors: Department Status, Actions taken, Unmet needs

Common Information/Reporting Pitfalls

- Not vetting information before reporting it as fact
- Not using brief bullet points with time and dates
- Sending internal reports to external partners or public, when in doubt, ask your command staff/PIO
- Reports are not approved and edited by one central point of contact before distribution + inconsistent formatting
- Coordination calls invites are sent externally to public or the press
- Not directing and formalizing your RFIs to the correct jurisdictions (Law, Fire, County, etc. ..)
- Not providing enough details that drive decision making
- Not sharing enough to neighboring jurisdictions or incident command post (ICP)
- Not having the subject-matter experts, liaisons and stakeholders present to move decisions towards actions
- Not scrubbing outdated information out of your reports as the incident wears on
- Working in silos, not knowing what the other sections are doing
- **Avoid analysis paralysis:** Do not wait on actions or reports until you have every nuance of the situation. Follow up as needed

Next Steps

- Upcoming Trainings:
 - ICS 100, 200, 700, 800 (online, self-paced)
 - G402 – NIMS for Senior Officials (coming 2026)
 - County-held trainings
 - Tabletop exercises*
- [Training | DPS – Emergency Management](#)

Questions





Brief Overview

- **Intentions:** Overview the most critical resource an EOC has to offer; which is coordinated real-time information
- Emergency Information Management Structure
- Data Collection
- Analysis
- Information Sharing
- Situational Awareness
- Decision Support
- Impact Assessment
- Report/Brief Cadence
- Will not cover Public Information Officer role



Attachment C

Multi-Jurisdictional Hazard Mitigation Plan: 2025 Update



G R E A T E R S A L T L A K E

**Municipal Services
District**



Hazard Mitigation

- **Hazard Mitigation** is any sustained action to reduce or eliminate the long-term risk to human life and property from hazards.
- **2025 Multi-Jurisdictional Hazard Mitigation Plan**
 - Is a countywide strategy to assess vulnerabilities and identify strategies to reduce risk
 - Provides an organized and well-documented evaluation of specific hazards
 - Evaluates hazards, capabilities & sets goals for each jurisdiction and the county as a whole
 - Updates county/local jurisdiction mitigation actions and identifies funding opportunities to help complete projects/actions
 - The primary purpose of mitigation planning is to systematically identify policies, actions, and tools that can be used to implement those actions identified to reduce the risk of loss of life/property damage before a disaster strikes.



Purpose and Plan Participants

- The 2025 MJHMP builds on the 2019 plan, serving as a strategic planning document for Salt Lake County and its 26 participating entities, including: **23 cities and towns, 2 School Districts, and 1 Community College**
- The 2025 Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) incorporates updated hazard vulnerability data, reflecting changes since 2019.
 - The purpose of this information is to support community planners, emergency managers, elected officials, and the public in making informed decisions about land use, public infrastructure, emergency preparedness, and resource allocation.



Why Multi-Jurisdictional Planning

- **Shared Risks – Shared Solutions**
 - Hazards like earthquakes, floods, and wildfires don't just stop at jurisdictional lines. A regional approach strengthens coordination and consistency
- **Fosters Collaboration and Efficiency**
 - Allows jurisdictions and the county to combine resources, expertise, and data collection, saving time and money compared to each individual jurisdiction and school having an individual plan.
 - Encourages collaboration between local governments, school districts, utilities, and special services districts
- **Increased Funding Competitiveness**
 - A countywide plan helps smaller jurisdictions access FEMA and other grants they might not qualify for on their own
- **Integrated Mitigation Strategy**
 - Helps ensure mitigation actions identified by the county and local jurisdictions are complementary, avoiding gaps and redundancies



Federal Requirements for Local Plans

- **Required under Robert T. Stafford Disaster Relief and Emergency Assistance Act to be eligible for non-emergency disaster assistance and hazard mitigation funding.**
 - Plan must be updated every 5 years.
 - Plan must meet state and federal planning requirements outlined in FEMA's Local Mitigation Planning Policy Guide.
- ***Jurisdictions must have a FEMA-approved and locally adopted plan to apply for key grant programs, including:**
 - Hazard Mitigation Grant Program (HMPG)
 - Hazard Mitigation Grant Program Post Fire
 - High-Hazard Potential Dam (HHPD) Rehabilitation Grant Program



Plan Structure

- **The benefits of the plan structure - allows local governments to work together to create a multi-jurisdictional plan. Salt Lake County is designated as the lead jurisdiction.**
- **2 Volume structure allows for streamlined organization – readers can easily navigate to the sections most relevant to them.**
- **Volume 1: Countywide Overview Base Plan**
 - Describes the planning process, profiles each identified hazard, assesses Salt Lake County's capabilities, evaluates progress on 2019 mitigation actions, outlines updated/new mitigation actions for the next 5 years
- **Volume 2: Jurisdiction-Specific Annexes**
 - Profiles each identified hazards specific to each community, assesses jurisdictions capabilities, reviews local hazard histories and vulnerabilities, evaluates progress on 2019 mitigation actions, and outlines updated/new jurisdiction-specific mitigation actions for the next 5 years



Hazard Identification Overview

- 19 hazards identified using historical/current data, modeling tools (HAZUS), and subject matter expert input
 - *New hazards added since 2019 plan highlighted in red*
 - **Natural Hazards:**
 - Avalanche, Drought, Earthquake, **Extreme Heat**, **Extreme Cold**, Flooding, **Heavy Rain**, Sever Winter Weather, **High-Wind**, Landslide/Slope Failure, **Lightning**, Public Health Epidemic-Pandemic, Radon, Tornado, Wildfire
 - **Man – Made and Technological Hazards:**
 - Civil Disturbance, Dam Failure, Hazardous Materials, Terrorism and Cyberterrorism



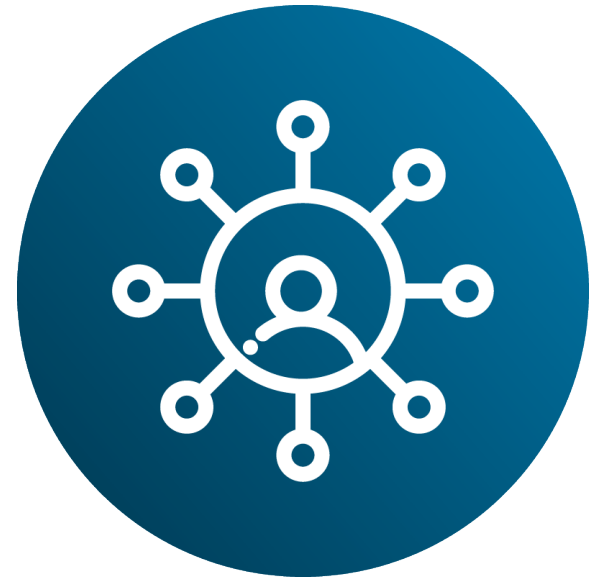
Stakeholder Engagement

- **The plan must provide an opportunity for stakeholders to be involved, including:**
 - Local and regional agencies involved in hazard mitigation activities
 - Agencies that have the authority to implement mitigation actions
 - Neighboring communities
 - Representatives of businesses, academia, and other private organizations
 - Representatives of nonprofit organizations, including community-based organizations that work directly with and/or provide support to underserved communities and socially vulnerable populations



Public Outreach

- **“Whole Community” Approach**
- The plan must document an opportunity for the public to participate.
 - Digital surveys
 - Public workshops
 - Public plan review





Public Outreach



Figure 26: Public Outreach at Copperton Town Days



The Salt Lake County Multi-Jurisdictional Hazard Mitigation Plan is being updated.
El Plan de Mitigación de Riesgos del Condado de Salt Lake está actualizándose.

Figure 24: Social Media Graphic for Public Outreach Survey



Figure 25: Public Outreach at Salt Lake County Senior Expo



Methodology

- The information gathered during the MJHMP planning process utilized the following five steps:
- **Hazard Identification:** This involves identifying and prioritizing the natural hazards that threaten Salt Lake County, including assets in other jurisdictions
 - **Hazard Profiles:** Each natural hazard that threatens Salt Lake County has a separate hazard profile that includes its location, extent/magnitude/severity, previous occurrences, and likelihood of future events.
- **Identify Assets:** Identify the assets in Salt Lake County at risk to hazards. Information includes people, structures, community lifelines, and other critical facilities; natural, historic, and cultural resources; and the economy and other activities that have value to the community.
- **Analyze Impacts:** Determine where hazards overlap with assets identified in the previous step, including descriptions of the assets' vulnerabilities and describing potential impacts
- **Summarize Vulnerability:** Information from hazard profiles, vulnerability assets, changes in development, potential impacts, and losses are summarized to help Salt Lake County understand the most significant risks and vulnerabilities.



HMP Annexes

- Individual plan sections for each MSD jurisdiction that address hazards & mitigation strategies specific to the area
- Analyzes jurisdiction-specific data such as geography, population, and commercial hazards (manufacturing, transportation, etc)
- Identifies funding sources & communicates priorities to stakeholders
- Outlines opportunities to increase community education and awareness
- Builds and reinforces partnerships with government, organizations, businesses & the public
- Identifies long-term strategies for risk reduction with input from stakeholders and the public
- Integrates planning efforts with all other emergency planning & preparedness
- Assists with compliance with FEMA for any future needed cost reimbursement



Goals of Mitigation Actions

- **Goal 1:** Protect the lives, health, and safety of the county's citizens before, during, and after a disaster.
- **Goal 2:** Protect and eliminate and/or reduce damage and disruptions to critical facilities, structures, and infrastructure from hazards.
- **Goal 3:** Enhance and protect the communications and warning systems in the county.
- **Goal 4:** Promote education and awareness programs, campaigns, and efforts designed to encourage citizens as well as both public and private entities to mitigate and become more resilient to disasters.
- **Goal 5:** Ensure and promote ways to sustain government and private sector continuity of services during and after a disaster.
- **Goal 6:** Advocate, support, and promote the continued coordination and integration of disaster planning efforts throughout the county.
- **Goal 7:** Advocate, support, and promote the use of laws and local regulations and ordinances aimed at mitigating hazards and enhancing resilience.
- **Goal 8:** Preserve and protect natural systems, natural resources, and other environmental assets against the effects of hazards.



Example of Mitigation Tasks

#	Action	Hazard(s)	Lead Agency	Potential Partners	Benefits (Losses Avoided)	Cost Estimate	Funding Source(s)	Timeframe	Priority	Comments
16	Develop road resurfacing project, including permeable pavement for areas with rain-based flooding.	Heavy Rain, Flooding	SLCo Flood Control Engineering, MSD Planning and Development	Magna City, UDOT	Reduced discharge of pollutants in runoff, reduced maintenance time/costs on roads, improve traction on roads	High	SLCo Flood Control Engineering, MSD capital improvement projects, UDOT, HMGP grant, FMA, Magna City general funds	5 years	Low	
17	Create a public education program to inform property owners about tree maintenance and high strength windows	High Winds	Magna City	SLCo Aging and Adult Services, SLCo Public Works & Municipal Services, UFA, SLCo EM, MSD	Reduced damage during high wind event to critical infrastructure. Fewer personal injuries (people driving on roads or walking in neighborhood). Improved relationships with stakeholders and the public.	Low	SLCo Public Works & Municipal Services, SLCo EM, UFA	1–3 years	Low	
18	Develop a severe winter weather mitigation program to ensure that access to primary roadways and evacuation routes.	Severe Winter Weather – Heavy Snow, Blizzard	SLCo Public Works & Municipal Services	SLCo EM, MSD, UDOT, Magna City	Emergency services like police, fire, and paramedics able to use roads to provide their services.	Medium	MSD general funds, SLCo Public Works & Municipal Services, Magna City general funds	1 year	High	A severe winter storm with heavy snow fall requires our operators and equipment to be used to clear roads and streets for the public and emergency vehicles to use. The primary efforts will be to keep the roads open by clearing snow.
19	Conduct public awareness campaign about lightning safety.	Severe Weather – Lightning	SLCo EM	SLCo Parks and Recreation, UFA, SLCo Public Works & Municipal Services, Magna City, MSD, NWS	Lightning strike awareness for the public.	Low	SLCo EM, MSD general funds, Magna City general funds, NWS	1–3 years	Low	
20	Improve outreach for "see something, say something" QR code to deter terrorist acts.	Terrorism (including a cyberattack)	SLCo EM	SLCo Sheriff's Office, UPD, UFA, MSD, Magna City, SLCo IT, UDOT	Increased awareness by residents and local agencies/jurisdictions about local intelligence resources and ways in which they can report suspicious activity. Increased QR code use/outreach at special events in Magna City.	Low	SLCo EM, Magna City general funds, MSD general funds	1–3 years	Medium	
21	Be a part of the countywide intelligence group/division to monitor and analyze threats before an incident occurs.	Terrorism (including cyberattacks)	SLCo EM	Magna City, SLCo Sheriff's Office, SIAC, DHS, ATF, FBI, MSD	Central group to collect and analyze information, development of SOPs for intelligence, greater collaboration.	Low	Grants, SLCo EM, Magna City general funds, MSD general funds, ESGP grant, SHSP grant	1–3 years	Medium	This would be a core group of stakeholders that meet on a regular basis to share and collaborate on intelligence data.



Adoption

- Adopted by Salt Lake County Council in July
 - Adoption by other cities & towns in progress
- Proposed for adoption by MSD to support projects within member districts
 - Fund & project management
 - Reimbursement support (FEMA)
- Does not impact operations or response plans

What is Next?



- **Plans to be proposed for adoption by the city/board councils**
 - If adopted, jurisdictions may apply for state and federal grant funding to support implementation of local mitigation strategies



Questions?





Why Mitigation Planning Matters

To identify what hazards could potentially impact Salt Lake County, what the potential impacts of those hazards are, and develop and prioritize goals to reduce or eliminate the long-term risk to life and property from those hazards.

- Damage can be prevented by taking the time to analyze hazard data on where and how they can occur through knowledge gained in hazard identification and loss estimation modeling.
- Builds community resilience and long-term sustainability for future generations
- Countywide strategy to assess vulnerabilities and identify strategies to reduce risk.
- Updates County / Local Mitigation Actions and identifies funding opportunities



STAFF REPORT

To: Copperton Town Council

From: Nathan Bracken, Copperton City Attorney

Re: Draft Updates to Titles 1 and 2 of the Copperton Municipal Code

Date: August 18, 2025

I. INTRODUCTION

When Copperton incorporated as a metro township on January 1 2017, state law required it to follow the Salt Lake County Code provisions that were in effect as of that date. State law also authorized Kearns to replace the Salt Lake County code provisions. In short, upon its incorporation, the Salt Lake County Code became the Copperton Municipal Code (the “**Code**”).

Following its incorporation, Copperton has replaced several provisions of its code. These include comprehensive restatements of Title 18 (Subdivision) and Title (19) Zoning. The Town has also made several updates and amendments to specific chapters and sections throughout the code. Notwithstanding these updates, many “County-specific” code provisions remain, some of which are not applicable to Copperton or municipalities generally. In addition, following Copperton’s transition to a town in 2024 pursuant to H.B. 35, changes were needed throughout the Code to reflect that change (e.g., replacing “metro township” with “town,” accounting for the direct election of the Mayor, changes in the fiscal year, etc.). Although the Council has adopted some ordinance changes to make some of these changes, many changes are needed to fully reflect Copperton’s current status as a town and to remove the remaining County code provisions.

The Council authorized and directed my firm to prepare a complete restatement of the Code that will be specific to municipal operations and Copperton’s needs. This new restated code will replace the remaining Code provisions Copperton inherited from Salt Lake County, update the provisions Copperton adopted to account for its status as a town, and otherwise update and restate the Code to comply with current law.

Given the size and scope of these changes, I intend to present and discuss the restated Code in segments, with the goal of adopting the entire restated Code in October. To begin this process, I will present and discuss the restated draft versions of Titles 1 and 2. Importantly, I will only present these drafts for discussion purposes at the Council’s August meeting so that the Council may review these drafts, ask questions, and request changes in advance of adoption with the other restated provision in October. I expect this process to be iterative.

II. SUMMARY OF DRAFT TITLE 1 RESTATEMENT

Title 1 of the Code contains general provisions regarding the name of the Code, the effective date of the Code, the Town seal and logo, administrative appeals, and similar provisions. The Town previously updated several provisions of this Title, including changes last year to adopt the new Town of Copperton logo and seal and to reflect the Town's new official name – the "Town of Copperton." The draft restatement to Title 1 retains these changes but is otherwise entirely new and includes the following provisions:

1. Includes more robust rules of statutory construction and definitions to assist in the interpretation and application of the Code; and
2. Includes an updated and more defined administrative appeal process. The County code Copperton inherited included several different appeal procedures, which created confusion about which procedures applied under certain circumstances. The restated appeal process in Title 1 is intended to apply to all appeals of Town actions, unless the Code authorizes another appeal procedure is specific to a particular title, chapter, or section of the Code.

The restated draft version of Title 1 is attached as **Exhibit 1**.

III. SUMMARY OF TITLE 2 RESTATEMENT

Title 2 governs the Town's personnel and administration, including the duties of the Council and Mayor. Over the years, Copperton has largely revised Title 2 to be Copperton-specific, including a complete re-working of Chapter 2.04 in January 2025 to reflect its conversion to a town and to describe the powers and duties of the Mayor and the Council under a five-member council form of government. However, most of the other changes Copperton made to Title 2 predate Kearns's conversion to a town in 2024 (e.g., the Town's ethics code and the Town's emergency powers and procedures, records policy, and budget process) and still use the term "metro township" or otherwise do not account for Copperton's conversion to a town. A few County code provisions also remain.

The draft restatement of Title 2 retains and updates the prior revisions the Council made to this Title to reflect Copperton's new status as a town but removes the remaining County code provisions. As a result, the restated version of Title 2 is substantively similar to the current version.

There are, however, a few items that I would like to bring to the Council's attention:

1. Town Officials. New sections have been added to set forth the duties of the Town Clerk, Treasurer, Engineer, and Attorney. Most of these are based on, or taken almost verbatim from, the requirements of State Code as found in Title 10, Chapter 3, Part 9. These new sections also confirm the Council's appointment of the Greater Salt Lake Municipal Services District to serve as Recorder (Chapter 2.03), Treasurer (Chapter 2.04), and Engineer (Chapter 2.05), City Attorney (Chapter 2.06), and general agent (Section 2.01.240).

2. Optional Town Manager. Although I think it is unlikely that Copperton will need or want a town manager for some time, revising a municipal code to allow for such a position can require quite a few edits. To provide Copperton with the option of appointing a town manager without the need to substantively revise the Code a second time, I have included a new section that governs a possible manager position if the Council elects to appoint one in the future (Chapter 2.02). Importantly, these provisions (and others in Titles 1 and 2) would only apply if the Council decides to appoint a town manager. If the Council does not hire a town manager to exercise the Town's administrative functions, I have included language stating that the Mayor would otherwise perform any administrative function assigned to the town manager (see Section 2.01.070A.2). **Importantly, these provisions do not require such an appointment and are intended only provide a legal framework for the town manager to operate in accordance with the Code should the Council appoint a town manager.** Not addressing the possibility of a town manager in the restatement now would require extensive revisions to the Code should the Council elect to hire one at a later date. If the Council does elect to appoint a town manager, I have included language in Section 2.02.030 requiring the Council to use a competitive selection process to hire a town manager and to require a written employment contract with a term that cannot exceed four (4) years without renewal by the Council. Section 2.02.020 also specifies that the town manager would serve at the pleasure of the Council, would be an at-will employee, and could be terminated by the Council at any time for any legal reason (i.e., for any reason not based on their race, gender, age, religion, etc.).
3. Rules of Order and Governance. When Copperton first incorporated in 2017, our firm prepared rules of order and governance that governed how the Council conducts its meetings but also included a purchasing policy, rules of ethics, and other provisions that are normally found within a city code. These provisions were included in the rules because of the general uncertainty at the time regarding Copperton's status as a municipality and the application of the County code. In the ensuing years, many of the provisions in these rules have become outdated or otherwise superseded by various pieces of legislation that "cut the cord" between Copperton and the County, as well as the various updates the Council made to the Code over the years. As a result, the restated version of Title 2 will largely replace these rules with an updated purchasing chapter (Chapter 2.17), an updated version of the existing ethics code (Chapter 2.07), and an updated budget process (Chapter 2.95). If the Council is comfortable with this approach, I will prepare new rules of order and procedure that will only apply to the Council's meetings for the Council to adopt by resolution, which is more typical of municipalities, in October along with the restatement.
4. Codification of Copperton-specific programs and policies: I have also included updated versions of the current ordinances and policies regarding the Bingham Cemetery Board (Chapter 2.18) and the Trans-Jordan Voucher program (Chapter 2.19). However, I would appreciate Council guidance on whether to codify additional Copperton policies within Title 2 or other applicable parts of the Code, including its social media policy, personnel policy, P-card policy, and other such policies.

The restated draft version of Title 2 is attached as **Exhibit 2**.

EXHIBIT 1

TITLE 1. GENERAL PROVISIONS

CHAPTER 1 -- OFFICIAL NAME

1.01.010 Official Name

The official name of the Town shall be the “Town of Copperton.” All official documents, agreements, letterheads, deeds, publications, and other Town property shall bear the official name.

1.02.020 Adoption of Town Seal and Logo

The following is adopted as the official seal and logo of the Town:



CHAPTER 2 -- CODE ADOPTION

1.02.010 Code Adoption

Pursuant to the provisions of Utah Code §§ 10-3-701 and 10-3-707 the Council ordains as follows and has adopted the “Copperton Code of Municipal Ordinances, 2025.”

1.02.020 Title; Citation; Reference

This Code shall be known as the "Copperton Code of Ordinances, 2025" and it shall be sufficient to refer to the Code as the "Copperton Code of Ordinances, 2025" in any prosecution for the violation of any provision therein or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any portion thereof as an addition to, amendment to, correction or repeal of the "Copperton Code of Ordinances, 2025." Whenever a reference is made to this Code as the “Code,” the “Copperton Code of Ordinances, 2025” or to any portion thereof, or to any ordinance of Copperton, the reference shall apply to all amendments, corrections and additions made before, as of or after the effective date of the ordinance codified in this chapter.

1.02.030 Reference To Specific Ordinances

The provisions of this Code shall not in any manner affect matters of record which refer to, or are otherwise connected with the ordinances which are therein specifically designated by number or otherwise and which are included within this Code but such references shall be construed to apply to the corresponding provisions contained in this Code.

1.02.040 Effective Date Of This Code

This Code shall be effective on November 1, 2025.

1.02.050. Interpretations. Rules of Construction. Conflicting Provisions

- A. Interpretation, Generally. The provisions of this Code, Title 1, General Provisions, shall govern the interpretation of this Code, except if specifically provided otherwise.
- B. Words and Phrases. Words and phrases are to be construed according to the context and the approved usage of the language; but technical words and phrases, and such others as have acquired a peculiar and appropriate meaning in law, or are defined by statute, are to be construed according to such peculiar and appropriate meaning or definition.
- C. Promotion of Justice. Each provision of, and each proceeding under this Code are construed to effectuate the objectives of the provision and to promote justice.
- D. Retroactive Effect. A provision of the Code is not retroactive, unless the provision is expressly declared to be retroactive.
- E. Effect of Repeal. The repeal of an ordinance does not revive an ordinance previously repealed, or affect any right which has accrued, any duty imposed, any penalty incurred, or any action or proceeding commenced under the repealed ordinance.
- F. Specific Language Over General Language. If any Code provision is in conflict with another provision in this Title the more specific provision shall govern.
- G. Recent Enactment Governs. If any Code provision remains in conflict with another provision in this Title and is not be resolved as provided in Subsection F, the most recent enactment shall govern.
- H. State Code. If any Code provision conflicts or becomes in conflict with any state Code provision, the Code provision shall be considered to be repealed and

to be of no effect for such period of time as such Code provision remains in conflict with state Code, and the state Code shall govern.

- I. Successor Statutes and Code Provisions. Any statute or Code provision cited in the Code shall be deemed to include that statute or Code provision as amended, restated, and/or replaced to the same general intent and effect.

1.02.060 Rules of Construction

A. General:

1. In the construction of an ordinance in Code, the general rules listed in this section shall be observed, unless the construction would be:
 - a. Inconsistent with the manifest intent of the Council; or
 - b. Repugnant to the context of the Title.
2. The singular includes the plural, and the plural includes the singular.
3. A word used in one gender includes the other gender.
4. A word used in the present tense includes the future tense.
5. In accordance with Title 46, Chapter 4, Part 5, of the Utah Code, Electronic Records in Government Agencies, a word related to the medium used in the provision of a government service may include an electronic or other medium.
6. A term described in section 2.a. may be used when unusual circumstances exist that require the use of the term, including the use of the term:
 - a. In an interstate compact; or
 - b. To ensure consistency with a federal law or rule.

B. Discouraged Terms

1. Except as provided in this Section, the use of the word "should" is strongly discouraged, but may be used to:
 - a. Refer to a recommended action, including a provision that a person shall or may recommend whether an action "should" be taken;
 - b. Indicate an expected standard of knowledge, including a provision that a person "should" know:

- i. whether a fact exists; or
 - ii. that an action is likely to cause a specified result; or
- c. Refer to a determination as to whether an action "should" have occurred.
- 2. The use of the word "must" is strongly discouraged when the term "shall" can be used in its place.
- 3. Except as provided in this Section, the use of the following terms in this Title is strongly discouraged:
 - a. "shall not";
 - b. "should not";
 - c. "must not"; or
 - d. "but not limited to" after "include," "includes," or "including."
- C. Definitions. In the construction of the ordinances set out in this Code, and all subsequent amended ordinances, the following definitions shall be observed, unless such construction would be inconsistent with the manifest intent of the council, or repugnant to the context of the ordinance. These definitions shall be in addition to other definitions the Council may approve for specific titles, chapters, and sections.
 - 1. "Administration" means administrative services that the Town provides, including any administrative services that the Town's contractors or agents may provide.
 - 2. "Administrative Law Judge" means a person appointed by the Mayor or the Mayor's designee to preside over administrative hearings as provided in the Code. An Administrative Law Judge shall be an attorney licensed to practice law in the State of Utah and must not be a Town employee.
 - 3. "Administrative Hearing" means a hearing held pursuant to the procedures established by the Code.
 - 4. "Animal services" means the animal services the Town provides through its contractors and agents.
 - 5. "Assessor" or "County Assessor" means the elected assessor of Salt Lake County, Utah.

6. "Board of health" means the Salt Lake County board of health.
7. "Business" means any enterprise carried on the purpose of gain, economic profit, or nonprofit for which a business license is required.
8. "Business enterprise" means a sole proprietorship, partnership, association, joint venture, corporation, limited liability company, or other entity used in the carrying on of business.
9. "Clerk" means the means the person who serves as the Clerk for the Town pursuant to Chapter 2.03 and applicable state law.
10. "City Attorney" means the licensed attorney appointed by the Council to serve as the City Attorney pursuant to Chapter 2.06 of the Code.
11. "Town Manager" means the person appointed by the Council to serve as the Town Manager pursuant to Chapter 2.02 of the Code (if appointed by the Council).
12. "Code" means the Copperton Code of Ordinances, 2025.
13. "Code Enforcement Official" means any person and the official's designee authorized by The Town to enforce civil compliance with code, policies, regulations, or applicable state code as provided in Title 12 or otherwise in the Code.
14. "Copperton" means the Town of Copperton, Utah.
15. "Council" means the Copperton Town Council.
16. "County" or "Salt Lake County" shall refer to Salt Lake County.
17. "Disaster" means a sudden calamitous manmade, natural, or war-caused event bringing great damage, loss, or destruction.
18. "District attorney" means the elected attorney of Salt Lake County, Utah.
19. "Director" means the Town Manager, or the Mayor in the absence of the Town Manager, and includes any persons the Town Manager or the Mayor, as applicable, have authorized to act on their behalf.
20. "Employee" means a person who is employed on a full-time, part-time, or contract basis by the Town. "Employee" includes elected and appointed officers of the Town.

21. “Enforcement Action” or “action” means any action by the Town to enforce compliance with any ordinance, policy, regulation, or applicable state statute, and includes a notice of violation, an administrative citation, departmental determination or board finding, and related order or corrective action. This term shall not include any criminal prosecution.
22. “Enforcement Official” means any person and the designee authorized by the Town, including the planning director, zoning officers, police officers, building and engineering inspectors, animal control officers, human resource officers, and health department officials to enforce compliance with code, policies, regulations, or applicable state code.
23. “Engineer” means the licensed engineer appointed by the Council to serve as the Town’s engineer pursuant to Chapter 2.05 of the Code.
24. “Fire department” means the department or entity authorized by the Town to provide fire and emergency services to the Town.
25. “General Rule” means that all words and phrases shall be construed and understood according to the common use and understanding of the language; the technical words and phrases; and such other words and phrases as may have acquired a particular meaning in law shall be construed and understood according to such particular meaning.
26. "Gifts" means anything of value including a loan at a rate that is substantially less than a prevalent commercial rate, compensation for goods or services exceeding fair market value, goods or services provided for less than fair market value, gratuity, entertainment, hospitality or forbearance, unless consideration of equal or greater value is received.
27. “Governing body” means the Council for legislative matters and the Mayor for executive matters.
28. “GRAMA” means the Utah Governmental Records Access Management Act, Title 63G, Chapter 2 of the Utah Code.
29. “Health department” means the Salt Lake County health department.
30. “Hearing Officer” means any person assigned by the Town to hear administrative appeals of enforcement actions or other actions taken by the Town, including an Administrative Law Judge.
31. “Highway” or “public highway” means any public road, street, alley, lane, court, place, viaduct, tunnel, culvert, bridge, or other public way situated within Copperton, laid out or erected for public use, or dedicated or

abandoned to the public, or made public in an action for the partition of real property, including the entire area within the right- of-way.

- 32. "Honoraria" means the offering or acceptance of perquisite, gift or anything of value for speaking, writing or participating in a meeting, convention, social event, meal or like gathering.
- 33. "Individual" refers to any natural person including Town clients and patrons; members of the public; and Town officers, employees and volunteers.
- 34. "Justice Court Services" means the justice court, municipal prosecution, and indigent defense services authorized for Copperton.
- 35. "Knowingly" means intentionally or with intent, or willfully with respect to the nature of the conduct or the result of the conduct, when it is the conscious objective or desire to engage in the conduct or cause the result.
- 36. "Law" means applicable federal law, the United States Constitution, Utah Constitution, Utah Code, Salt Lake County ordinances, or the Code, and any rule or regulation promulgated thereunder.
- 37. "License" includes any certificate or license that the Town may issue.
- 38. "License official" means the director of the Town's planning and development services division or the director's designee.
- 39. "Local emergency" means the proclamation by the Mayor invoking special powers and the emergency operation plan as a result of a disaster, except the Mayor may not exercise powers to respond to a pandemic or an epidemic.
- 40. "May" means an action that is authorized or permissive.
- 41. "May not" means an action that is not authorized and is prohibited.
- 42. "Mayor" means the Mayor of Copperton.
- 43. "Mayor Pro Tempore" or "Mayor Pro Tem" means that member of the Council who the Council has elected to serve in the Mayor's absence.
- 44. "MSD" or "municipal services district" means the Greater Salt Lake Municipal Services District that is the local district that operates pursuant to Title 17B-, Chapter 1, Section 101 et seq., Utah Code, and provides municipal services to the Town.

45. “Municipality” means the Town of Copperton, Utah.
46. “Municipal services district” means the MSD, which provides one or more of the services to its members, including administration, planning and development, animal services, municipal parks, public works operations and engineering, justice courts, and legal services as permitted by applicable law.
47. “Must” means, depending on the context in which it is used, that:
1. An action is required or mandatory;
 2. An action or result is compelled by necessity;
 3. An item is indispensable; or
 4. An action or event is a condition precedent to:
 - a. The authority to act;
 - b. A prohibition;
 - c. The accrual or loss of a right; or
 - d. The imposition or removal of an obligation.
48. “Offense” means again act, action, or conduct prohibited by this Code or the failure to perform any acts required by this Code.
49. “Order” means any Copperton order including a stop work order, notice of non- compliance, clean-up order, abatement action, revocation or suspension of a license or permit, assessment of charges or costs, notice of zoning violation, seizure of any animal or property, Code enforcement order relating to the occupancy of any structure or building, any written disciplinary action, the assessment of any costs or non- criminal penalty, or any other action seeking the cessation of any business or operation.
50. “Owner” applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant or less of the whole or of any part of the building or land.
51. “Parks and recreation” means the land and activities in the Town that are serviced by Salt Lake County Parks through the Municipal Services District.

52. "Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, bodies politic, business trust, organization, or the manager, lessee, agent, officer, or employee of any of them, or any individual, partnership, association, corporation, or group of individuals, however styled or designated, and any other entity that is recognized by law as the subject of rights or duties, or who represents or is the agent of such person.
53. "Personal property" means and includes money, goods, chattels, things in action, and evidences of debt.
54. "Plan" or general plan means the Copperton General Plan.
55. "Planning and development" means the planning and development services the MSD provides to the Town.
56. "Police Department" means the department or entity authorized to provide law enforcement and police services to the Town.
57. "Policy and Procedures" means a written statement formally adopted by the Council providing for the implementation of ordinances, powers and duties for the Town's governance and administration.
58. "Property" means and includes real and personal property.
59. "Property Owner" means the record owner of real property as shown on the records of the Salt Lake County Recorder.
60. "Public Works" means the Town's operations and engineering services.
61. "Purchasing agent" means any officer or employee who recommends for final action, prepares specifications, or approves or rejects any part of a specific procurement or disposal of goods, services, or real property or any specific contract related to a procurement of goods or services or disposal of property.
62. "Real property" means the means and includes lands, tenements, and hereditaments.
63. "Responsible Person" or "responsible party" means the person determined by Copperton who is responsible for causing, maintaining, or remedying a violation of the Code, policies, regulations, or applicable state codes. The term "responsible person" shall include a property owner, agent, tenant, lessee, occupant, business owner, business manager or employee, architect, builder, contractor, or other person who individually or together

with another person is responsible for the violation of any provision of the Code, policies, regulations, or applicable state codes.

64. “Shall” means an action that is required or mandatory.

65. “Sheriff” means the Salt Lake County Sheriff.

66. “State” means the state of Utah.

67. “Street” includes alleys, lanes courts, boulevards, public ways, public squares, public places, sidewalks, gutters and culverts, crosswalks, and intersections.

68. “Surveyor” means the person who serves as the surveyor for Copperton.

69. “Tenant” or “occupant,” applied to a building or land, means and includes any person who occupies the whole or any part of such building, either alone or with others.

70. “Town” means the Town of Copperton, Utah.

71. “Treasurer” means the person who serves as the Town Treasurer pursuant to Chapter 2.04.

72. “Year” means a calendar year unless specified otherwise.

73. “Will” means an action that is required or mandatory.

1.02.070 Severability

The provisions of the Code are declared to be severable, and if any provision of the Code shall, for any reason, be held to be invalid or unconstitutional or if the application of the Code to any person or circumstance is held to be invalid or unconstitutional, such holding shall not affect the validity of the remaining provisions of the ordinance codified in the Code.

1.02.080 Computation of Time

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, if Saturday, Sunday or a holiday, in which case the last day shall be the next following business day. When the period of time is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded.

1.02.090 Liability Of Employers And Agents To Penalty For Violation Of Ordinances

When the provisions of an ordinance prohibit the commission or omission of any act, the person doing the prohibited act or omitting the directed act and the employer, if the act or omission is done within the course and scope of employment, and all other persons aiding or abetting therein, shall be guilty of the offense described and subject to the penalty prescribed for the offense.

1.02.100 Penalty For Violation Of Code Provisions

When no other penalty is prescribed for violations of the Code, such violations shall be classified as Class B misdemeanors shall be punished accordingly in accordance with state criminal code.

1.02.110 Remedies and Prosecution

The Town shall have sole discretion in deciding whether to pursue civil remedies or seek administrative enforcement for the violation of the Code and of its ordinances, policies, regulations, and applicable state statutes. This Code shall not limit the powers of the Town or the district attorney in pursuing criminal charges for the violation of any Town ordinances or state statutes, in addition to any civil action the Town may take.

CHAPTER 3 – APPEALS AND ADMINISTRATIVE HEARINGS

1.03.010 Purpose and Scope

- A. The purpose of this Chapter is to establish an administrative appeal process for Town actions relating to the enforcement of this Code or other Town ordinances, policies, regulations, and applicable state statutes through the Town's administrative process.
- B. If the Code establishes an administrative appeal process for a specific Title, Chapter, or Section of this Code, the more specific administrative appeal process shall apply and the general administrative appeal process set forth in this Chapter shall not apply.
- C. For appeals that are subject to this Chapter, no judicial review shall be available if the provisions of this chapter are not followed, and failure to timely request and participate in an administrative review under this Chapter shall bar any action in the state or federal courts by an aggrieved person.

1.03.020 Service of Notice Requirements

- A. Whenever a notice is required to be given under this chapter it shall be in the form of a notice approved by the director and the notice shall be served by one of the following methods:

1. Personal service;
 2. Regular mail, postage prepaid, to the last known address of a responsible person;
 3. Posting the notice conspicuously on or in front of the property that is the subject of the action;
 4. Publication in a newspaper of general circulation if service has not been accomplished after reasonable efforts to comply Subsections 1 through 3; or
 5. As directed by the administrative judge.
- B. Failure of a responsible person to actually receive notice shall not affect the validity of any action taken hereunder if notice has been served in the manner set forth above.
- C. Service by regular mail in the manner set forth above shall be deemed served on the fourth day after the date of mailing.
- D. The failure of a person, other than a responsible person, to be served notice in accordance with this section shall not affect the validity of any proceeding taken hereunder by any party aggrieved by the Town's actions.

1.03.030 Appointment of Administrative Law Judge

The Council shall appoint an attorney or attorneys licensed to practice law in Utah to serve as the Town's administrative law judge or judges to hear all appeals made under the Code. To be eligible for appointment as an administrative law judge, an attorney must be in good standing with the Utah State Bar.

1.03.040 Powers of Administrative Law Judge

- A. An administrative law judge shall have authority to set the date, time, and place for holding an administrative hearing.
- B. An administrative law judge may issue a scheduling order to guide the conduct of the case, to set the limits of any pre-hearing discovery, to provide for the identification of witnesses and their expected testimony, to list and exchange proposed exhibits, to approve stipulations regarding facts, applicable law, foundation to exhibits, and to govern such other matters related to hearing of the matter as deemed appropriate.

- C. The administrative law judge holding a hearing shall arrange for the recording of any hearing.
- D. The administrative law judge is empowered to issue subpoenas for the production of documents and things and to compel the appearance of witnesses in the pending action. It shall be unlawful for any person to willfully refuse or fail to obey a subpoena issued for an administrative hearing. A violation of this section shall be a class B misdemeanor.

1.03.050 Request For Administrative Hearing

- A. A responsible person served with an enforcement action and the Town shall have the right to request an administrative hearing.
- B. A party who has been adversely affected by an action by a county agency may also request an administrative hearing. Adverse effect may arise from:
 - 1. Any decision affecting the employment status, compensation, or treatment of an employee of the county;
 - 2. Denial, revocation, or termination of any license issued by the Town;
 - 3. Any decision relating to the zoning or permitted use of real property located within the unincorporated limits of the Town;
 - 4. Any decision relating to the award or failure to award a bid or proposal but which action must be brought within the time limitations and grounds set forth in the county ordinances and policies governing procurement;
 - 5. Any notice of violation, animal seizure, assessment of costs, or other action taken by animal services; or
 - 6. Such other violation, assessment, or action as designated by the Code or other Town ordinance, policy, regulation, or state law.
- C. The request for an administrative hearing shall be made in writing and delivered to the Mayor or to the Town Manager if the Council has appointed a Town Manager.
- D. The written request for hearing must be received by the Mayor, or by the Town Manager if the Council has appointed a Town Manager, within fifteen (15) calendar days of the date the enforcement action is served upon the responsible party. Failure to request an administrative hearing within fifteen calendar days from the date of service shall constitute a waiver of the right to an administrative hearing and of the right to an appeal of the enforcement action to any state or federal court or agency.

- E. Within fifteen (15) days of the issuance of an enforcement action, the Town may request an administrative hearing for the purpose of compelling a responsible person to comply with the action.
- F. If a responsible person fails to request a hearing after being issued an "enforcement action" the corrective action detailed within the action shall be considered the final administrative order and the person shall be deemed to have waived any appeal of that order.

1.03.060 Notification Of Administrative Hearing

- A. As soon as practicable after receiving the written notice of the request for an administrative hearing, the Mayor, or the Town Manager if the Council has appointed a Town Manager, shall appoint an administrative law judge if one has not been previously appointed or assign the appeal to a previously appointed administrative law judge, who shall schedule a date, time, and place for the administrative hearing.
- B. Written notice of the date, time, and place of the administrative hearing shall be served on the responsible person as soon as practicable prior to its date.
- C. The notice shall be served by any of the methods of service set forth in Section 1.03.020 of this Chapter.

1.03.070 Rules Of Discovery And Evidence For Administrative Hearings

- A. The administrative law judge shall determine the scope of any pre-hearing discovery.
- B. The formal rules of evidence and of civil procedure adopted by the courts shall not be applied in any administrative hearings; however, the administrative law judge shall determine the admissibility and weight to be accorded any evidence.
- C. The administrative law judge shall issue written findings of fact and conclusions of law within forty-five (45) days after the conclusion of the hearing.

1.03.090 Appeal

- A. Any responsible person or county agency adversely affected by a final administrative order issued pursuant to a hearing may file a petition for review in the Third Judicial District Court of the State of Utah in accordance with the Utah Rules of Civil Procedure.

- B. A petition for review shall be barred unless it is filed within thirty (30) days after the administrative order is final, unless a statute provides otherwise.
- C. The record of the administrative hearing including minutes, findings, orders and, if available, a true and correct transcript of the proceeding shall be transmitted to the reviewing court by the party filing the appeal and the costs of producing the record, including any transcripts, shall be borne by the party filing the appeal. If the proceeding was tape recorded, a transcript of such tape recording shall be deemed a true and correct transcript for purposes of this subsection.
- D. The filing of a petition does not stay execution of an administrative order. Before filing a petition, a responsible person may request the administrative law judge to stay an administrative order. Upon receipt of a request to stay, the administrative law judge may order the administrative order to be stayed pending district court review if the administrative law judge finds such stay to be in the best interest of the Town.

1.03.100 Adoption of Additional Rules

The Council may establish rules and procedures in addition to those set forth in this Chapter to govern administrative hearings, which rules may differ depending on the category and type of violation and appeal.

EXHIBIT 2

TITLE 2 -- ADMINISTRATION AND PERSONNEL

CHAPTER 2.01 -- TOWN COUNCIL

2.01.010 Form of Government

The Town operates as a five-member Council form of municipal government pursuant to applicable state law, and the powers of municipal government are vested in a Council consisting of five members, one of which is the Mayor.

2.01.020 Powers and Duties

The Council shall be the governing body of the Town and may exercise those powers and authorities and be bound by those duties and responsibilities set out in state law and in Town ordinances.

2.01.030 Eligibility and Voting Districts

The Council shall consist of a Mayor elected at-large and four Council members, elected on a per-seat, single member at large, with each Council member assigned one of the following seats: Seat A, Seat B, Seat C, and Seat D.

2.01.040 Term Of Office

Council members shall be elected at the next municipal election preceding the expiration of the term of office of incumbents. Council members shall be elected for four-year terms pursuant to state law. Each Council member shall hold office for the term of which elected and until a successor is elected and has qualified as provided in state law.

2.01.050 Vacancies

When a vacancy occurs in the Council, through ineligibility, resignation or death of an incumbent or of an officer-elect before qualifying, or refusal to act, or for any other reason, the vacancy shall be filled as provided in state law.

2.01.060 Mayor Pro Tempore and Appointment of Staff

- A. With the consent of the Council, the Mayor shall designate a Council member at a duly noticed and open Council meeting to serve as the Mayor Pro Tempore to carry out all duties and responsibilities of the Mayor when the Mayor is absent or unable to perform his or her duties. The Clerk shall enter in the minutes of the Council meeting the appointment of a Council member as Mayor Pro Tempore.

- B. The Council may make such staff appointments as are necessary for the proper conduct of its business.
- C. The Mayor shall be responsible for the conduct of all meetings, overseeing the preparation of the agenda by the Clerk for all meetings, and meeting the needs of the Council between meetings, including the providing of assistance and the gathering of information for the Council and the performance of duties assigned by the Council or by ordinance, the plan or by law.
- D. If the Mayor or Mayor Pro Tempore are unable to act, the remaining Council members present at a duly noticed open meeting shall, by an order entered in their minutes, select one of the members to act as Mayor temporarily.
- E. The Clerk shall administer oaths to any person when necessary in the performance of official duties.

2.01.070 Powers And Duties of Mayor

- A. The Mayor shall:
 - 1. Be the chief executive officer of The Town and shall have such powers and duties as are prescribed by state law and the Town's ordinances;
 - 2. Serve as the Town's chief administrative officer in the absence of a Town Manager and exercise any duty or responsibility assigned to the Town Manager.
 - 3. Be a regular and voting member of the Council;
 - 4. Serve as the chair of the Council and preside at all Council meetings;
 - 5. Exercise ceremonial functions on behalf of The Town; and
 - 6. Except as otherwise limited by state law or Town ordinance, have the powers and duties described in Utah Code §§ 10-3b-104 and 10-3b-402 or applicable successor statute.
- B. The Mayor may not veto any ordinance, tax levy, or appropriation passed by the Council.

2.01.080 Powers and Duties of Council

A. The Council shall exercise any executive or administrative power and perform or supervise the performance of any executive or administrative duty or function of the Town that has not been given to the Mayor under state law and Town ordinances.

B. The Council may by ordinance:

1. Pursuant to state law and Town ordinances, remove from the Mayor any power, duty, or function of the Mayor pursuant to state law, excluding the Mayor's legislative powers, judicial powers, ceremonial functions, position as Chair of the Council, and any ex officio position the Mayor may hold;
2. Reinstall to the Mayor any power, duty, or function previously removed under this Section;
3. Delegate to the Mayor any executive or administrative power, duty, or function of the Council;
4. Assign any or all Council members, including the Mayor, to supervise one or more administrative departments of the Town;
5. As provided in state law and this Title, appoint a Town Manager to perform executive and administrative duties or functions that the Council by ordinance designates to the Town Manager; and
6. Dismiss a Town Manager appointed by the Council.

C. Removing or reinstalling to the Mayor a power, duty, or function under this Code requires the affirmative vote of the Mayor or all Council members except the Mayor.

D. Removing or reinstalling to the Town Manager, if the Council appoints a Town Manager, any power, duty, or function under this Code.

2.01.090 Clerk-Minutes

A. The Clerk, or designee, shall provide copies of the minutes of all meetings of the Council to its members in a manner and within the times as established by the Council and agreed upon by the Clerk.

B. In accordance with state law, the books, records and accounts of the Council must be maintained at the office of the Clerk and open at all times during usual business hours for public inspection.

- C. The records and minutes of the Council must be signed by the Mayor and the Clerk.

2.01.100 Council Meetings

- A. All meetings of the Council must be public, except as provided in this Chapter and by state law. Official action may be taken by the Council only in open public meetings unless otherwise permitted by state law.
- B. The Council shall conduct its business in accordance with the Utah Open and Public Meetings Act, Chapter 4 of Title 52. Utah Code Annotate, 1953, as amended, as it now exists or as it may hereinafter be amended.
- C. The Council conducts the following types of meetings:
 - 1. Regular Meetings;
 - 2. Special Meetings;
 - 3. Closed Meetings;
 - 4. Work and other Meetings; and
 - 5. Emergency Meetings.
- D. The Council shall give public written notice at least once each year of its annual meeting schedule for regular meetings. The public notice shall specify the date, time and place of such meetings.
- E. The Council, by majority vote of the members present, may direct the removal of any person who willfully disrupts a Council meeting to the extent that orderly conduct is seriously compromised.
- F. The attorney and auditor or their designees may attend and assist the Council at all meetings but shall attend and assist the Council at all meetings when requested.

2.01.110 Work Meetings

- A. The Council shall conduct its regular work sessions at the hour and place designated by the Mayor.
- B. Work meetings shall be scheduled or cancelled as the public business requires and shall consist of discussion, review, testimony,

requests and information from Town employees, presentations by the public, review of regular meeting agendas, preparation for regular meetings, and such other matters and activities as may be necessary or scheduled by the Mayor in consultation with the Council.

C. Work meetings shall be open to the public in accordance with state law and public notice shall be given of all meetings in the same manner as required for regular meetings.

D. A quorum of Council members is necessary to conduct work meetings.

2.01.120 Regular/Special Meetings

A. The Council shall:

1. By ordinance prescribe the time and place for holding its regular meeting; and
2. Hold a regular meeting at least once each month.

B. The Mayor or two Council members may order the convening of a special meeting of the Council.

1. Each order convening a special meeting of the Council shall:
 - a. be entered in the minutes of the Council; and
 - b. provide at least three hours' notice of the special meeting.
2. The Clerk shall serve notice of the special meeting on each Council member who did not sign the order by delivering the notice personally or by leaving it at the Council member's usual place of abode.
3. The personal appearance by the Council member at a special meeting of the Council constitutes a waiver of the notice required under this Section.

2.01.130 Closed Meeting

A. A closed meeting of the Council may be held upon the affirmative vote of two-thirds of the members present at an open meeting for which notice has been given in accordance with state law; provided, however, that a quorum must be present.

- B. No closed meeting is allowed except for matters exempted from open meetings under the Utah Open and Public Meetings Act, as it now exists or as it may hereinafter be amended.
- C. No official action may be taken at a closed meeting.
- D. The reason or reasons for holding a closed meeting and the vote thereon shall be entered in the minutes of the meeting.

2.01.140 Emergency Meetings

When, because of unforeseen circumstances, it is necessary for the Council to hold an emergency meeting to consider matters of an emergency or urgent nature, the normal notice requirements for a meeting may be disregarded and the best notice practicable given to the Council members and the public. No such emergency meeting of the Council shall be held unless an attempt has been made to notify all Council members and a majority of the Council votes in the affirmative to hold the meeting. Action may not be taken at an emergency meeting unless a quorum is present. A record shall be kept of the means utilized to contact the members and the number voting and names of the members voting to hold the meeting.

2.01.150 Additional Committees

- A. The Council may establish additional committees as it deems appropriate and may convene committee meetings at any time for the purpose of study, discussion, investigation, formal hearings or inquiries, workshops, training, or presentations by or responses from citizens or other interested persons or groups.
- B. No official action may be taken in committee meetings other than the adoption of non-binding recommendations to the Council.
- C. Committee meetings shall be open to the public in accordance with state law and public notice shall be given of all committee meetings in the same manner as required for regular meetings.

2.01.160 Agenda

- A. An agenda shall be prepared by the Clerk in consultation with the Mayor or the Mayor Tempore in the Mayor's absence in advance of each meeting, including emergency meetings to the extent possible. The agenda shall be published as provided by state law at least twenty-four hours in advance of the meeting.

- B. Matters received from any member of the Council or the Mayor shall be placed on the agenda. Requests for matters to be placed upon the agenda by persons other than Council members or Mayor, shall be placed on the agenda at the discretion of the Mayor.
- C. The Council, for its regular, special and committee meetings, shall announce and post its agenda and provide notice of such meetings, in accordance with the provisions of state law, at least twenty-four hours prior to the convening of the Council meeting and posted on the Utah Public Notice Website. Written notice of the agenda and meeting shall be posted at the office of the Council or the meeting location, as the case may be. For an emergency meeting, public notice and notice to the news media shall be given as may be practical under the circumstances.
- D. The agenda may be changed by a majority vote of the Council, but no action may be taken on new matters introduced to the agenda unless twenty-four hours' notice has been duly given to the public or unless the matter is of an emergency nature, as approved by a separate majority vote of Council members present.
- E. All agenda items pertaining to pending or proposed actions shall be considered as proposals for adoption. In the absence of a motion to adopt, postpone, or table pending or proposed actions, the Mayor shall, upon the conclusion of discussion on the matter, declare that the proposal fails adoption or, at the Mayor's discretion, declare the matter to be held over for a subsequent meeting.

2.01.170 Public Hearings.

- A. Public hearings shall be deemed to include only those hearings specifically noticed and required to be conducted by the Council by state law or otherwise for the purposes of providing opportunities for the general public to comment upon and make inquiries or presentations with respect to specific proposals or matters under consideration by the Council including, but not limited to, planning and zoning, ordinances, budget hearings, hearings on the proposed issuance of bonds or debt, or other matters of significant public interest. The Council at its discretion may schedule public hearings for other matters under consideration.
- B. Public hearings may be held as part of a regular special, committee, emergency or other meeting of the Council. The decision to conduct a public hearing shall be made by the Council at a regular, special or emergency meeting.
- C. Schedules for public hearings shall be announced by the Mayor and public notice shall be given in the manner required for any public

meeting of the Council as required by law and this Chapter. The notice shall include the specific subject matter of the public hearing as well as the time, date and place thereof.

- D. At the beginning of any public hearing, the Mayor may publicly state the rules of conduct for such public meetings including any time limits on speakers' presentations, any requirement of submitting materials in writing with sufficient copies for all Council members and the Clerk, and such other rules as may be reasonably necessary for the proper and expeditious conduct of the public hearing.
- E. Public hearings shall be opened upon the declaration of the Mayor that the Council is at that time in a public hearing and the Mayor shall state the specific purpose of that public hearing. Upon the conclusion of the public hearing and a motion duly made, seconded, and carried by a majority of the Council, the Mayor shall declare the public hearing concluded or continued to another date, if permitted by law. The Mayor shall state the conditions of any continuance.
- F. Where permitted by state law, the Council may rehear any matter decided after a public hearing where an aggrieved person files a written request for rehearing that includes new evidence which the Council determines to justify reconsideration of its decisions. A request for rehearing shall be filed within ten (10) calendar days from the date of the original decision. If a request for rehearing is granted by the Council, the rehearing shall follow the same procedures as the original hearing. No rehearing shall be allowed on any matter where a rehearing would be contrary to state law.

2.01.180 Electronic Meetings

- A. General: The Council may conduct an electronic meeting that some or all of the Council members may attend through an electronic video, audio, or both video and audio connection, including telephonic, telecommunication, or computer conference methods in compliance with Utah Code § 52-4-207. Any Council member may request that a meeting of the Council be an electronic meeting, provided that Council member makes the request at least 24 hours in advance of that meeting.
- B. Participation. The primary purpose for holding electronic meetings is to enable some or all members of the Council to participate in the meeting electronically. A member of the public may attend remotely by electronic means to monitor an open meeting of the Council provided that the member of the public sends a written request to the Clerk and further provided that the Council is not required to acquire any equipment, facilities, or expertise which the Council does not already possess to accommodate the request. Notwithstanding anything to the contrary in this Section, with the exception of a public hearing, the Council is

not required to provide the public an opportunity to participate in, as opposed to attend and monitor, an electronic meeting. The Council member who chairs the electronic meeting shall be physically present at the anchor location.

- C. Anchor Location: The Council shall provide space and facilities at an anchor location for all electronic meetings except as provided in this Section. The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected. At least one anchor location for an electronic meeting shall be the principal office building, such as the city hall or principal location, where the Council would normally meet if not holding an electronic meeting. A quorum of the Council is not required to be present at a single anchor location for an electronic meeting to be convened and conducted. As few as one Council member may be present at the anchor location pursuant to this Policy and Utah Code § 52-4-207. If the meeting is a public hearing, the Council shall provide space and facilities at an anchor location so that the public may attend, monitor, and participate in the hearing. If all Council members attend the meeting remotely through an electronic video, audio, or both video and audio connection, there is no requirement to provide an anchor location for the public to attend unless the Council receives a written request to provide an anchor location with at least twelve (12) hours' notice before the scheduled meeting time.
- D. Notice: The Clerk shall provide public notice of the electronic meeting to the Council members and the public with at least 24 hours advance public notice, including the agenda, date, time, location, and a description of how each member the Council can be connected to the electronic meeting. The Clerk shall post a written notice for each electronic meeting at the principal office of the Town or at the building where the meeting is to be held if no principal office exists. The Council shall provide written or electronic notice in accordance with the Open and Public Meetings Act. These notice requirements are minimum requirements and are not to be construed as precluding such additional postings and notifications as may be directed by the Council to members of the public.
- E. Budget or Logistical Considerations – Exceptions: The Mayor may determine, based upon budget, public policy, logistical considerations, or health or safety concerns, prior to or during the electronic meeting, that it is not in the best interest of the Council to hold an electronic meeting and provide public notice of said determination, the determinative facts, and alternative means for the public to participate. The Mayor may also restrict the number of separate electronic connections that are allowed for an electronic meeting based on available equipment capacity. A request from a member of the public to participate in a meeting electronically may be denied by the Mayor based on budget, public policy, logistical considerations, or health or safety concerns as determined sufficient by the Mayor.

- F. Conduct of Electronic Meeting: No action may be taken and no business may be conducted at a meeting of the Council unless a quorum, consisting of a simple majority of the members of the Council, is present in person and electronically. A Council member who is not physically present may nevertheless participate in the meeting through electronic means and be counted toward the required quorum in accordance with Utah Code § 52-4-207. Any Council member participating via electronic means may make, second, and vote on any motion or recommendation to the Council and participate in the discussion as though present. Nevertheless, the Council member who chairs the meeting must be present at the anchor location. If the Mayor or Mayor Pro Tempore is not physically present at the anchor location and there is still a quorum, a Council member who is physically present at the anchor location shall preside over the meeting. In any event, any electronic meeting and notice of any electronic meeting shall comply with the Open and Public Meetings Act.

2.01.190 Form Of Action

The Council may take action in the form of ordinances, policies, resolutions, motions upon requests or memorials.

A. Ordinances.

1. The Council, except as expressly limited by statute, shall exercise its legislative powers through ordinances and may adopt any ordinance to regulate, require, prohibit, govern, control or supervise any activities, business, conduct, or condition.
2. All ordinances must be in written form before a vote is taken.
3. Any ordinance passed by the Council shall contain and be in substantially the following order and form:
 - a. Ordinance number and date;
 - b. A Title which indicates the nature of the subject matter of the ordinance;
 - c. An explanation stating the need or reason for the ordinance and summarizing its contents;
 - d. An ordaining clause which states “The Copperton Town Council ordains as follows;”
 - e. The body or subject of the ordinance;

- f. When applicable, a statement indicating the penalty for violation of the ordinance;
 - g. A statement indicating the effective date of the ordinance;
 - h. A signature line for the Mayor;
 - i. An attestation line for the Clerk;
 - j. The votes of the Council members;
 - k. A space to indicate when the ordinance is posted pursuant to state law; and
 - l. An ordinance summary if required by statute.
4. Except in exigent circumstances, or when directed by a majority of Council members present, all ordinances, including ordinances relating to planning and zoning matters, shall be introduced in writing and read or described to the Council prior to the Council's consideration for adoption of the ordinance. Copies of the proposed ordinance shall be noticed and posted in accordance with state law, along with the agenda for the meeting at which the ordinance is to be considered.
5. Upon adoption, each ordinance shall be signed as required within five (5) business days.

B. Resolutions.

- 1. The Council may exercise all administrative powers by resolution, including, establishing fees and rates for municipal services, administrative policies and guidelines, and the use and operation of Town property.
- 2. Resolutions shall be considered and adopted in those matters required by law or otherwise and may be used for policy declarations and proposals not appropriately addressed by ordinance and may be used to exercise Council authority in matters of statements of policy and communication.
- 3. Resolutions shall be in a form and contain sections substantially similar to that prescribed for ordinances, excluding those requirements that pertain to the posting of ordinances and ordinance summaries.

4. The Council may not impose a punishment, fine, or forfeiture by resolution.

C. Memorials.

1. Memorials shall be adopted in the form of resolutions or motions, as may be deemed appropriate, and shall be used as a statement of policy to respond to or commend persons or groups for notable activities which have been called to the attention of the Council.
2. Memorials may be considered and adopted at the same meeting in which they have been proposed and, in all events, shall be recorded in the minutes.

D. Policies, Procedures, Rules and Regulations.

1. Policies, procedures, rules and regulations shall be considered and adopted in those matters determined to be appropriate by the Council and not prohibited by statute.
2. Policies, procedures, rules and regulations shall be presented, considered and given notice in the same manner as prescribed for ordinances and shall be in such form as directed by the Council.

- E. All resolutions, policies, procedures, rules, regulations and ordinances shall be numbered, recorded and maintained in accordance with provisions of state law.

2.01.200 Quorum

The number of Council members necessary to constitute a quorum is three.

2.01.210 Rules Of Order and Procedure-General

Procedural rules or order and procedure not specifically provided herein or by state law, or Town ordinance, shall be regulated, interpreted and construed in accordance with the Council's Rules of Order and Procedure as may be adopted by resolution from time to time by the Council.

2.01.220 Board Appointment Duties and Responsibilities

Pursuant to and in accordance with all applicable provisions of these ordinances, of the plan, and of the laws of the state, the appointment and reappointment of members of boards within the jurisdiction and under the

appointment or consent power of the Council shall be as herein provided.

- A. All board appointments or reappointments of Council members shall be made annually with the consent of a majority of the Council.
- B. The following shall apply to board appointments involving individuals who are not members of the Council:
 - 1. Boards whose members hold terms of three years or less, board members may be reappointed to a consecutive term on their respective boards with the consent of a majority of the Council; and
 - 2. For boards whose members hold terms of longer than three years, no board member shall be reappointed to a consecutive term on the same board unless, for good cause shown and to prevent significant disruption of current board activities, the Council approves such reappointment.
- C. The restrictions upon the reappointment of board members, as provided under this section, shall be limited to the extent that this section may be in direct conflict with federal or state law and where the appointment of board members is set out by or limited under the laws of the United States or the State of Utah.
- D. When representing the Town or the Council on any board or similar organization, Council members shall vote according to the will of the Council on those matters for which the Council has taken an official position. In the absence of an official position by the Council, Council members shall exercise their best judgment to determine how best to vote in accordance with the best interests of the Town.

2.01.230 Censure

The Council can vote to censure any member of the Council with a majority vote in the affirmative. A censure is an official act condemning behavior through resolution that records and codifies certain acts by the Council.

2.01.240 Greater Salt Lake Municipal Services District (“MSD”)

Copperton is a member of the MSD, which is a special district that provides certain administrative and municipal services to the Town and its other members, including human resources, finance and budgeting, information technology, communications, planning and zoning, engineering, business licensing, and code enforcement services. The MSD is authorized to act as the

Town's official agent in providing its services, provided that the Council may remove or expand the services the MSD provides in accordance with applicable law.

CHAPTER 2.02 -- TOWN MANAGER

2.02.010 General

The provisions of this Chapter shall apply to the selection and appointment of a Town Manager and shall only apply if the Council elects to appoint a Town Manager.

2.02.020 Process to Appoint Town Manager

The Council may budget for and appoint by ordinance a Town Manager pursuant to a competitive selection process to direct the Town's operations and to serve as the Town's chief administrative officer with authority to implement municipal policy, oversee daily operations of Town departments and employees, and exercise any other duties the Council may assign. The Town Manager shall be an at-will employee and shall serve at the pleasure of the Council. The Council may terminate the Town Manager's employment at any time and for any legal reason. The Town Manager position is not a required position.

2.02.030 Term

The term of office, salary, benefits, duties and termination of the Town Manager shall be set out in written contract prior to the time of appointment, which contract shall be negotiated and approved by a resolution of the Council, except that the Council shall employ the Town Manager for a term not to exceed four (4) years and the contract may not automatically renew. The Council, however, may renew the Town Manager's term of employment at any time. Any contract the Council may approve regarding a Town Manager's employment shall comply with the provisions of Section 2.02.020.

2.02.040 Salary

The Council shall establish the Town Manager's salary, benefits, and other compensation from time to time in accordance with applicable state law and city ordinances.

2.02.050 Powers and Duties

A. The Town Manager shall have the following powers and duties:

1. Exercise the Town's administrative powers under the direction

and supervision of the Council.

2. Serve as the chief administrative officer to whom all Town employees, contractors, and agents shall report. All Town employees shall make up the administrative service of the Town and, as such, are subordinates to the Town Manager.
3. The Town Manager shall be responsible to the Council for the day-to-day operations of the Town and for such other professional duties as assigned or needed.
4. The Town Manager shall be at all times under the control and supervision of the Council and shall answer directly to the Council in all matters relating to the Town, its employees, functions, relationships, activities and status.
5. The Town Manager may examine and inspect the books, records, and official papers of any office, department, agency, board, or commission of the Town and make investigations and require reports from all personnel.
6. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the Town Manager and neither the Council, nor any member thereof, including the Mayor, shall give orders to any subordinates of the Town Manager, either publicly or privately.
7. The Town Manager shall have the right to attend and participate in meetings of the Council but shall not have the right to vote in said meetings.
8. The Town Manager may make suggestions to the Council and shall advise the Council on matters of policy, procedure, and business requiring Council approval or awareness. The Town Manager shall use his or her best efforts to lawfully implement the final decisions of the Council to lawfully implement the final decisions of the Council and shall represent and defend the final decisions of the Council.
9. The Town Manager shall notify the Council and the Mayor of any emergencies existing in any department or matter under his or her supervision.
10. The Town Manager is designated as the budget officer for the Town and shall perform or cause to be performed all of the duties of such office as set forth in the Uniform Municipal Fiscal

Procedures Act. As budget officer, the Town Manager shall prepare and submit the annual budget to the Council, along with any proposed amendments to the budget.

11. The Town Manager shall have the authority to sign all contracts on behalf of the Town provided:

- a. The contract has been approved by the Council, funds to be spent under the contract have been specifically appropriated through the Town's budget process, or the contract does not require the expenditure of Town funds;
- b. The contract does not involve the conveyance of any real property interest of the Town; and
- c. The Town Manager shall be employed by the Town and carry out such duties and functions as set forth in state and federal law, Town ordinances and policy, and as set forth in the Town Manager's job description.

B. Pursuant to Section 2.01.070.A.2, if the Council does not appoint a Town Manager, the Mayor shall serve as the Town's chief administrative officer and shall exercise any duty or responsibility assigned to the Town Manager, subject to the Council's authority to remove such delegation of authority under Section 2.01.080.C.

CHAPTER 2.03 -- CLERK

2.03.020 Appointment

The Council appoints the MSD to serve as the Clerk in accordance with Utah Code § 17B-2a-1104, or applicable successor statute. Pursuant to applicable state law, the Council may appoint someone other than the MSD to serve as the Clerk, with the advice and consent of the Council.

2.03.030 Oath Required

The Clerk, before assuming the duties of the office, shall take and subscribe the constitutional oath required under state law.

2.03.040 Duties

A. The Clerk shall perform all duties as may by law devolve upon him/her as Clerk of a town under state law. The Clerk shall keep records properly indexed of all Town contracts, and the records shall be open to inspection by all interested persons. Unless otherwise provided by

ordinance, the Clerk shall be ex-officio Town collector. The Clerk shall perform such other and further duties as the Council may by ordinance provide. Within the office of the Clerk a properly qualified employee may be appointed by the Clerk as a deputy Clerk. The deputy Clerk is authorized to perform, and shall perform, all duties of the Clerk during such times when the Clerk is unavailable or unable to perform same. Any official act of the deputy Clerk taken in the absence of the Clerk shall be valid and binding to the same extent as if done by the Clerk. The Clerk, in addition to the powers and duties imposed by law and ordinance, shall perform the following duties:

1. The Clerk shall issue notices to the members of the Council, when directed to do so by that body, and to members of the different committees and to all persons whose attendance is required before any committee, when directed or requested so to do by the chairman of such committee. The Clerk shall also issue notices of special meetings of the Council.
2. The Clerk shall attest all licenses granted under this Code or any other ordinance of the Town, and shall keep a record of the issuance thereof.
3. The Clerk shall, without delay, deliver to the officers of the Town, and all committees of the Council, all resolutions and communications referred to such officers or committees by that body.
4. The Clerk shall, without delay, deliver to the Mayor all ordinances or resolutions which may be required to be approved or otherwise acted upon by the Mayor, together with all papers on which the same are founded.
5. The Clerk shall sign and attest all ordinances passed by the Council that are signed by the Mayor or other officer.
6. The Clerk shall certify to the publication of all ordinances, resolutions, or other official documents.
7. The Clerk shall attest all papers signed by the Mayor officially, and keep and affix the corporate seal.
8. The Clerk shall keep correct records and minutes of all proceedings of the Council, recording the same to the extent otherwise provided by law.
9. The Clerk shall countersign all contracts made on behalf of the

Town or to which the Town is a party. Any Town contract shall be void unless signed by the Clerk. The Clerk shall endorse a certificate upon every bond, warrant, or other evidence of debt issued pursuant to law by the Town stating that the same is within the lawful debt limit of the Town, and is issued according to law.

10. The Clerk shall deliver to the successor in office the corporate seal, together with all books, papers, records and other property of the Town.
11. The Clerk shall have the power to administer oaths in all matters in any way connected with the Town government.
12. The Clerk shall attend to all official correspondence and report the same to the Council as needed.

2.03.050 Record of Ordinances to be Kept

- A. The Clerk shall keep records of all ordinances, together with proofs of positing. Before taking effect, all ordinances shall be deposited in the office of the Clerk.
- B. The originals of all ordinances passed by the Council shall be filed in the Clerk's office.

2.03.060 Papers, Records, Transcripts – Copies

Upon request and upon the payment of such fees set by the Council, the Clerk shall make, affix the corporate seal thereto and certify copies of all papers filed in the Clerk's office and transcripts of all records of which the Clerk is the lawful custodian.

CHAPTER 2.04 -- TOWN TREASURER

2.04.020 Appointment

The Council appoints the MSD to serve as the Town Treasurer in accordance with Utah Code § 17B-2a-1104, or applicable successor statute. Pursuant to applicable state law, the Council may appoint someone other than the MSD to serve as the Treasurer, with the advice and consent of the Council.

2.04.030 Oath Required

The Treasurer, before assuming the duties of the office, shall take and subscribe the constitutional oath required under state law.

2.04.040 Appointment of Deputies and Assistants

The Treasurer shall have power to appoint from within the office of the Treasurer a properly qualified employee who shall be designated the Deputy Treasurer. The Deputy Treasurer is authorized to perform, and shall perform, all duties of the Treasurer during such times when the Treasurer is unavailable or unable to perform same. Any official act of the Deputy Treasurer taken in the absence of the Treasurer shall be valid and binding to the same extent as if done by the Treasurer.

2.04.050 Powers and Duties Generally

The Treasurer shall receive all money belonging to the Town, including all taxes, license fees, utility billings, fines, and other funds owed to or held by the Town, and shall keep an accurate and detailed account thereof, in such manner as may be provided by law, and shall collect all special taxes and assessments as provided by law. The Treasurer shall reconcile all accounts with the Clerk, as the Council may direct at the end of every month, and turn over all warrants, interest coupons, bonds or other evidence of the indebtedness of the Town which may have been redeemed during the month, taking the receipts of the Clerk therefor, and all such warrants, orders or other evidence of indebtedness shall be cancelled by the Treasurer and have written or stamped thereon the date of their payment or redemption.

2.04.060 Collection of Special Taxes

The Treasurer is ex-officio collector of special taxes.

2.04.070 Receipts to be Given

The Treasurer shall give every person paying money to the Town a receipt therefor, specifying the date of payment and upon what account paid; and he/she shall also file the duplicate of such receipt with the Clerk at the date of the monthly report.

2.04.050 Payments

The Treasurer shall not pay any funds owned or held by the Town to any person unless the expenditure is duly appropriated and authorized upon action of the Council, the purchasing agent, or the Town Manager (if appointed) as otherwise provided by law.

2.04.060 Investment Decisions at Authorized Banking Institutions

- A. The Treasurer is authorized to take any and all such actions in the name of and on behalf of the Town to utilize investment opportunities available at banking institutions approved by the Utah Money Management Act. Such actions shall include but not be limited to setting up sweep accounts, zero balance accounts, automatic transfer of funds accounts and similar deposit and investment

arrangements, entering into transactions similar to the foregoing, and performing such actions as may be required in connection with any of the foregoing. From time to time the Treasurer shall present to the Council for approval all necessary resolutions for designation of depository institutions and authorized signatories.

- B. Agreements, instruments, or documents properly executed and delivered to any banking institution approved by the Utah Money Management Act by the Treasurer shall be binding and enforceable obligations of the Town, enforceable in accordance with their respective terms.

CHAPTER -- 2.05 TOWN ENGINEER

2.05.010 Appointment

The Council appoints the MSD to serve as the Engineer in accordance with Utah Code §§ 10-3-917 and 17B-2a-1104, or applicable successor statute. Pursuant to applicable state law, the Council may appoint someone other than the MSD to serve as the Engineer, with the advice and consent of the Council.

2.05.020 Engineer Required to be Licensed

Each person who serves as the Engineer shall be a registered professional engineer in accordance with applicable state law.

2.05.030 Powers and Duties

The Engineer shall perform all powers and duties required under applicable law, including those powers and duties set forth in Title 10, Part 9 of the Utah Code.

CHAPTER 2.06 -- CITY ATTORNEY

2.06.010 Establishment

There is established the office of City Attorney. The person(s) providing legal services to the Town as City Attorney may be part-time or full-time employees of the Town, or may be independent contractors.

2.06.020 Appointment Generally

The Council shall appoint the City Attorney, who shall serve as the Council's pleasure. The Council may appoint different individuals, firms, or entities to represent the Town on civil and criminal matters, and may hire and retain special legal counsel to represent the Town on specific matters as the Council may deem necessary. If the Council appoints an independent contractor to serve as City Attorney or to otherwise represent the Town on a legal matter, the Council shall

make such appointment in accordance with applicable state law and the Town's purchasing procedures, as applicable. Persons, firms, or entities providing legal services to the Town may do so without a specified term, provided that all contracts for legal services shall authorize the Council to terminate such contracts at any time as the Council may deem necessary.

2.06.020 City Attorney Required to be Licensed

Each person who serves as the City Attorney or otherwise provides legal representation to the Town shall be a licensed attorney in good standing with the Utah State Bar in accordance with applicable state law.

2.06.030 Powers and Duties

The City Attorney, and other attorneys the Council may hire or otherwise retain, shall perform all powers and duties required under applicable law, including those powers and duties set forth in Title 10, Part 9 of the Utah Code.

2.06.040 Succession

Upon the termination of legal services or upon request by the Town, the City Attorney shall promptly deliver to any successor or such person(s) designated by the Town copies of all books and papers, including but not limited to those in electronic form, pertaining to pending or concluded city legal matters.

CHAPTER 2.07 – COPPERTON ETHICS CODE

2.07.010 Purpose

The purpose of this Chapter is to establish the Copperton Ethics Code, which shall apply to all city elected officials, officers, and employees when acting in their official capacity on behalf of the Town.

2.07.020 Definitions

- A. For the purposes of this Chapter, the following definitions are in addition to the definitions in Section 1.02.060 and shall control:
1. "Compensation" or "compensated" means anything of economic value, however designated, which is paid, loaned, granted, given, donated, or transferred to any person or business entity for or in consideration of personal services, materials, property, or any other thing whatsoever.
 2. "Conflict of interest" means either a restricted conflict of interest or an unrestricted conflict of interest as defined in this section.

3. "Financial interest" means, but may not be limited to, any employment by or compensated representation as an agent of any individual, corporation, business entity, organization, or committee. A financial interest also includes any beneficial ownership of one percent or more of a corporation or other business entity.
4. "Governmental action" means any official action on the part of the Town, including, but not limited to:
 - a. Any decision, determination, finding, ruling, or order, or discussions thereof;
 - b. Any grant, payment, award, license, contract, subcontract, transaction, decision, sanction, or approval, or the denial thereof, or the failure to act in respect thereto; or
 - c. Any legislative, administrative, appointive, or discretionary act of any public servant or volunteer public servant.
5. "Representative" means any authorized agent of the Town. Representatives shall include any appointed person, other than an employee, serving on a special, regular, or full-time committee, commission, authority, agency, or board of the Town, who is not paid a salary or an hourly wage by the Town for his or her services thereon.
6. "Restricted conflict of interest" means any financial interest held by the employee or representative of the Town, or by members of an employee's or representative's household, or those providing regular financial support to the employee or representative.
7. "Unrestricted conflict" or "unrestricted conflict of interest" means any and all other interests including political, family, fraternal, social, and other interests or associations which may reasonably create the appearance or the actuality of a conflict of interest between an employee's or representative's outside interest and his or her Town responsibilities. "Unrestricted conflict" or "unrestricted conflict of interest" also means other conflicts as defined by state law, and any campaign contribution made to the officer, employee, or representative, or to any member of his or her household, of more than five hundred dollars during the prior calendar year.

2.07.030 Ethics Statement

All employees, before commencing the duties of their respective offices, shall read and review the following ethics statement:

Copperton employees support, obey and defend the Constitution of the United States, The Constitution of the State of Utah, the laws of the State of Utah, and Town ordinances, to the best of their abilities and will always strive to meet the highest ethical standards implicit in their employment and in the furtherance of the best public interest.

2.07.040 Ethics Training

All employees shall attend ethics training every two years regarding their ethical duties and responsibilities as established by state law and by this Chapter. This training shall be conducted based on a specific curriculum approved by the Council. Attendance at the ethics training is mandatory.

2.07.050 Government In The Sunshine

- A. Keans is an open records and open meetings government and all employees are directed to observe, with exactness, all applicable provisions of state statute and Town ordinance regarding open records and open meetings including GRAMA, the Open and Public Meetings Act, and Town ordinances and policies regarding those state laws.
- B. In the interests of maintaining openness and transparency in Town, all employees are directed to give strong consideration to the application of an impartial balancing test established by GRAMA when determining whether a record should be released. Officers and employees shall seek to achieve GRAMA's express goals of openness while also giving due consideration to individual privacy rights. Where justified, in accordance with GRAMA, and all other considerations being equal, access should be balanced in favor of openness and transparency.
 - 1. As technology presents new developments in the means of communication, including electronic messaging and social media, Town elected officials, officers, and employees are directed to apply GRAMA standards of openness or confidentiality based on the content of a record, regardless of the medium used.
 - 2. Because many modern forums of electronic media, including social media, reduce or eliminate the Town's ability to retain, store, retrieve and copy such communications, Town elected officials, officers, and employees are encouraged to seek appropriate and cost-effective solutions to make Town records that are transmitted in electronic media and are classified as public more available for public review and distribution.
- C. All Town meetings of any deliberative board, committee, or agency, including boards or committees conducting quasi-judicial administrative hearings, are

directed to conduct all aspects of their decision making process in accordance with the Open and Public Meetings Act, including both the gathering of evidence and deliberations regarding a decision, in an open and public meeting, with appropriate notice and minutes, unless the nature of the hearing permits closure to the public under exceptions provided in state law.

- D. Under rare circumstances, where a deliberative body has good cause to close only its deliberation sessions, and is within the provisions and intent of state law, the body may conduct only its deliberative process in private.
- E. All other provisions of state law and the Open and Public Meetings Act shall be otherwise applicable to all Town bodies and meetings as defined in the law and to those exceptions in statute which permit closed meetings, under the circumstances and in accordance with the provisions of the Open and Public Meetings Act.

2.07.060 Conflicts of Interest

A. General prohibitions.

1. Employees are governed by the Municipal Officers and Employees Disclosure Act regarding outside interests and conflicts that are prohibited or that require disclosure.
2. Officers, employees, and representatives are prohibited from using non-public information in a manner that could provide themselves or another a gain or benefit.
3. Officers, employees, and representatives shall not use or attempt to use their position in a manner that could secure special privileges or exemptions for themselves or others.
4. Employees and representatives are prohibited from engaging in any outside activity, or financial investment which constitutes a restricted conflict of interest where such conflict could impair their judgment regarding the faithful performance of Town responsibilities.

B. Restricted conflicts of interest.

1. Town employees and representatives are required to fully and publicly disclose any restricted conflict of interest and shall recuse themselves from, and have no involvement in, any governmental action in which they have a restricted conflict of interest.
2. If an employee or representative is not aware of the financial interest, he or she must disclose the financial interest and recuse as soon as he or she

learns of the financial interest.

3. Any action, vote, contract, or other governmental action which has been undertaken by an officer, employee, or representative who has a restricted conflict of interest shall be terminable by the body that took the action, or by the Town officer with authority to void or terminate the action. That body or the applicable Town officer may also ratify any prior governmental action that was taken in violation of this section.

C. Unrestricted conflicts of interest.

1. Employees must publicly disclose any and all unrestricted conflicts of interest at any meeting, hearing, or deliberation where the employee or representative is present and the unrestricted conflict of interest could impair the judgment of the employee or representative.
2. Employees who have unrestricted conflicts are not required to recuse themselves but may do so.

D. Disclosure.

1. Employees are required to comply with all legal requirements setting a responsibility to disclose restricted and unrestricted conflicts of interests between their public duties and private activities. In particular, employees are bound by the requirements of the Municipal Officer's and Employees Ethics.
2. Oral or written disclosures must be made in accordance with state law, other sources of the law, and this section.
3. Employees are required to file written disclosures in accordance with the provisions of state law and Town ordinance. All written disclosures must be kept current and are filed both with the officer or employee's immediate chain of command and with the Council.

E. Contractual representatives.

1. Individuals and business entities who contract to represent the Town's interests shall disclose to the Town the names of other clients they represent and those clients' respective issues and interests that are relevant to the Town's interests. Unless they receive written permission from the Mayor and Council, such individuals or business entities are prohibited from representing other clients about the same or substantially same issues and interests as covered by the Town representation.
2. Individuals and business entities who contract to represent the Town's

interests by lobbying the State Legislature or any other municipal, state or federal office or agency are prohibited from engaging in any lobbying of Town officers, employees, agencies or offices, as defined in this Chapter.

2.07.070 Town Endorsements

Notwithstanding the provisions of this Chapter, the Town or a Town employee may encourage support from a public or private individual or institution, whether in financial contributions or by other means, on behalf of an organization or activity that benefits the community.

2.07.080 Gifts

Town employees shall not knowingly accept or solicit any gift for themselves, family members or organizations of the officer or employee or others, except as permitted in Section 2.07.110.

2.07.090 Gifts And The Procurement Process

- A. Without exception, receipt or solicitation of any gift or a request for employment by a purchasing agent from any person including a vendor of goods, seller or buyer of real property, or service provider is illegal and punishable as provided by statute.
- B. It is unlawful and punishable as provided by statute for any payment, gift or offer of employment to be offered or made by any person to a public officer or employee or contractor of the Town to obtain a specific procurement, disposal, contract or subcontract.
- C. Contracts entered into resulting from a violation of this section are voidable and any payments made on these contracts shall be recoverable to the Town.

2.07.100 Honoraria

Officers and employees of the Town shall not accept honoraria in regard to activities related to their Town duties or purpose except as provided in Section 2.07.207.

2.07.110 Exceptions

The following are exceptions to the gifts and honoraria requirements of this Chapter:

- A. The gift is a political contribution authorized by law and reported as part of the campaign disclosure requirements of the Town or any other governmental

entity;

- B. Token items of nominal value, including but not limited to, educational materials, t-shirts, coffee mugs, parking validations or other commemorative or similar souvenir items;
- C. Snacks, beverages or educational or informational materials provided at meetings or other functions;
- D. Transportation to and attendance at conventions, seminars, or events of a primarily educational nature, including meals and entertainment that are part of the required registration, and any associated educational or informational materials directly related to the official duties of the officer or employee;
- E. Gifts not related to the activities of the officer and employee with the Town;
- F. Awards publicly made for public service;
- G. Food or a beverage given at a widely attended reception, meal, or meeting by an organization before whom the recipient appears to represent the Town, make a speech, answer questions or participate in part of a program;
- H. Attendance at political events that are primarily sponsored by a political party or political candidate;
- I. Flowers, plants, balloons or similar tokens which are given to express condolences, congratulations, or sympathy for ill health, or to commemorate holiday or special occasions;
- J. Town sponsored programs activities or work;
- K. Gifts for the Town that become the property of the Town;
- L. Gifts to Town officers, employees or agencies from other Town officers, employees or agencies;
- M. Death transfers including bequests and inheritances; and
- N. Gifts to blind trusts related to legal defense funds for imminent or pending litigation against officers or employees (related to their official duties).

2.07.120 Restrictions on Post-Town Employment

- A. When an employee, excluding uncompensated volunteers, voluntarily leaves Town service they are prohibited for a period of one year from directly communicating, for compensation, with the Town for the purpose of

attempting to influence any action on any matter pending before the Town. This prohibition does not apply to routine government services which do not require the exercise of discretion or to the normal scope of a person's licensed professional capacity.

- B. Any private business entity or individual whose employee or contractor is found to be in violation of this section shall be prohibited from contracting or conducting any non-statutory transaction with the Town for a period of one year from date of the violation.
- C. A former officer or employee is not prohibited from holding any Town office, but must disclose in writing and resolve any conflicts of interest arising from their previous Town employment which conflicts of interest would tend to interfere with the Town's best interest.

2.07.130 Nepotism

The Council shall adopt and maintain in place a policy to comply with Utah Code Ann. § 52-2-3, or as it now exists or as it may hereinafter be amended.

2.07.140 Political Activities Of Employees

- A. Except as otherwise provided by law, Town officers or employees may voluntarily participate in political activity subject to the following provisions:
 - 1. No person shall be denied the opportunity to become an applicant for a position under the merit system in any covered department by virtue of political opinion or affiliation.
 - 2. No person employed by the Town under the merit system may be dismissed from service as a result of political opinion or affiliation.
 - 3. A Town career service employee may voluntarily contribute funds to political groups and become a candidate for public office.
 - 4. No Town officer or employee, whether elected or appointed, may directly or indirectly coerce, command, or advise any officer or employee covered under the merit system to pay, lend, or contribute part of his or her salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes. No Town officer or employee, whether elected or appointed, may attempt to make any officer's or employee's personnel status dependent upon the officer's or employee's support or lack of support for any political party, committee, organization, agency, or person engaged in a political activity.
 - 5. No officer or employee may engage in any political activity during the

hours of employment nor shall any person solicit political contributions from Town employees during hours of employment for political purposes, but nothing in this section shall preclude voluntary contribution by a Town employee to the party or candidate of the employee's choice.

6. Nothing contained in this Chapter shall be construed to permit partisan political activity by any Town officer or employee who is prevented or restricted from engaging in such political activity by the provisions of the federal Hatch Act.
- B. Officers and employees, including employees covered by a merit system, may become candidates for political office or for leadership positions in political parties. Officers and employees doing so shall refrain from engaging in any political activities or campaigning during Town working hours. Officers and employees may take an unpaid leave of absence in order to run for political office. Such a leave is at the employee's discretion and may be for some or all of the time between filing a declaration of candidacy and the end of the political campaign. No adverse employment action may be taken against officers or employees who file for office or take a leave of absence.

2.07.150 Prohibitions On Political Use Of Town Resources

No employee shall use any property or resources of the Town, including but not limited to time, other Town employees, equipment, material, the Town seal, buildings or facilities in connection with any political activity, except in accordance with established Town policy regarding the acceptable use of public resources.

CHAPTER 2.08 -- ADMINISTRATIVE ORGANIZATION

2.08.010 Ordinance Requirements

- A. The function of proposing, considering, reviewing, approving and enacting ordinances is a legislative process which lies solely within the power, authority and discretion of the Council pursuant to law. The Council may, at its discretion, provide for the limited delegation of certain powers and activities to other committees, persons or entities to assist in the preparation of proposed Town ordinances. The legislative committee is established to serve as an advisory body to assist the Council in the consideration of Town ordinances.
- B. Upon review, approval and adoption by the Council, the proposed ordinance shall be legally effective upon the date indicated in the ordinance and being signed by the Mayor, attested by the Clerk, and posted or published as required by State law.
- C. Ordinances which in the opinion of the Council are necessary for the

immediate preservation of the peace, health or safety of the Town and the inhabitants thereof may, if so provided in the ordinance, take effect immediately upon publication or posting as required by state law.

2.08.020 Council Initiated Policies And Procedures

Whenever a majority of the Council suggest a policy or procedure, the Mayor shall refer the matter for adoption in accordance with Chapter 2.01.

2.08.030 Policies And Procedures--Adoption

All policies and procedures the Council adopts must bear the signatures of the Mayor and Clerk.

2.08.040 Policies And Procedures--Recordkeeping And Distribution

It shall be the responsibility of the Council to keep a current record of all Council-approved policies and procedures.

2.08.050 Conflict Between Policies And State laws

Whenever a Town policy and procedure conflicts with a state law or an ordinance of the Town, the statute supersedes the ordinance and the policy and procedure. An ordinance supersedes a Town policy and procedure.

2.08.070 Discrimination Prohibited

Discrimination in Town government services based on age, marital status, color, disability, national origin, sex, sexual orientation, gender identity, race or religion is prohibited. Individuals shall be assured of equal access, opportunity and protection in all areas of Town government services. This section is not intended to expand the services of Town government beyond those required by state or federal law.

CHAPTER 2.09 -- TOWN LITIGATION

2.09.010 Litigation--Control And Direction

Any litigation involving or against the Town is governed by the provisions of state law and applicable case law precedents.

2.09.020 Litigation Against the Town

The legal authority of any employee, acting in an official capacity, to engage in litigation against or on behalf of the Town or against any Town official, officer or employee must be within that employee's express authority under state law or

Town ordinance. If the employee has no such legal authority, Town funds shall not be used to pay attorney's fees or other legal costs, except in the following circumstances:

- A. The use of Town funds is approved in advance by the Mayor, Council, and attorney; or
- B. The litigation against the Town or its officials, officers or employees ultimately and substantially succeeds on the merits or payment is ordered by the court.

2.09.030 Limitations

- A. Nothing in this Chapter shall be construed to authorize any Town employee to bring a lawsuit against the Town.
- B. Nothing in this Chapter shall be construed to limit the authority of a court of competent jurisdiction from levying costs or attorneys' fees in accordance with applicable law.

CHAPTER 2.10 -- ESTABLISHING FEES

2.10.010 Fee Requirements And Limitations

The Council may impose fees for providing government services in accordance with the provisions of this Chapter and as may be required or permitted by law. Fees shall be calculated and imposed in an amount that shall reimburse the Town for its expenses in enforcing regulations or providing services or benefits and may not be imposed in an amount which significantly exceeds those costs.

2.10.020 Fee Establishment Process

- A. The Council shall approve all Town fees.
- B. In establishing the amount of a fee, the Council may consider costs and other elements it deems relevant in accordance with applicable law, including:
 - 1. Town employee expenses, including full compensation costs of all employees normally required to provide the services;
 - 2. All direct costs:
 - a. For internal division costs, in accordance with accepted accounting standards; and
 - b. For Town indirect costs, in amounts established by the auditor's office;

3. Any expenditures the Town is required to make to other government entities, private contractors or other third parties;
 4. Reserves for liability, asset replacement, and capital improvements; and
 5. Costs and materials of other direct operational expenses.
- C. Fees shall be posted and available to the public either electronically or by physical posting at the Town offices or within a public place within the Town.
- D. Fees may be amended at times other than during budget approval by submitting a letter requesting a fee amendment to the Council for its review and approval.

2.10.030 Council Powers--Fees

- A. The Council shall review and approve a schedule of all fees imposed by the Town.
- B. The Town Manager, or the Mayor in the absence of a Town Manager, may waive or adjust fees, in accordance with the following standards and procedures:
1. The Town may only waive a fee specifically established by state law in accordance with state law.
 2. Any waiver of a fee shall be upon good cause shown and in the public interest and shall be in writing.
 3. Fees such as late fees or service charges may also be waived, based on the standards and processes established in this ordinance.

CHAPTER 2.11 -- COMMUNITY COUNCILS

2.11.010 Purpose

The purpose of recognizing community councils is to provide a mechanism by which residents of the Town may identify community service needs and assist the Town in facilitating those initiatives. Volunteer community councils are an effective way for the to maximize on benefits of volunteer service for providing needed events and programing to the residents of the Town.

2.11.020 Private Nature of Community Councils

Community councils are created by private citizens as private corporations or otherwise and are not created by the Town. Privately created community councils may be recognized by the Town as provided in this Chapter, but are separate legal entities that are separate and distinct from the Town.

2.11.030 Community Councils Recommendations

- A. The Council shall schedule at least one meeting annually with the community councils for the purpose of receiving recommendations on policy, budget, and other priorities. The Council may, in its discretion, request additional recommendations from community councils as it deems necessary.
- B. A community council shall provide any recommendations it may make to the Council in writing. If requested by the Council, community councils are encouraged to present their recommendations at public meetings held by the Town.

2.11.040 Community Councils – Planning and Zoning Information Sent to Community Councils

When directed by the Council, the Town's planning and development staff shall:

- A. Submit to a community council copies of the Town's planning commission public meeting agendas, proposed land use regulations, applications for changes to the zoning ordinance, general plan amendments, or condition use applications pertaining to real property located within the Town; and
- B. Notify a community council on planning and zoning matters, and the date and time of the planning commission meeting.

2.11.050 Funding for Community Councils

- A. The Council may budget monies annually for the community councils, which shall be spent for administrative costs, including but not limited to, legal notices, elections, newsletters, computers and software, other office equipment, dues to the Association of Community Councils Together (ACCT), Town-sponsored community events, and community council outreach activities or events, postage, stationary, and duplication costs. Funding shall be provided pursuant to budgeted amounts and upon direction of the Council, which may impose conditions upon a community council's receipt of Town funding.
- B. Community councils receiving funds from the Town shall establish a fiscal year in their bylaws and make written budget requests, if any funding is requested, to the Council by May 1st of each year unless otherwise agreed to by the Council. Within ninety days following the end of the community council's fiscal year, it shall file a detailed financial statement with an identified Town designee. The statement shall set out community council revenues and expenditures for the prior year and shall be in a form approved by the Council.

2.11.160 Volunteer Status – Indemnification

When duly authorized by the Council to perform a Town responsibility, community council members who are acting on behalf of the Town shall be considered volunteers to the Town and not employees, officials, or officers of the Town pursuant to the provisions of the Utah Governmental Immunity Act, in any civil action that may arise within the course and scope of the performance of their duties under this Chapter.

CHAPTER 2.12 -- QUASI-JUDICIAL FUNCTIONS STANDARDS OF CONDUCT

2.12.010 Purpose

The Council recognizes the importance of guaranteeing both the reality and perception that all individuals appearing before quasi-judicial officials or bodies in the Town are afforded a full, fair and impartial hearing on the merits. The Council finds it in the best interests of the citizens of the Town to provide uniform standards of conduct for all members of quasi-judicial bodies. To that end, the Council hereby provides uniform standards of conduct for individuals performing quasi-judicial functions in the Town.

2.12.020 Definitions

For the purposes of this Chapter, the following definitions are in addition to the definitions in Section 1.02.060 and shall control:

- A. A "conflict of interest" exists when a quasi-judicial official has a direct or indirect financial interest which shall be or is reasonably likely to be affected by the outcome of the matter currently pending before the official; or resolution of the matter before the official is reasonably likely to create a material personal gain or provide a gain or advantage to relatives, friends, agents, business associates, or to groups and associations which hold some share of the official's loyalty. membership in a group or association alone shall not be considered a conflict of interest with respect to any matter affecting such group or association unless a reasonable and informed person would conclude that such membership in itself would prevent an objective quasi-judicial consideration of the matter.
- B. "Ex-parte contact or communication" means contact by one side only of a matter before an individual, board or Council when said individual, board or Council is acting in a quasi-judicial capacity and the contact is outside of the hearing or official proceedings in the matter.
- C. "Interested party" in a quasi-judicial proceeding means any applicant, party, representative or agent of an applicant or party, any person or entity who may claim to be adversely affected by the resolution of a matter or any issue of fact or law related to a matter, and any person or entity who claims a substantial property interest which could be adversely affected by the resolution of a matter

or an issue of fact or law related to a matter.

- D. "Legislative capacity" means activity by a board or Council when involved with the framing and enactment of ordinances and policies for the Town included without limitation in such category is the adoption of or amendment to the Code of ordinances, policies and procedures or administrative rules of the Town.
- E. "Quasi-judicial capacity" means the role of an individual, board, or Council acting to investigate facts and draw conclusions therefrom as a basis for its official actions and the exercise of discretion of a judicial nature is a matter which is currently before the individual, board or Council, or which would come under the individual's, board's or Council's jurisdiction pursuant to an appeal of an administrative determination including the Council. In determining whether the individual or entity is quasi-judicial in nature, the nature of the activity engaged in shall control over the Title of the individual or entity or the other duties assigned to or otherwise engaged in by the individual or entity.

2.12.030 Conflict of Interest

- A. Any official acting in a quasi-judicial capacity with or reasonably likely to have a conflict of interest with regard to an applicant or its agent who has a matter before the official, must declare his or her conflict of interest and the nature of the interest giving rise to the conflict publicly prior to discussion of the matter and enter the same upon the record of the proceeding. The official must abstain from deliberating or voting on the matter and may not discuss the matter either publicly or privately with any other official participating in the proceeding. The vote of an official experiencing a conflict of interest who fails to disqualify himself shall be disallowed.
- B. A conflict of interest may exist under this section although an official may not believe that an actual conflict exists. Therefore, any official who has a question as to whether a conflict of interest exists under this section with respect to his or her participation or the participation of another official participating in the proceeding should raise the matter with the other officials participating in the proceeding at a public meeting and with the attorney's office in order that a determination may be made as to whether a conflict of interest exists.

2.12.040 Gifts And Favors

No quasi-judicial official, relative or agent of a quasi-judicial official shall accept any gift, favor or advantage from any party, individual, or from their agents or representatives if the party or individual has a matter currently before the quasi-judicial body or in circumstances when the quasi-judicial official has knowledge that said party or individual intends to or commonly brings matters before the quasi-judicial official for adjudication. Gifts, favors or advantages shall not include a meal with a value of less than twenty-five dollars provided in

conjunction with a meeting at which the subject of a quasi-judicial proceeding is discussed. The meal and the communication shall be disclosed pursuant to Section 2.11.050(B). Campaign contributions shall be subject to all other provisions of applicable law but shall not be prohibited under this section.

2.12.050 Ex-Parte Communication

- A. No quasi-judicial official shall initiate contact or initiate discussion with any party or the representative or agent of any party or a person who may claim to be "adversely affected" by the resolution of the matter with respect to an issue of law or fact in issue on a matter which is either currently before the quasi-judicial official for adjudication or which is reasonably likely to come before the quasi-judicial official unless the official provides notice to all parties and an opportunity to participate. Any such discussion, after notice and with an opportunity for participation by the public or other affected parties, shall occur in a meeting duly convened and noticed pursuant to the Utah Open Meetings Act and shall be made a matter of the official record of the proceeding.
- B. Any quasi-judicial official who receives an ex-parte communication with respect to a matter which is either currently before the official or reasonably likely to come before the official shall, at the next public meeting following the communication, place into the official minutes or record the following:
 - 1. The name of the party making the communication;
 - 2. If the communication was in writing, a copy of the communication;
 - 3. If the communication was oral, a summary of the communication;
 - 4. The date of the communication.
- C. Following disclosure of the communication at the hearing on the matter, the public and opposing parties shall be given an opportunity to submit written responses to the communication prior to the quasi-judicial official or entity closing the evidentiary phase of the proceedings. All ex-parte communication, with the exception of discussions of procedural matters such as the dates and times of hearings, is prohibited after the conclusion of the evidentiary phase of the proceedings.
- D. Engaging in prohibited ex-parte communications or the failure of a quasi-judicial official to disclose a communication and place the communication or a summary of it in the public record shall be grounds for voiding the official's vote on the matter.
- E. An ex-parte contact or communication does not include:

1. Discussions of procedural matters such as the dates and times of hearings which are unrelated to the merits of the appeal, proceeding or motion;
2. Communications by the quasi-judicial official, whether in person or otherwise, with Town employees or representatives.

2.12.060 Other Provisions Applicable

The standards of conduct provided for by this Chapter are in addition to other legal requirements imposed on quasi-judicial officials and bodies of the Town including the Municipal Officers and Employees Ethics Act, the Governments Records Access and Management Act, the Open and Public Meetings Act and Town ordinances and policies applicable specifically to the quasi-judicial body.

CHAPTER 2.13 -- SECURITY OF PERSONAL IDENTIFIERS

2.13.010 Definitions

For the purposes of this Chapter, the following definition is in addition to the definitions in Section 1.02.060 and shall control:

- A. "Personal identifiers" means and includes an individual's home address, home telephone number, personal cellular telephone number, signature, social security number, birth date, personal email address, driver's license number, passport number, and any financial identification numbers, including, but not limited to, bank account numbers, credit card numbers and information obtained to authenticate a cardholder or effectuate a payment card transaction.

2.13.020 Protecting Personal Identifiers

The Town shall ensure that all personal identifiers in the Town's control are kept confidential and secure and are not used for any purpose other than a bona fide government necessity.

- A. The Town shall not collect or maintain personal identifiers except where provided by law or ordinance, or where necessary to the functioning of the Town. The collection of credit card numbers is permitted for those agencies which accept payment, in the regular course of county business, by credit card.
- B. Any Town agency which collects, maintains or transmits personal identifiers shall make a formal determination, in writing, which explains why personal identifiers are collected, maintained or transmitted and explains which specific personal identifiers are necessary. Agencies shall collect or use only those specific personal identifiers which are necessary to government business.
- C. Except for outside contractors that provide administrative services for the

Town, each Town agency shall have in place a written regulation or policy which establishes procedures for the secure collection, maintenance, transmission, transfer, or disposal of personal identifiers.

- D. Town agencies are bound by the provisions of state and federal law regarding the public or confidential nature of records containing personal identifiers, including but not limited to GRAMA and the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

2.13.030 Private Contractors

If the Town contracts with a private entity and the contract contemplates or provides for the transmission or use of any individual's personal identifiers, the contract shall include mandatory provisions requiring that the contractor exercise care to ensure the protection of personal identifiers and that the contractor shall be legally liable for any breach of that duty.

2.13.040 Penalty

Any Town officer or employee who knowingly violates this Chapter may be guilty of a Class B misdemeanor and shall be subject to appropriate disciplinary action.

CHAPTER 2.14 -- RECORDS MANAGEMENT

2.14.010 Government Records Findings--Recognition Of Public Policy

The Council finds the following:

- A. It is in the best interests of the Town and the citizens thereof, and essential for the administration of the Town government, to maintain and preserve accurate governmental records; to provide ready access to records which are defined by law as open to the public; to maintain the security of records which are defined by law as nonpublic; and to ensure the preservation of vital and historically valuable records.
- B. As the records of the Town are a resource containing information which (1) allows government programs to function; (2) provides officials with a basis for making decisions and ensuring continuity with past operations; and (3) permits citizens to research and document matters of personal and community importance; this resource must be systematically and efficiently managed.
- C. It is the policy of the Town that all governmental records, which are defined by applicable Utah statutory and case law as public records, shall be made available to citizens as set forth in this Chapter.
- D. The Town recognizes a public policy interest in allowing the government to

restrict access to certain records, as specified in the Act and this Chapter, for the public good.

2.14.020 Purpose And Intent

In enacting this Chapter, it is the purpose and intent of the Council to provide, in accordance with GRAMA, GRAMA and providing for its application in the Town.

2.14.030 Public Access

- A. members of the public shall have the right to see, review, examine and take copies, in any format maintained by the Town and subject to applicable ordinance, of all Town governmental records designated as "public" under the provisions of this Chapter, and of GRAMA and policies and procedures developed hereunder.
- B. The Town has no obligation to create a record or record series in response to a request from a member of the public, if the record requested is not otherwise regularly maintained or kept.
- C. When a record is temporarily held by a custodial county agency, pursuant to that custodial agency's statutory and ordinance functions, such as records storage, investigation, litigation or audit, the record shall not be considered a record of the custodial agency for the purpose of this Chapter. The record shall be considered a record of the agency or agencies which usually keeps or maintains that record and any requests for access to such records shall be directed to that agency or agencies, rather than the custodial agency, pursuant to procedures established by the county. Only when records have been formally filed for permanent archival retention shall county archives be responsible for responding to requests for another agency's records.

2.14.040 Appeals

- A. Persons aggrieved by the Town's classification of a record, the fees charged for a record, or by a response to a record request may request and be granted an initial administrative appeal of that grievance, in accordance with countywide policies and procedures adopted by the Council. The initial administrative appeal is made to the Mayor.
- B. A written notice of appeal shall be filed with the Mayor within thirty calendar days after notice of the date of the action has been sent. The notice of appeal shall state the basis of the appeal and the relief requested.
- C. Unless otherwise stipulated by the Town and the persons aggrieved, the Mayor shall have seven (7) calendar days after the Mayor's receipt of the notice of appeal (or fourteen calendar days after the Town sends a notice of appeal to a

person who submitted a claim of business confidentiality) to respond to the record request.

- D. The Mayor shall hear an appeal using a reasonable process chosen within the Mayor's discretion and issue decision in writing to appellant.
- E. If the Mayor affirms the access denial or fails to respond to the records request within the time limits listed above, the person aggrieved may then appeal the decision to affirm the access denial in accordance with state law.

2.14.050 Amendments And Corrections

Records held by the Town may be amended or corrected as needed and as authorized by law. Requests for amendments, corrections or other changes shall be made in writing setting forth, with specificity, the amendment or correction requested and the reason for the change. When an amendment or correction of a government record is made, generally both the original record and the amended or corrected record shall be retained, unless the nature of the record indicates otherwise or as may be provided by policies and procedures adopted under the provisions of this Chapter.

2.14.060 Access Management And Archiving

- A. The Clerk shall serve as the Town's records manager and shall oversee and coordinate records access and management and the Town archives activities. The records manager shall make annual reports of records services activities to the Council.
- B. The records manager shall develop and provide records management, maintenance and access standards, policies and procedures, as approved by the Council to govern and implement the provisions of GRAMA and this Chapter. Approval and promulgation of records policies and procedures shall be in accordance with the provisions of this Code of ordinances and the Act. Copies of any rule or policy promulgated under this Chapter shall be forwarded by the Town record manager to the Utah State Division of Archives within thirty (30) calendar days after its effective date.

2.14.070 Custody And Control

- A. Records maintenance procedures shall be developed to ensure that due care is taken to maintain and preserve Town records safely and accurately over the long term. The records manager shall be responsible for monitoring the application and use of technical processes in the creation, duplication, and disposal of Town records and shall monitor compliance with required standards of quality, permanence, and admissibility pertaining to the creation, use and maintenance of records. Town policies and regulations regarding types

and formats of papers, inks, electronic media, and other records and information storage media, materials, equipment, procedures and techniques shall be developed and promulgated, subject to the approval of the Council.

- B. All Town records which constitute an intellectual property right shall remain the property of the Town unless federal or state legal authority provides otherwise. All other records shall be the property of the state. Property rights to Town records may not be permanently transferred from the Town to any private individual or entity, including those legally disposable obsolete Town records of Town archives or other agencies. This prohibition does not include the provision of record copies for release or distribution under this Chapter. All records disposals shall be conducted in accordance with policies and procedures.
- C. Any Town officer or employee having custody or control of any Town records shall, at the expiration of their terms of office, appointment or employment, deliver custody and control of all records kept or received by them to their successors, supervisors, or to the Town records manager.

2.14.080 Retention Scheduling

- A. All Town records as defined by state law, whether hard copy, electronic or otherwise, shall be scheduled for retention and retained based on the standards and requirements set out in the Act and this ordinance.
- B. The responsibility for developing retention schedules shall reside with the Council, with the assistance and advice of the county records manager.
- C. In scheduling records for retention, the following considerations shall be taken into account:
 - 1. Any specific retention requirement established by law, statute or ordinance;
 - 2. Reasonable records standards and needs, based on best business practices, retention storage capabilities, and particular industry or professional requirements or standards;
 - 3. Legal needs, including pending or likely litigation;
 - 4. Applicable statutes of limitation;
 - 5. Any pending fiscal or performance audit process;
 - 6. Administrative and policy needs; and

7. Historical value.
- D. Based on the considerations in subparagraph C, a record may have an extremely limited retention schedule, permitting the deletion of a record immediately or after administrative need ceases. Such records may be deleted immediately and without further processing.
- E. Town officials and employees shall observe and adhere to all applicable retention schedules. Records which have reached the end of their retention schedules should be deleted, removed or destroyed in a timely manner.

CHAPTER 2.15 EMERGENCY RESPONSE AND RECOVERY

2.15.010 Intent--Liberal Construction

It is the intent of this Chapter to provide the organization, powers and authority necessary to enable the timely and effective use of all available Town resources to prepare for, respond to and recover from emergencies and disasters likely to affect the health, security, safety, or property of the inhabitants of the Town. It is intended to grant the broadest powers permitted. The provisions of this Chapter shall be liberally construed to allow for the greatest opportunity to preserve and protect life and property.

2.15.020 Definitions

As used in this Chapter, As used in this Chapter, the following definitions are in addition to the definitions in Section 1.02.060 and shall control:

- A. "Attack" means a nuclear, conventional, biological, or chemical warfare action against the United States of America, the State of Utah, Salt Lake County, or the Town.
- B. "Disaster" or "emergency" means a situation causing or threatening to cause widespread damage, injury or loss of life, or significant property damage resulting from an attack, internal disturbance, natural phenomena, public health emergency, or technological hazard.
- C. "FEMA" means the Federal Emergency Management Agency.
- D. "Internal disturbance" means a riot, prison break, disruptive terrorism, or a widespread strike, which strike causes significant social disruption or injury to persons or property.
- E. "Natural phenomena" means any earthquake, tornado, storm, flood landslide, avalanche, forest or range fire, drought or epidemic.

- F. "Public health emergency" means an occurrence or imminent credible threat of an illness or health condition caused by bioterrorism, epidemic or pandemic disease, or novel and highly infectious agent or biological toxin, that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability. Such illness or health condition includes an illness or health condition resulting from a natural disaster Utah Code § 26-23b-102(b).
- G. "State of emergency" means a condition in the Town which requires Town government emergency assistance to save lives and to protect property, public health and safety, and to reduce the threat and effects of a disaster.
- H. "Technological hazard" means any hazardous materials spill or accident, mining accident, train derailment, aircraft crash, radiation incident, pollution, structural fire or explosion.

2.15.30 Declaration Of An Emergency

- A. The Mayor is authorized to declare a state of emergency when the Mayor finds that the Town or any part thereof is suffering from or is in imminent danger of suffering an emergency or disaster.
- B. Any declaration of an emergency or disaster by the Mayor, and the public shall be notified through general publicity of the declaration. The Mayor shall promptly notify the county Council of any declaration of an emergency or disaster.
- C. The declaration of an emergency or disaster shall be in effect as determined by the Mayor for a period of up to thirty (30) calendar days in accordance with the Utah Disaster Response and Recovery Act. This period may be continued or renewed only upon the approval of the Council. The Council may, by resolution, express its opinion regarding an emergency declaration by the Mayor.
- D. The declaration of an emergency provided in this Chapter shall become effective immediately upon issuance by the Mayor and the only required publication is the general dissemination to the public by appropriate news media.
- E. The declaration shall, to the extent possible, state the nature of the emergency, the area threatened, and any applicable duration, conditions, actions or needs pursuant to Section 2.15.050. The declaration may be amended and periodically brought up to date as needed.

2.15.040 Succession

- A. If the Mayor is unavailable to perform the duties set out herein, the Mayor Pro Tem shall have the same authority as granted to the Mayor. If both the Mayor and the Mayor Pro Tempore are unavailable, the authority to exercise the powers set out in this Chapter vests in the Chief of the Unified Fire Authority.
- B. Notwithstanding the order of succession set forth in subsection A, if the Mayor is unavailable to issue an evacuation order as set forth in Section 2.15.050, only the fire official assigned to the Town by the Unified Fire Authority may issue an evacuation order, including any orders establishing evacuation routes, for a period not to exceed thirty-six hours, if the order is necessary for the preservation of life. The Mayor may ratify, modify, or revoke the fire official's order if he becomes available.

2.15.050 Powers Of The Mayor

- A. In a state of emergency, declared by either the Mayor or the governor, the Mayor is empowered to make all necessary efforts to respond to, prevent, or ameliorate the effects of an emergency or disaster, including, but not limited to, using all Town resources, issuing evacuation orders, establishing evacuation routes, suspending the sale of alcoholic beverages, controlling entry to and exit from any disaster area, clearing or removing debris or wreckage, invoking the provisions of any mutual aid agreement with another governmental entity, and such other powers and authority which are reasonably necessary for the preservation of life and property and as may be set out the Utah Disaster Response and Recovery Act.
- B. The Mayor shall have full power to secure the availability of supplies, clothing, vehicles, fuel, equipment, food and water as may be reasonably necessary to respond to the emergency.
- C. In a state of emergency, the Mayor may:
 - 1. Exercise emergency powers and functions in response to the exigencies of the disaster, including waiving compliance with any time consuming procedures and formalities, including notices, as may otherwise be required.
 - 2. Issue any and all such other orders or undertake such other functions and activities as the Mayor reasonably believes is required to protect the health, safety, or welfare of persons or property within the Town or to otherwise preserve the public peace or to abate, clean up, or mitigate the effects of any emergency or disaster. Rules and regulations adopted by the Mayor in response to the state of emergency have the force and effect of law, upon filing with the county clerk. All rules and regulations adopted in response to a state of emergency shall expire once the state

of emergency is no longer in effect.

D. In a state of emergency, the Mayor is responsible to:

1. Coordinate the activities and management of private volunteers, including maintaining records of volunteer work in accordance with FEMA needs;
2. Ensure that all records and receipts for funds expended in emergency response are maintained in accordance with FEMA's needs;
3. Coordinate and ensure prompt communication with the media about the emergency, providing to the extent possible, one consistent voice regarding county activities; and
4. Maintain ongoing communication with the Council, the MSD, the Unified Fire Authority, and other government entities.

E. In the event of a public health emergency, the Mayor may declare a state of emergency at the request of the director of the health department or the board of health. To prevent or contain the outbreak and spread of a communicable or infectious disease, the Mayor, together with the director of the health department, may issue orders to:

1. Close theaters, schools and other public places and prohibit gatherings of people when necessary to protect the public health. (Utah Code § 26A-1-114(1)(e));
2. Exercise physical control over property and over individuals as the Health Department finds necessary for the protection of public health. (Utah Code § 26A-1-114(1)(b));
3. Exclude from school attendance any person, including teachers, who is suffering from any communicable or infectious disease, if the person is likely to convey the disease to those in attendance. (Utah Code § 26A-1-114(3)(b));
4. The authority of the director of the health department extends to a public health emergency wholly located within a municipality.

F. UPD's officers and such other law enforcement and peace officers as may be authorized by the Mayor are further authorized and directed to enforce the orders, rules and regulations made or issued pursuant to this Chapter.

1. During the period of a declared emergency or disaster, a person shall not:

- a. Enter or remain upon the premises of any establishment not open for business to the general public, unless such person is the owner or authorized agent of the establishment;
- b. Violate any orders duly issued by the Mayor or authorized personnel; or
- c. Willfully obstruct, hinder, or delay any duly authorized government officers, employees or volunteers in the enforcement or exercise of the provisions of this Chapter, or in the undertaking of any activity pursuant to this Chapter.

2.15.060 Powers Of The Council

- A. Nothing in this Chapter shall prevent the Council from acting as the legislative body of Town government in a state of emergency, or from exercising those powers and authorities set out in state law. The Council's legislative authority shall include the power to legislate, budget, and appropriate and to perform any other duties as required by state law and by the plan.
- B. The Council shall also fulfill those duties and responsibilities as required by any emergency response declaration or order to the extent it does not conflict with federal, state, or local law, or the provisions of this Chapter.

2.15.070 Relocation Of Offices

- A. Whenever an emergency or disaster makes it imprudent or impossible to conduct the affairs of the Town at its regular locations, the Council may meet at any safe and convenient place, inside or outside Salt Lake County. Any temporary meeting location shall continue until a new location is established, the emergency or disaster is terminated, or Town operations are able to return to their normal locations.
- B. Any official act or meeting required to be performed at any regular location of the Council is valid when performed at any temporary location under the terms of this section.

2.15.080 Mutual Aid

- A. The Mayor may, on behalf of the Town, enter into such reciprocal aid, mutual aid, intergovernmental cooperation agreements or other contracts or plans with other governmental entities for the protection of life and property. Such agreements may include the furnishing or exchange of supplies, equipment, facilities, personnel and services and do not require fair and adequate consideration.

- B. The Town may act as a participating political subdivision consistent with the Statewide Mutual Aid Act.

2.15.090 Contracts For Goods And Services During An Emergency

In accordance with the provisions of the Town procurement ordinances or policies, the Town may acquire goods and services in response to the exigencies of the emergency or disaster as are necessary and the Mayor may suspend or waive compliance with time consuming ordinances, policies, procedures and formalities prescribed by law pertaining thereto, Town purchasing ordinances regarding the acquisition of goods and services.

2.15.100 Criminal Penalties

Any person who knowingly refuses to comply with an order to evacuate issued under this Chapter or who refuses to comply with any other order issued during a state of emergency, as provided in this Chapter and after notice of the order has been given to that person, is guilty of a Class B Misdemeanor.

CHAPTER 2.16 – TOWN BUDGET PROCESS

2.16.010 Provisions

This Chapter shall define the process of preparing and adopting the annual fiscal year Town budget. The Chapter further defines the Council's responsibilities, and the Town's relationship with the MSD in the budget process as defined by law.

2.16.020 Definitions

For the purposes of this Chapter, the following definitions are in addition to the definitions in Section 1.02.060 and shall control:

- A. "Final budget" means the budget finally adopted by the Council pursuant to its legislative authority.
- B. "Proposed budget" means the budget prepared in the format of the tentative budget by the Council and forwarded to the MSD Board of Trustees for review and approval.
- C. "Tentative budget" means the budget approved by the MSD after submittal of the proposed budget by the Council to the MSD.

2.16.030 Authority

This Chapter is based upon the requirements of state law regarding the administration and operation of Town, the responsibilities of the county and the

MSD in the Town's, and the Uniform Fiscal Procedures Act for Cities.

2.16.040 Tentative Budget

- A. The Council shall prepare and submit to the MSD a proposed budget in sufficient detail, content and scope and in a manner and on forms provided by the MSD pursuant to the Uniform Fiscal Procedures Act for Cities. The Council shall submit the proposed budget to the MSD before the deadline established by the MSD Board of Trustees. The time of submittal of the proposed budget may be extended if requested by a majority of the MSD Board of Trustees.
- B. Prior to submission of the proposed budget to the MSD, the Council shall review the proposed budget for consistency with statute, ordinance and fiscal and budget policies including the Uniform Fiscal Procedures Act for Cities and recommend modifications where necessary after consultation with the MSD Board of Trustees, other cities, and affected county offices, agencies and departments.
- C. The proposed budget shall projected revenues, projected expenditures, and budget requests for all funds, along with any additional items deemed necessary by the Council, with recommendations as the Council feels appropriate.
- D. In preparing the proposed budget, the Council may include a budget for capital improvements and maintenance in the capital improvements fund.
- E. After the Council submits the proposed budget to the MSD, the Council and MSD Board of Trustees may hold joint meetings for purposes of preparing the tentative budget, which the Town's budget officer shall do no later than the first regularly scheduled Council meeting in May.
- F. The Council may revise and update revenue projections and expenditure projections throughout the budget process and fiscal year and shall notify the MSD as soon as possible of any adjustments to the revenue projections in the proposed, tentative, and final budgets.
- G. The Council shall adopt the tentative budget in accordance with state law.

2.16.050 Council Budget--Final Budget

After the MSD approves a tentative budget for the Town, the Council shall adopt a final budget for the Town on or before June 30 of each year for the following fiscal year. The Council shall set the date for the time and place of a public hearing to adopt a final budget, and cause notice of the same to be published and posted in accordance with state law. The Council shall also make the tentative budget

available to the public in accordance with state law. All interested parties shall have an opportunity to be heard at the public hearing pursuant to rules established by the Council. The Council may make adjustments to the budget after the public hearing on the final budget. The Clerk shall file with the state auditor a certified copy of the final budget within thirty (30) calendar days after adoption.

2.16.060 Budget Limitations

The Mayor and Council shall not propose or adopt any proposed, tentative or final budget or make any appropriation in the final budget of any fund that exceeds the estimated expendable revenue, including fund balances and reserves, of the fund for the fiscal year as required by state law.

2.16.070 Final Adopted Budget Amendments

The Council may amend a final fiscal year budget pursuant to law and any budget increase in any fund shall require five days' notice and a public hearing except under emergency conditions declared by the Council. If the Council amends the budget, the MSD shall amend the budget to account for the same.

2.16.080 Budget And Financial Policies

The Council may adopt policies or issue orders not inconsistent with law or this Chapter in regard to the budget process.

CHAPTER 2.17 -- PURCHASING PROCEDURES

2.17.010 General Provisions

A. The underlying purposes of this Chapter are to:

1. Ensure the fair and equitable treatment of all persons who wish to or do conduct business within the Town.
2. Provide for the greatest possible economy in Town procurement activities.
3. Foster effective broad-based competition within the free enterprise system to ensure that the Town shall receive the best possible service or product at the lowest possible price.

B. This Chapter shall not prevent the Town from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.

C. When procurement involves the expenditure of federal assistance funds, the Town shall comply with applicable federal law and regulations.

2.17.020 Definitions

- A. “Business” means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
- B. “Change order” means a written order signed by the purchasing agent, directing the contractor to suspend work or make changes, which the appropriate clauses of the contract authorize the purchasing agent to order without the consent of the contractor or any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.
- C. “Contract” means any Town agreement for the procurement or disposal of supplies, services, or construction.
- D. “Invitation for bids” means all documents, whether attached or incorporated by reference, used for soliciting bids.
- E. “Procurement” means buying, purchasing, renting, leasing, leasing with and option to purchase, or otherwise acquiring any supplies, construction, or other services.
- F. “Procurement Item” means any supplies, construction, or other services that the Town may acquire pursuant to this Chapter.
- G. “Purchasing agent” means the person duly authorized by the Copperton Council to enter into and administer contracts and make written determinations with respect thereto.
- H. “Purchase description” means the words used in a solicitation to describe the supplies, services or construction to be purchased, and includes specifications attached to or made a part of the solicitation.
- I. “Request for proposals” means all documents, whether attached or incorporated by reference, used for soliciting proposals.
- J. “Sole Source Procurement” means a procurement without competition pursuant to a determination by the purchasing agent under Section 2.17.040.A.5 that there is only one source for the procurement item.

2.17.030 purchasing agent

- A. The Town Manager shall act as the Town’s purchasing agent. If the Council has not appointed a Town Manager, the Mayor shall act as the Town’s purchasing agent. The Council may by resolution appoint someone other than

the Town Manager or the Mayor to act as the Town's purchasing agent.

- B. The purchasing agent shall solicit bids and proposals, enter into and administer contracts, and make written purchasing determinations for the Town in accordance with this Chapter and in accordance with applicable law.

2.17.040 Source Selection and Contract Formation – General Provisions

A. The following shall not require sealed bids:

1. Small Purchases: Small purchases costing \$2,000 or less in total shall not require bids of any type. (Purchases shall not be artificially divided to constitute a small purchase under this section.)
2. Non-Construction Purchases Requiring Telephone Bids: Purchases for non-construction projects costing between \$2,001 and \$50,000 in total, shall require three (3) telephone bids.
3. State Contracts: Purchases made through the cooperative purchasing contracts administered by the State Division of Purchasing or other governmental entity which has applied its purchasing and procurement policies.
4. Sole Source Procurement: Purchases made from a sole-source provider if the purchasing agent determines in writing that a sole source procurement is needed for one or more of the following reasons. The purchasing agent shall also ensure that the terms of the contract, including price and delivery, are in the best interests of the Town.
 - a. There is only one source for the procurement item;
 - b. The transitional costs are a significant consideration in selecting the procurement item and the results of a cost-benefit analysis demonstrate that transitional costs are unreasonable or cost-prohibitive, and that the award of a contract without engaging in a standard procurement process is in the best interest of the Town; or
 - c. The award of a contract is under circumstances that make awarding the contract through a standard procurement process impractical and not in the best interest of the Town.
5. Emergency Purchases. Purchases required during an emergency, i.e., an eminent threat to the public's health, welfare, or safety. However, as much competition as practical should be obtained; and, such purchases should be limited to amounts necessary to the resolution of the emergency. The purchasing agent shall also document in writing the nature of the emergency that required the emergency purchases and the actions taken to procure the

procurement item. The purchasing agent shall notify the Council as soon as reasonably possible of the need for, amount of, and nature of any emergency purchase made pursuant to this subsection.

6. Publication. If the Town does not use competitive sealed bidding for a procurement that exceeds the highest amounts in Section 2.17.040.A.2 (\$50,000), it shall provide notice of procurements pursuant to Utah Code § 63G-6a-802, excepting small purchases.

2.17.050 Purchases Requiring Sealed Bids

- A. General. The Town shall award all contracts for a procurement item with an estimated value in excess of the highest amounts Section 2.17.040.A.2 (\$50,000) by competitive sealed bidding except as otherwise provided by this Chapter.
- B. Invitation. An invitation for bids shall be issued when a contract is to be awarded by competitive sealed bidding. The invitation shall include:
 1. A description of the procurement item that the Town seeks;
 2. Instructions for submitting a bid, including the deadline for submitting a bid;
 3. The objective criteria that the Town shall use to evaluate bids;
 4. Information about the time and manner of opening bids; and
 5. Terms and conditions that the Town intends to include in a contract resulting from the bidding process.
- C. Publication. The Procurement Agent shall publish an invitation for bids in accordance with the requirements of Utah Code § 63G-6a-112, meaning that the Procurement Agent shall publish the bid at least seven (7) days prior to the date set forth therein for the opening of bids on the Town's website or on a website owned, managed by, or provided by the State of Utah for the posting of public procurement notices. Procurement agent may, but is not required to, public the invitation for bids in a newspaper of general circulation within Copperton. The Procurement Agent may reduce the seven (7) day period described in this subsection in accordance with Utah Code § 63G-6a-112.
- D. Opening of Bids. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitations for bids. The amount of each bid and any other relevant information, together with the name of each bidder, shall be recorded. The record and each bid shall be open to public inspection.

- E. Acceptance of Bids. Bids shall be unconditionally accepted without alternation or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids.
- F. Corrections and Withdrawals of Bids. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted. After bid opening no changes in bid prices or other provisions of bids prejudicial to the interest of the Town of fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the purchasing agent.
- G. Contract Negotiation and Awards. The contract shall be awarded with reasonable promptness, by written notice, to the lowest bidder whose bid meets the requirements and criteria set forth in the invitation for bids, subject to the purchasing agent concluding any negotiations that may be needed to finalize the contract.
- H. Construction Contracts. The Town shall follow the procedures contained in Utah Code § 11-39-101 et seq. for the letting of contracts for the construction of building improvements or public works projects as defined therein and any provision of this policy that conflicts with the provisions of Utah Code § 11-39-101 et seq. shall not apply to the letting of contracts covered by this Chapter of state law.

2.17.060 Prior Council Authorization

The purchasing agent shall secure the Council's prior authorization before purchasing a procurement item that is not a small purchase under or an emergency purchase under this Chapter.

2.17.070 Cancellation and Rejection of Bids

An invitation for bids, a request for proposals, or other solicitations may be canceled, or any or all bids or proposals may be rejected, in whole or in part, as may be specified in the solicitation, when it is in the best interests of the Town. The reasons shall be made part of the contract file.

2.17.080 Use of Competitive Sealed Proposals in lieu of Bids (Requests for Proposals).

- A. Competitive Sealed Proposals. When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the Town, a contract may be entered into by competitive sealed

proposals. Competitive sealed proposals are most appropriately used for professional service-type contract.

- B. Solicitation of Competitive Sealed Proposals. The request for proposals shall state the relative importance of price and other evaluating factors:
1. Proposals shall be solicited through a request for proposals; and
 2. Public notice of the request for proposals shall be given at least ten (10) days prior to the advertised date of the opening of the proposals.
- C. Opening of Competitive Sealed Proposals. Proposals shall be opened to avoid disclosure of contents to competing offerors during the process of negotiation. A register of proposals shall be prepared and shall be open for public inspection after contract award.
- D. Fair and Equal Treatment. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.
- E. Awards for Competitive Sealed Proposals. Awards shall be made to the person whose proposal is determined, in writing, to be the most advantageous to the Town, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

2.17.090 Architect-Engineer Services

Architect-engineer services are qualification-based procurements. Requests for such services should be publicly announced. Contracts should be negotiated by the Procurement Agent based on demonstrated competence at fair and reasonable prices.

2.17.110 Determination of Non-responsibility of Bidder

Determination of non-responsibility of a bidder or offeror shall be made in writing. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to the bidder or offeror. Information furnished by a bidder or offeror pursuant to this section shall not be disclosed outside of the purchasing division without prior written consent by the bidder or offeror.

2.17.120 Cost-Plus-A-Percentage-Of-Cost Contracts Prohibited

Subject to the limitations of this section, any type of contract which shall promote the best interests of the Town may be used, provided that the use of a cost-plus-a-percentage-of-cost contract is prohibited. A cost-reimbursement contract may be used only when a determination is made in writing that such contract is likely to be less costly to the Town than any other type or that it is impracticable to obtain the supplies, services, or construction required except under such a contract.

2.17.130 Appeals

- A. Filing of Appeals. Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may appeal to the purchasing agent. An appeal shall be submitted in writing within five (5) business days after the aggrieved person knows or should have known of the facts.
- B. Written Decision Required. The purchasing agent shall promptly issue a written decision regarding any appeal, if it is not settled by a mutual agreement. The decision shall state the reasons for the action taken and inform the protestor, contractor, or prospective contractor of the right to appeal to the Town Council.
- C. Final Action. A written decision issued by the purchasing agent shall constitute the Town's final administrative action on an appeal.

2.17.130 Ethics in Public Contracting

- A. Conflicts of Interest Prohibited. No person involved in making procurement decisions may have personal investments in any business entity which shall create a substantial conflict between their private interests and their public duties. The purchasing agent and all applicable Town officials, staff, and contractors shall comply with the Town's ethics and nepotism ordinances, policies, and other applicable requirements when making procurement decisions or otherwise implementing this Chapter.
- B. Penalties. In accordance with applicable state law, any person involved in making procurement decisions is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use or the use or benefit of any other person or organization from any person or organization interested in selling to the Town.

CHAPTER 2.18 --BINGHAM CEMETERY BOARD

2.18.010 Establishment of Bingham Cemetery Board of Trustees

The Bingham Cemetery Board of Trustees is established pursuant to this Chapter with authority to manage and operate the Bingham Cemetery under the direction of the Council.

2.18.030 Definitions

For the purposes of this Chapter, the following definitions are in addition to the definitions in Section 1.02.060 and shall control:

- A. "Board" means the Bingham Cemetery Board of Trustees.
- B. "Cemetery" means the Bingham Cemetery.
- C. "Council" means the Copperton Town Council.
- D. "Escrow Fund" means the escrow fund established by the Council for the maintenance and operation of the Cemetery.
- E. "Large Expenditure" means any expenditure of the Board of two-thousand-and-one dollars (\$2,001) or greater for day-to-day operations and maintenance of the Cemetery.
- F. "Small Expenditures" means any expenditure of the Board up to two-thousand dollars (\$2,000) for day-to-day operations and maintenance for the Cemetery.

2.18.030 Appointment – Term

The Board shall consist of three (3) residents of the Town appointed by the Council. One of the Board members shall be a member of the Council. Board members shall serve three-year terms or longer until successors are appointed. Terms shall commence on January 1 of each year, provided that the terms of the Board members must be staggered. If a Board member's term expires before a successor is appointed, the member shall continue to serve until the Council appoints a successor. The Council may, in its discretion, remove and replace Board members at any time by resolution.

2.18.040 Chair

The Council member appointed to the Bingham Cemetery Board of Trustees shall:

1. Chair the Board and preside over Board meetings;
2. Act as a liaison between the Council and the Board in all matters involving the Cemetery;

3. Act on behalf of the Council in reviewing and approving Small Expenditures; and
4. Act on behalf of the Board in submitting to the Council for payment Large Expenditures that the Board may incur.

2.18.050 Vice-Chair

The Board may elect a vice-chair from its members to preside over meetings or serve in the chair's absence. The Board may create and fill any other offices it deems necessary and may adopt policies and procedures it considers necessary for its proper function in accordance with applicable state law and Town ordinance or procedure.

2.18.060 Compensation

The Council may, by resolution, fix per diem compensation for the members of the Board based on meetings actually attended. Board members may also request reimbursement for reasonable expenses incurred while acting in their official capacity by submitting their documented expenses to the Council for review and approval. The Council shall have full discretion to grant, deny, or modify reimbursement requests.

2.18.070 Rules of Order and Procedure

The Board shall conduct its meetings in accordance with the most current version of Robert's Rules of Order. The Council may enact additional rules of order and procedure for the planning commission by resolution.

2.18.080 Purchasing Authority and Operating Procedures

- A. The Board shall develop annual budgets for the operation and maintenance of the Cemetery and shall develop and submit said budgets to the Council for review and approval in accordance with timelines the Council shall establish.
- B. The following provisions shall apply to Small Expenditures
 1. The Board shall have authority to incur and transact Small Expenditures without obtaining pre-approval from the Council; and
 2. The Board shall submit the invoices and other related documentation for any Small Expenditures to the Chair for review, approval, and submission to the Council.
- C. Before the Board may incur any Large Expenditure:

1. The Board must submit a request for Large Expenditures to the Council through the Chair;
 2. The Council must approve the Board's request for the Large Expenditure; and
 3. The Board must comply with all applicable purchasing policies or ordinances of the Copperton Metro Township in incurring and transacting any Large Expenditure.
- D. If the Chair or Council has questions or concerns about any expenditure incurred by the Board, the Chair and the Council may take any and all lawful actions necessary to resolve the question or concern and to ensure compliance with applicable law and the Copperton Code.
- E. The Board shall report all expenditures and provide an overview of all Cemetery activities to the Council on at least a quarterly basis, or more frequently as the Council may require.
- F. The Board shall prepare rules and procedures to govern the operation and maintenance of the Cemetery and shall submit such rules and procedures to the Council for its review and approval in accordance with a timeline that the Council shall establish.
- G. The Council may require the Chair to seek payment of Cemetery expenses from appropriate amounts in the Town budget instead of seeking payment from the Escrow Fund.

2.18.090 Board Ethics

All Board members shall abide by the Utah Code any applicable provisions of the Code, including but not limited to Chapter 2.087 (Copperton Ethics Code). A member of the Board who has a restricted conflict of interest as defined by the Code shall declare the conflict of interest and recuse themselves from any applicable meeting. Members, who have unrestricted conflicts of interest as defined in Code, shall declare the conflict of interest at the meeting, and may recuse themselves, but are not required to do so.

CHAPTER 2.19 –TRANS-JORDAN LANDFILL VOUCHERS

2.19.010 – Definitions. For the purposes of this Chapter, the following definitions are in addition to the definitions in Section 1.02.060 and shall control:

- A. “Agreement” means Article 7.4 of the Agreement dated December 14, 1993 between Kennecott Utah Copper Corporation and Trans-Jordan’s predecessors in interest, which provides in relevant part:

For so long as the Property shall be used as a landfill, Purchaser shall grant the residents of the community of Copperton the right to dispose of solid household waste and refuse upon the Property, in compliance with the rules and regulations of the landfill, and the same shall be handled and disposed of in the same manner as materials brought upon the Property by Purchaser, all without cost to the residents of the community of Copperton.

- B. “Household Waste” means waste that is household in nature and originates from Copperton residences, and not from a commercial business or other enterprise, whether based in Copperton or elsewhere. Household waste also does not include the following, which are excluded from the voucher program and subject to Trans-Jordan’s standard rules, regulations, and fees, where applicable:

1. Household hazardous waste is always accepted by Trans-Jordan free of charge and must be separated from a disposal load of household waste;
2. Electronic recycling (e-waste) is always accepted free of charge by Trans-Jordan;
3. Tire disposal;
4. Freon extraction (e.g., refrigerators, freezers, and portable air conditioning units); and
5. Up to three mattresses may be disposed of for free under the voucher program, provided that a per-mattress surcharge shall apply to each mattress in excess of three mattresses.
6. Household recycling (i.e. plastic containers, cardboard, paper, steel and aluminum cans, and glass) is always accepted by Trans-Jordan free of charge for placement into recycling bins.

- C. “Trans-Jordan” means the Trans-Jordan Landfill.

- D. “Voucher program” means the voucher program established by this Chapter.

2.19.020 Purpose

This ordinance is intended to govern the process by which the Council shall determine the residency of Copperton citizens for the purpose of issuing vouchers allowing them to dispose of household solid waste at Trans-Jordan pursuant to the Agreement.

2.19.030 Voucher(s) Required

Any individual seeking to dispose of household solid waste at Trans-Jordan without cost pursuant to the Agreement must present a voucher issued pursuant to this ordinance at the Trans-Jordan gatehouse. No other documentation shall be accepted to establish residency for the purposes of the Agreement. If an individual is unable to present a voucher, Trans-Jordan may disallow the individual from dumping, or allow the individual to dump the waste by paying regular landfill rates. Vouchers shall be surrendered upon redemption at the Trans-Jordan scale house.

2.19.040 Household Solid Waste Only

Under the Agreement, Copperton residents may only dispose of solid household waste at Trans-Jordan without cost.

2.19.050 Voucher Administrator

- A. Appointment: The Council shall appoint two of its members to serve as a voucher administrator and assistant voucher administrator to carry out the responsibilities authorized in this Chapter in consultation with the Council.
- B. Responsibilities: In addition to the other responsibilities authorized in this Chapter, the voucher administrator shall:
 - 1. Bear primary responsibility for carrying out the responsibilities authorized in this Chapter, provided that the voucher administrator may delegate such responsibilities to the assistant voucher as the voucher administrator deems appropriate.
 - 2. Keep the Council reasonably informed of any problems or other issues associated with this Chapter, providing at least quarterly reports to the Council on the operation of this Chapter; and
 - 3. Act as the Council's liaison with Trans-Jordan for the purposes of this ordinance, which shall include, at a minimum:
 - i. Keeping the Trans-Jordan Executive Director apprised of the voucher administrator's current telephone number and email address;
 - ii. Receive feedback and reports of incidents involving possible violations of this ordinance from the Trans-Jordan Executive Director (or

authorized Trans-Jordan representative), and investigate such incidents as may be necessary, and

- iii. Request vouchers from Trans-Jordan, as needed.

2.19.060 Verifying Residency

- A. Documents Needed to Establish Residency: Except as otherwise provided, the voucher administrator shall issue a voucher(s) to any individual who provides any two of the following documents, which must include the individual's name and list their address as either "Copperton" or "Bingham Canyon," Utah:
 - 1. A valid, unexpired Utah driver's license, U.S. passport, or U.S. passport card (only one of these documents shall be accepted);
 - 2. A Bank statement (dated within 60 days);
 - 3. Court documents (issued within last year);
 - 4. A major credit card bill (dated within 60 days);
 - 5. Property tax notice (statement or receipt dated within one year);
 - 6. School transcript (dated within 90 days); or
 - 7. Utility bill (billing date within 60 days).
- B. Alternative Process for Establishing Residency: If an individual is unable to provide the documents listed in Section 2.19.060(A), the voucher administrator shall make a reasonable effort to consider other documentation or information to verify the individual's residency status and exercise their best judgment to determine whether or not the individual qualifies as a Copperton resident for the purposes of this Chapter.
- C. Determination of Non-Residency: If the voucher administrator declines to issue a voucher for failure to establish residency, they must provide the individual with a written explanation of the reasons for the determination.

2.19.070 Vouchers

- A. Weight Limit: A voucher shall entitle its holder to dispose of up to 600 pounds of household waste per trip without cost at Trans-Jordan. Residents may request multiple vouchers, provided that residents shall only be able to use one voucher per trip.
- B. Form: Each voucher issued shall be in substantially the following form:

COPPERTON DISPOSAL VOUCHER

**Voucher Example -
Front**

Valid for Copperton Residents Only

Expires December 31, 2018

Use this voucher for one (1) load of waste, up to 600 lbs, (equivalent of one pickup truck or pickup truck sized trailer) for disposal at Trans-Jordan Landfill.

One voucher per load or transaction.

Voucher #000



Landfill Location: 10473 S. Bacchus Hwy (U-111)
Landfill Hours: Monday—Saturday 7:00 a.m.—6:00 p.m.
See Reverse Side For User Rules and Responsibilities

*Office use only
Truck # 400*

VOUCHER USE—RULES & RESPONSIBILITIES

- All loads must be fully tarped and secured or voucher will be invalidated and a double fee will apply.
- Voucher only valid on disposal loads, not valid on purchase of product (i.e. compost & woodchips).
- Loads must originate from the user's personal residence (within Copperton) and be accompanied by this voucher.
- User must follow instructions given by landfill personnel and abide by all landfill rules.
- All vouchers are numbered and will be tracked and voided upon redemption.
- Vouchers are issued one per Copperton household and are non-transferrable.
- Loads not accompanied by a voucher will be charged at regular rates.
- No copies or facsimiles are permitted.

**Voucher Example -
Back**

LANDFILL RATES & SERVICES

Copperton residents should be aware that some special wastes require additional handling and are not included in the voucher program. The most common of these wastes are listed below. Call our scalehouse at 801-569-8994 if you have additional questions.

- Disposal Rates:
Trash—\$30 per ton with an \$10 minimum Greenwaste—\$12 per ton with a \$6 minimum
- Residential Household Hazardous Waste (HHW) is accepted free of charge. Must be separated from disposal load.
- Residential Electronic Recycling (E-scrap) is accepted free of charge.
- Residential Tire Disposal: \$2.00 off the rim and \$3 on the rim with a maximum of 4 tires per resident.
- Residential Freon Extraction: Residential units (e.g. refrigerators, freezers & portable a/c units) will be charged \$12 per unit.
- Residential Mattresses: \$15 surcharge per mattress applies for more than three mattresses.

Rates & Services Subject to Change without Notice

C. Requests for Vouchers:

1. Each voucher administrator designated by the Board shall develop the process and manner by which residents may request vouchers, subject the Council's review and approval of said process.
2. Except as otherwise provided herein, a resident who satisfies the requirements of Section 2.02.060 may request a reasonable number of vouchers.

- D. Ledger: The voucher administrator shall maintain a ledger that shall include the name, address, and serial number of each voucher issued to a resident, as well as a signed acknowledgement by the resident that failure to abide by these terms and conditions may result in the revocation of a voucher(s) or the refusal of the voucher administrator and the Council to issue further vouchers. The form of the ledger entries shall be substantially as follows:

Entry Number _____
Voucher Number _____
Resident Name: _____
Resident Address: _____
Date Issued: _____

Acknowledgment: By receiving and accepting this voucher I agree to abide by all terms and conditions contained on the voucher. I further acknowledge that failure to abide by these terms and conditions and discourteous treatment of Trans-Jordan personnel may result in the revocation of this voucher and any other voucher(s) issued in my name.

*Signed and acknowledged this ____ day of _____,
20____, by _____.*

- E. Revocation: If the voucher administrator receives a complaint from Trans-Jordan associated with a resident as identified by a specific voucher number, the voucher administrator shall exercise due diligence to investigate the complaint. If the voucher administrator determines that the resident has violated the terms of this ordinance, the voucher administrator may, in their discretion, may issue a written warning, revoke any voucher(s) issued to the resident, and/or refuse to issue additional vouchers until such time as the resident as demonstrated to the voucher administrator that they are willing and capable of complying with this ordinance and the terms and conditions of the voucher. If the voucher administrator revokes a voucher(s), they must provide written notice to:
1. The resident in a manner that explains that reasons for the revocation; and
 2. Trans-Jordan's executive director in a manner that identifies the affected voucher numbers.

2.19.080 Appeals

Residents may appeal any decision by the voucher administrator, written or verbal, to the Council within ten (10) days, provided that the appeal is made in writing to the Mayor. The Council shall review such appeals at its next regularly scheduled

meeting and, by majority vote, may affirm, amend, reverse, or take any other action it deems appropriate with respect to a decision made by the voucher administrator under this ordinance.

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