

ORDINANCE 20-04

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Chapter 3.04 of the Hyrum City Municipal Code is known as the Purchasing Ordinance of Hyrum City and sets forth purchasing policies and procedures for use by municipal employees in acquiring equipment, materials, supplies, and services; and

WHEREAS, Hyrum City's purchasing policy currently does not have a section to address a conflict of interest in procurement by an employee or officer of the City to help prevent fraud; and

WHEREAS, upon recommendation by City Auditors, the City Council has determined there is a need to amend the purchasing ordinance to reflect changes in current purchasing practices and policies.

NOW, THEREFORE, the City Council hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING TITLE 3, CHAPTER 3.04 (THE PURCHASING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE BY ADDING SECTION 3.04.100 CONFLICT OF INTEREST IN PROCUREMENT.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 3.04.100 to Chapter 3.04 of Title 3 of the Hyrum City Municipal Code is hereby added as follows:

3.04.100 Conflict of interest in procurement.

No officer or employee of the City having any supervisory authority to purchase any specific goods, services or construction for the City shall have any financial interest in connection with the purchase of such goods, services or construction. No officer or employee shall participate in the procurement or selection process when such officer or employee has a relationship with a person or business entity seeking a contract.

2. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This

repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

5. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 5th day of November, 2020.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____