

**ORDINANCE NO. 25-02**

**AN ORDINANCE OF THE TOWN OF SPRING LAKE, UTAH,  
ADOPTING RULES GOVERNING ELECTRONIC  
MEETINGS PURSUANT TO UTAH CODE §52-4-207**

**WHEREAS**, the Utah Open and Public Meetings Act, Utah Code Title 52, Chapter 4, requires that meetings of public bodies be conducted openly and with reasonable public access to deliberations and actions of the Town Council and other Town public bodies; and

**WHEREAS**, Utah Code § 52-4-207 authorizes a public body to hold an electronic meeting and to count members participating electronically toward a quorum, provided that the public body has first adopted an ordinance, resolution, or rule governing the use of electronic meetings; and

**WHEREAS**, as a newly incorporated Town with limited staff, facilities, and resources, the Town desires to provide flexibility for elected and appointed officials to participate in meetings when in-person attendance is impractical, while ensuring transparency, public access, and compliance with state law; and

**WHEREAS**, the Town Council finds that adopting clear rules governing electronic meetings will promote efficient governance, continuity of operations, and meaningful public participation while maintaining full compliance with the Utah Open and Public Meetings Act;

**NOW THEREFORE**, the Town Council of the Town of Spring Lake, Utah hereby ordains as follows:

**SECTION I – PURPOSE**

The Town adopts this ordinance to authorize and govern electronic meetings for the Town Council and other Town public bodies, consistent with the Utah Open and Public Meetings Act (“OPMA”). This ordinance is intended to ensure public transparency and meaningful public access when one or more members attend remotely.

**SECTION II – AUTHORITY**

This ordinance is adopted under Utah Code § 52-4-207, which requires a public body to adopt a resolution, rule, or ordinance governing electronic meetings before holding them.

**SECTION III – APPLICABILITY**

This ordinance applies to:

- The Town Council; and
- Any other Town “public body” (e.g., Planning Commission, Boards/Committees) as defined by OPMA.

#### SECTION IV – DEFINITIONS

For purposes of this ordinance, the following terms have the meanings set forth in OPMA or as used below:

1. **Anchor Location** – the physical location from which the electronic meeting originates or where the public may attend and monitor the meeting.
2. **Electronic Meeting** – a meeting where some or all members attend via electronic video, audio, or both.
3. **Remote Member** – a member participating electronically rather than physically at the anchor location.
4. **Monitor/Participate** – the ability of the public to hear/see the public statements and (when applicable) provide comment.

#### SECTION V – ELECTRONIC MEETINGS AUTHORIZED

Any Town public body may convene and conduct an electronic meeting only if:

1. The public body complies with OPMA notice and access requirements; and
2. The meeting is conducted in compliance with this ordinance.

**Quorum/Counting Remote Members.** A remote member may be included in calculating a quorum only under the conditions stated in this ordinance (as required by Utah Code § 52-4-207).

#### SECTION VI – WHEN ELECTRONIC PARTICIPATION IS ALLOWED

The presiding officer (or majority of the public body) may permit one or more members to participate remotely when it supports continuity of operations and member participation (travel, illness, emergencies, scheduling, etc.). The Town may limit electronic meetings based on budget, logistical capacity, or public policy considerations.

#### SECTION VII – ANCHOR LOCATION AND PUBLIC ACCESS

1. **Anchor Location Required.** Unless otherwise permitted by OPMA (e.g., emergencies as allowed by law), the Town shall provide an anchor location where the public may attend and monitor the open portions of the meeting.
2. **Default Anchor Location.** The default anchor location for Town public body meetings is: 3744 West 12240 South, Spring Lake, Utah 84651.
3. **Additional/Alternate Anchor Location.** If the anchor location changes, the Town shall state the address in the meeting notice.

## **SECTION VIII – NOTICE REQUIREMENTS FOR ELECTRONIC MEETINGS**

For any electronic meeting, the Town shall:

1. Provide public notice as required by OPMA; and
2. Include in the public notice clear instructions on how the public may attend/monitor the meeting electronically (link, phone number, meeting ID, etc.); and
3. Provide public body members, at least 24 hours before the meeting (unless an emergency meeting), information needed to connect.

## **SECTION IX – CONDUCT OF THE MEETING**

**Same rules as in-person.** Meeting procedures and decorum rules apply equally to electronic meetings.

**Roll call and votes.** If one or more members are remote:

1. The chair should conduct roll call for attendance and for motions/votes when needed to ensure clarity;
2. Votes should be taken in a manner that clearly records each member's vote (roll call is recommended by the Town when remote participation occurs)

**Public hearings.** If the meeting includes a public hearing, the Town will provide a reasonable opportunity for public comment consistent with OPMA and Town procedures (in-person at the anchor location and/or electronically).

## **SECTION X – MINUTES AND RECORDINGS**

Minutes shall be kept in accordance with OPMA. Minutes shall note any member who participated remotely and the means of participation.

## **SECTION XI – TECHNICAL DIFFICULTIES AND LOSS OF QUORUM**

If technical difficulties prevent the public body from maintaining real-time communication with a remote member, the chair may:

1. Pause briefly to attempt reconnection; or
2. Proceed only if a quorum remains present under this ordinance and OPMA; or
3. Continue the matter or adjourn and reschedule if a quorum cannot be maintained.

## **SECTION XII – CLOSED MEETINGS**

If the public body enters a closed meeting, the Town will follow OPMA closed meeting procedures, and the electronic connection (if used) must be managed to preserve confidentiality and comply with OPMA requirements.

## **SECTION XIII – SEVERABILITY**

If any provision of this ordinance is held invalid, the remainder shall remain in effect.

SECTION XIV – EFFECTIVE DATE

This ordinance is effective upon passage and publication/posting as required by law.

**ADOPTED AND PASSED** by the Town Council of the Town of Spring Lake, Utah, this 23 of December, 2025

Signed: Wade R Menlove

Wade Menlove, Mayor

Attest: Spencer Foster

Spencer Foster, Temporary Town Recorder

TOWN COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Wade Menlove	<u>X</u>	_____	_____	_____
Sharon Bascom	<u>X</u>	_____	_____	_____
David Charles	<u>X</u>	_____	_____	_____
Robert Judd	<u>X</u>	_____	_____	_____
Robert Marsh	<u>X</u>	_____	_____	_____