**Title 2 ADMINISTRATION AND PERSONNEL**

[**2.05 STATUS AND POWERS**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.010_Definitions)

**2.10 MEETINGS**

**2.12 ETHICS OF COPPERTON OFFICERS AND EMPLOYEES**

**2.15 ADMINISTRATIVE ORGANIZATION**

**2.25 CLERK**

**2.30 MANAGER**

**2.45 CITY ATTORNEY**

**2.40 ENGINEER – SURVEYOR**

**2.45 TREASURER**

**2.60 LITIGATION**

**2.65 ESTABLISHING FEES**

**2.70 COMMUNITY COUNCIL**

**2.75 QUASI JUDICIAL FUNCTIONS – STANDARDS OF CONDUCT**

**2.80 SECURITY OF PERSONNEL IDENTIFIERS**

**2.82 RECORDS MANAGEMENT**

**2.85 EMERGENCY RESPONSE AND RECOVERY**

**2.95 INTERAGENCY COORDINATION**

**2.97 BUDGET PROCESS**

**2.98 COUNCIL ADMINISTRATION OF TRANS-JORDAN LANDFILL VOUCHERS**

**2.99 BINGHAM CEMETERY BOARD**

**CHAPTER 2.05 STATUS AND POWERS**

**2.05.010 Copperton Metro Township**

**2.05.020 Mayor- Powers and Duties**

**2.05.030 Council – Powers and Duties**

**2.05.040 Eligibility and Voting Districts**

**2.05.050 Term of Office**

**2.05.060 Vacancy Filling**

**2.05.070 Election of Mayor –Administrative Officers**

**2.05.010 Copperton Metro Township**

1. Copperton:
2. is a:
	1. body corporate and politic with perpetual succession;
	2. municipal corporation; and
	3. a member of the MSD pursuant to Title 17B, Chapter 2a, Part 11, Municipal Services District Act.
3. may:
	1. sue and be sued;
	2. impose a fine, fee, or charge, and a the direction of Copperton, require the municipal services district to collect on behalf of Copperton all fines, fees, charges, levies, and other payments as imposed; and
	3. except where expressly prohibited, exercise any power or responsibility generally granted to a municipality.
4. Copperton shall comply with:
	1. Title 10, Chapter 6, Uniform Fiscal Procedures Act for Utah Cities; and
	2. Title 52, Chapter 4, Part 1, Open and Public Meetings Act.

**2.05.020. Mayor - Powers and Duties**

A. The Mayor shall be the chief executive officer of Copperton to whom all employees of Copperton shall report, serve as a voting member and Mayor of the council, and exercise the executive powers and duties as provided by state law, which have not been expressly vested to another elected official by state code or this code. The Council may also authorize the Mayor to serve as the administrator or manager for Copperton.

B. The Mayor shall:

1. Keep the peace and enforce the laws of Copperton;
2. Perform all duties as required by law, statute, resolution, or ordinance;
3. Ensure the faithful execution and observance of the laws, statutes, resolutions, and ordinances;
4. Report to the Council on the conditions of Copperton and recommend for Council consideration any measures that Mayor considers to be in the best interests of Copperton;
5. Appoint, with the advice and consent of the Council, the person to fill an office or vacancy on any commission or committee of Copperton;
6. Report any remittance or forfeiture granted at its next regular Council session;
7. Vote on matters before the Council.

C. The Mayor may examine and inspect the official books, papers, records, or documents of Copperton or of any officer, employee, or agent of Copperton at any reasonable time.

D. The Mayor shall have no power to veto any act of the Council, unless otherwise specifically authorized by state statute.

E. The Mayor shall serve as the Copperton representative on the board of trustees of the MSD and shall exercise the management powers and duties of the MSD as provided by law.

F. The Mayor shall exercise the executive powers and duties as provided in law not expressly authorized by state statute or the Code in another elected official.

G. The Mayor, Deputy Mayor, or temporary Mayor, as applicable, shall conduct each Council meeting, prepare the agenda for each Council meeting, and address 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.

H. The Deputy Mayor shall have the authority to perform the powers and duties as provided in this chapter in the Mayor’s absence.

[**2.05.030 Council - Powers And Duties**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.020_Powers_And_Duties)

1. The Council shall be the governing body of Copperton and exercise the power and authority as provided by state statute and Copperton ordinances.
2. The Council shall:
3. Adopt the Copperton Metro Township General Plan and each element thereof;
4. Approve, deny, or amend applications for development approval following a recommendation from the Planning Commission after the Commission has completed project review;
5. Establish a fee schedule for each application for development approval, adopt amendments to the text or maps of Title \_\_\_ or , and enact the fees and requirements for any other approval, permit, fee, license, or service required by Title \_\_\_\_\_;
6. Act as the land use authority pursuant to Utah law for all land use applications in Copperton unless otherwise provided in the Code;
7. Take other action not delegated to the Planning Commission that may be necessary to implement the provisions of the Copperton General Plan and Title \_\_\_; and
8. Operate under the five-member council metro township form of municipal government pursuant to Utah statute and this Code.

[**2.05.040 Eligibility And Voting Districts**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.030_Eligibility_And_Voting_Districts)

The Council shall consist of five members, elected by district. Each of the members shall have been a registered voter of Copperton for at least one year immediately preceding the general election and elected by the qualified registered voters of Copperton. Voting districts shall be determined as set forth in state statute.

[**2.05.050 Term of Office**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.040_Term_Of_Office)

A council member shall be elected for a four-year term at the next municipal election preceding the expiration of the term of office of the incumbent. Each council member shall hold office for the term for which elected and until a successor is elected and has qualified.

[**2.05.060 Vacancy Filling**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.050_Vacancy_Filling)

When a vacancy occurs in the Council, the vacancy shall be filled as provided in state statute.

[**2.05.070 Election Of Mayor And Deputy Mayor--Administrative Officers**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.060_Election_Of_Mayor_And_Vice-Chair-Appointment_Of_Staff-Administrative_Matters)

1. The Council shall elect one Council member to serve as Mayor of Copperton and to chair the Council and another Council member to Deputy Mayor. The terms of the Mayor and Deputy Mayor shall begin on the date their oath of office is administered pursuant to Utah Code 10-3-828 and shall continue for the length of their elected terms, or until the Mayor or Deputy Mayor leaves. If the Mayor or Deputy Mayor is unable to complete their term for any reason, the Council shall elect another Council member to serve out the remainder of the Mayor's or Deputy Mayor’s unexpired term.
2. The Council may make such staff appointments as are necessary for the proper conduct of its business.
3. The Council may, from time to time, determine a method or order for the selection of a Council member to act as a temporary Mayor in the absence of the Mayor and Deputy Mayor; and take such action as may be reasonable and necessary for the conduct of Council activities and the fulfilling of Council functions and responsibilities.
4. In case of the Mayor and Deputy Mayor’s absence or inability to act, the members present, shall select one of the members to act as Mayor temporarily, by order entered into their minutes.

**CHAPTER 2.10 MEETINGS**

**2.10.010 Council Meetings**

**2.10.020 Work Meetings**

**2.10.030 Regular and Special Meetings**

**2.10.040 Closed Meetings**

**2.10.050 Emergency Meetings**

**2.10.060 Additional Committees**

**2.10.070 Agenda**

**2.10.080 Public Hearings**

**2.10.090 Formal Action**

**2.10.100 Quorum**

**2.10.110 Rules of Order and Procedure**

**2.10.120 Board Appointment Duties and Responsibilities**

**2.10.130 Minutes of Meetings**

[**2.10.010 Council Meetings**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.080_Council_Meetings)

1. Any meeting of the Council shall be open to the public except as provided in this chapter and by state statute. Any official action shall be made by the Council only in open public meetings unless otherwise permitted by state statute.
2. The Council shall conduct its business in accordance with the Open and Public Meetings Act, Title 52, Chapter 4, Utah Code.
3. The Council conducts the following meetings and may conduct a closed meeting only pursuant to Utah Code § 52-4-205 and an electronic meeting pursuant to Utah Code § 52-4-207.
4. Regular Meetings.
5. Special Meetings.
6. Closed Meetings.
7. Work and other Meetings; and
8. Emergency Meetings
9. 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.
10. The City Attorney or the City Attorney’s designees may attend and assist the Council at all meetings but shall attend and assist the Council at all meetings when requested.

[**2.10. 020 Work Meetings**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.090_Work_Meetings)

1. The Council shall conduct its regular work meetings at the hour and place designated by the Mayor.
2. Work meetings shall be scheduled or cancelled as the public business requires and shall consist of discussion, review, testimony, requests and information from Copperton officers and staff, 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.
3. Work meetings shall be open to the public in accordance with state statute and public notice shall be given of all meetings in the same manner as required for regular meetings.
4. A quorum of Council members is necessary to conduct work meetings.

[**2.10.030 Regular and Special Meetings**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.100_Regular/Special_Meetings)

1. The Council shall:
2. By ordinance prescribe the time and place for holding its regular meeting, subject to Subsection (l)(b); and

1. Hold a regular meeting at least once each month.
2. The Mayor or two Council members may order the convening of a special meeting of the Council.

C. Each order convening a special meeting of the Council shall:

1. Be entered in the minutes of the Council; and

2. Provide at least three hours' notice of the special meeting.

D. The Mayor or the clerk at the Mayor’s direction 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 member's usual place of abode.

E. The personal appearance by the Council member at a special meeting of the Council constitutes a waiver of the notice required under Subsection (2)(b).

[**2.10.040 Closed Meetings**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.110_Closed_Meetings)

1. A closed meeting 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 statute; provided, however, that a quorum must be present.
2. No closed meeting is allowed except as to matters exempted from open meetings under the Open and Public Meetings Act, Utah Code §§ 52-4-204 and 52-4-205.
3. The Council may not approve any ordinance, resolution, rule, regulation, contract, or appointment at a closed meeting.
4. The Council may not take a vote in a closed meeting, except for a vote on a motion to end the closed portion of the meeting and return to an open meeting.
5. The Council shall publicly announce and the minutes shall provide the permissible reason or reasons for holding the closed meeting, its location, and the roll call vote of each council member for or against the motion to hold the closed meeting in accordance with Utah Code §§ 52-4-204 and 52-4-205.

[**2.10.050 Emergency Meetings**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.120_Emergency_Meetings)

1. If the Council must hold an emergency meeting to consider matters of an emergent or urgent nature, the Council may forego the normal notice requirements for a meeting if the best notice practicable has been made to the Council members and the public of the time and place of the emergency meeting and topics to be considered therein.
2. The Council shall not hold an emergency meeting unless an attempt has been made to notify all Council members and a majority of the Council approves the emergency meeting.
3. The Clerk shall keep a record of the means utilized to contact the members and the names of the majority of the members who approved the meeting,
4. A quorum must be present to take any action.

[**2.10.060 Additional Committees**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.130_Additional_Committees)

1. The Council may establish additional committees that it considers 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.
2. No official action may be taken in committee meetings other than the adoption of nonbinding recommendations to the Council.
3. Committee meetings shall be open to the public in accordance with state statute and public notice shall be given of all committee meetings in the same manner as required for regular meetings.

[**2.10.070 Agenda**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.140_Agenda)

1. The Mayor shall prepare an agenda in advance of each meeting, including emergency meetings if possible. Copperton shall publish the agenda pursuant to state statute at least twenty-four hours in advance of the meeting.
2. The Mayor shall place any matter on the agenda received from any member of the Council or the Mayor. The Mayor may use discretion on agenda matters requested by persons other than Council members or the Mayor.
3. The Council shall provide notice of any regular, special, or committee meeting and post its agenda in compliance with the provisions of state statute, at least twenty-four hours prior to the convening of the Council meeting. The Council shall post written notice on the Utah Public Notice Website and at the office of the Council or the meeting location, except for an electronic meeting held without an anchor location as provided in Utah Code Subsection 52-4-207(5). For an emergency meeting, public notice and notice to the news media shall be given as may be practical under the circumstances.
4. 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 provided to the public or if the matter is an emergency, as approved by a separate majority vote of Council members present.
5. Any agenda item that identifies a pending or proposed action shall be considered a proposal 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.

[**2.10.080 Public Hearings**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.150_Public_Hearings)

1. Public hearings shall be considered to include only those hearings specifically noticed and required to be conducted by the Council by state statute or for the purposes of providing opportunities for the general public to comment upon and make inquiries or presentations on specific proposals or matters under consideration by the Council including 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.
2. The Council shall make the decision to conduct a public hearing at a regular, special, or emergency meeting, or other meeting of the Council.
3. The Mayor shall announce the schedules for public hearings and the Clerk shall provide public notice that includes the specific subject matter of the public hearing and the time, date and place.
4. At the beginning of any public hearing, the Mayor may publicly state the rules of conduct for such public hearing 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.
5. The Mayor shall open a public hearing by declaration during a council meeting and 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.
6. 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.

1. A request for rehearing shall be filed within ten days from the date of the original decision.

2. If a request for rehearing is granted by the Council, the rehearing shall follow the same procedures as the original hearing.

3. No rehearing shall be allowed on any matter where a rehearing would be contrary to state statute.

[**2.10.090 Formal Action**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.160_Form_Of_Action)

The Council may take action by ordinance, policy, resolution, motion, or memorials.

A. Ordinances.

1. The Council, except as expressly limited by statute, may adopt any ordinance to regulate, require, prohibit, govern, control, or supervise any activities, business, conduct, or condition.
2. Any ordinance shall be in written form before a vote is taken.
3. Any ordinance shall contain one subject only except for the codification or general revision of Copperton ordinances.
4. An ordinance passed by the Council shall contain and be in substantially the following order and form:
5. Ordinance number and date;
6. A short title which states the subject matter of the ordinance;

1. A long title stating the need or reason for the ordinance and summarizing its contents;
2. An ordaining clause;

1. The body or subject of the ordinance;

f. The statement about the penalty for violation of the ordinance, if applicable;

1. The effective date of the ordinance;
2. A signature line for the Mayor or Deputy Mayor and for the Clerk; and
3. An ordinance history indicating the approval or disapproval of the Council members and an ordinance summary if required by statute.
4. Except in exigent circumstances, or when directed by a majority of Council members present, any ordinance, including 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 statute 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 days.

B. Resolutions.

1. The Council may exercise all administrative powers by resolution, unless otherwise required by law, including establishing water and sewer rates, charges for garbage collection and fees charged for municipal services, personnel policies and guidelines, and use and operation of municipal property.
2. The Council may not impose a punishment, fine, or forfeiture by resolution.
3. The Council may use a resolution for policy declarations, proposals not appropriately addressed by ordinance, and other communications regarding health, safety, and general welfare of its residents.
4. Any resolution shall be in a form and contain sections substantially similar to that prescribed for ordinances.
5. Any resolution may become effective without publication or posting and may take effect on passage or at a later date as the Council may determine. A resolution may not become effective more than three months after the date of passage.
6. Memorials.
7. The Council may adopt any memorial by resolution or motion.
8. A memorial shall be used as a policy statement, response, or commendation of any person or group for notable activities which have been called to the attention of the Council.
9. Any memorial may be considered and adopted at the same meeting in which they have been proposed and shall be recorded in the minutes.

D. Policies, Procedures, Rules, and Regulations.

1. Any policy, procedure, rule, or regulation may be considered and adopted by the Council as determined by the Council and not prohibited by statute.
2. The Council shall direct the form for any policy, procedure, rule, or regulation.
3. The Council may adopt any policy, procedure, rule, or regulation provided the matter is presented, considered, and properly noticed by the Council.
4. Any resolution, policy, procedure, rule, regulation or ordinance shall be numbered, recorded, and maintained in accordance with provisions of state statute.

[**2.10.100 Quorum**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.170_Quorum)

Three Council members shall be necessary to constitute a quorum.

[**2.10.110 Rules Of Order And Procedure**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.180_Rules_Of_Order_And_Procedure--General)

1. The Council shall adopt the Rules of Order and Procedure by resolution and be regulated, interpreted, and consulted except for rules of order and procedure specifically provided otherwise in state statute or this code.
2. 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.

[**2.10.120 Board Appointment Duties And Responsibilities**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.190_Board_Appointment_Duties_And_Responsibilities)

1. The Mayor shall make any board or committee appointment or re-appointment of Council members annually with the consent of a majority of the Council.
2. The following shall apply to board or committee appointments involving individuals who are not Council members:
3. For boards whose members hold terms of three years or less, board members may be reappointed to a consecutive term with the consent of a majority of the Council; and
4. For boards whose members hold terms of longer than three years, the board member shall not be reappointed to a consecutive term on the same board unless the Council approves the appointment for good cause shown and to prevent significant disruption of current board activities.

1. When representing Copperton or the Council on any board, commission, or similar organization, the council member shall vote according to the will of the Council if an official position has been taken by the Council. In the absence of an official position, a council member shall exercise the best judgment in voting to represent the best interests of Copperton.

[**2.10.130 Minutes.**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.04.070_Clerk--Minutes.)

1. The Clerk shall serve as Copperton Clerk and clerk to the Council at any meeting, provided that the Council may appoint a person other than the County clerk to serve as Copperton Clerk as provided in state statute.
2. The Clerk shall provide copies of the minutes of the Council meetings to Council members in a manner and within the times as provided in Title 52, Chapter 4, Open and Public Meetings Act.
3. In accordance with state statute, the books, records, and accounts of the Council shall be maintained at the office of the Clerk and open at all times during usual business hours for public inspection.
4. The records and minutes of the Council shall be signed by the Mayor and the Clerk.
5. Within 30 days after holding the open meeting that is the subject of pending minutes, the Council shall make the pending minutes available to the public.
6. Within three business days after approving written pending minutes, the Council shall post the approved written minutes and public materials of an open meeting and make available the audio recording in compliance with the relevant provisions of Utah Code Subsection 52-4-203 (4).

**CHAPTER 2.12 ETHICS OF COPPERTON OFFICERS AND EMPLOYEES**

**2.12.010 Definitions**

**2.12.020 Ethics Standards**

[**2.12.030 Ethics Training**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.020_Ethics_Training)

[**2.12.040 Conflict of Interest**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.040_Conflict_Of_Interest)

[**2.12.050 Endorsements**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.050_Metro_Township_Endorsements)

[**2.12.060 Gifts**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.070_Gifts)

[**2.12.070 Gifts and The Procurement Process**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.080_Gifts_And_The_Procurement_Process)

[**2.12.080 Honoraria**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.090_Honoraria)

[**2.12.090 Exceptions**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.100_Exceptions)

[**2.12.100 Restrictions on Copperton Employment**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.110_Restrictions_On_Post-Metro_Township_Employment)

[**2.12.110 Nepotism**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.120_Nepotism)

[**2.12.120 Political Activities of Employees**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.130_Political_Activities_Of_Employees)

[**2.12.130 Prohibitions on Political Use of Copperton Resources**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.140_Prohibitions_On_Political_Use_Of_Metro_Township_Resources)

**2.12.010 Definitions**

1. For the purposes of this chapter, 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.
	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. “Employee” means a person who is employed on a full-time, part-time, or contract basis by Copperton.
	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. "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.
	5. “Governmental action” means any official action on the part of Copperton, including, but not limited to:
		1. Any decision, determination, finding, ruling, or order, or discussions thereof.
		2. 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
		3. Any legislative, administrative, appointive, or discretionary act of any public servant or volunteer public servant.
	6. “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.
	7. “Officer(s)” means the elected and appointed officers of Copperton, including the Council.
	8. “Purchasing official” 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.
	9. “Representative” means any authorized agent of Copperton. Representative shall include any appointed person, other than an employee, serving on a special, regular, or full-time committee, commission, authority, agency, or board of Copperton, who is not paid a salary or an hourly wage by Copperton for his or her services thereon.
	10. “Restricted conflict of interest” means any financial interest held by the employee or representative of Copperton, or by members of an employee's or representative's household, or those providing regular financial support to the employee or representative.
	11. “Unrestricted conflict” or "unrestricted conflict of interest" means 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 their Copperton 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.

**2.12.020 Ethics Standards**

Any elected and appointed officer of Copperton, including any appointed member to a Copperton board or commission, or municipal employee shall be subject to the Municipal Officers’ and Employees’ Ethics Act, Title 10, Chapter 3, Part 13, Utah Code. The elected or appointed officer, board or commission member, or municipal employee shall make written and oral disclosures of their business and other interests as required by Utah Code.

**[2.12.030 Ethics Trainin](https://kearns.municipalcodeonline.com/book?type=ordinances" \l "name=2.07.020_Ethics_Training)**[**g**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.020_Ethics_Training)

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

[**2.12.040 Conflict of Interest**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.040_Conflict_Of_Interest)

A. General Prohibitions.

1. Officers and employees are governed by the Municipal Officers and Employees Disclosure Act (10-3-1301, et seq.) 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 representative shall not use or attempt to use their position in a manner that could secure special privileges or exemptions for themselves or others.

4. Officers, 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 Copperton responsibilities.

1. Restricted conflicts of interest.

1. Officers, 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 officer, 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 officers, employee, or representative who has a restricted conflict of interest shall be terminable by the body that took the action, or by the Copperton officer with authority to void or terminate the action. That body or the Copperton officer may also ratify any prior governmental action that was taken in violation of this section.

 D. Unrestricted conflicts of interest.

1. Officers, employees, and representatives 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. Officers, employees, or representatives who have unrestricted conflicts are not required to recuse themselves but may do so.

E. Disclosure.

1. Officers, employees, and representatives 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, officials and employees are bound by the requirements of the Municipal Officer's and Employees Ethics Act (10-3-1301, et seq.).

2. Oral or written disclosures must be made in accordance with state law, other sources of the law, and this section.

3. Officers and Employees are required to file written disclosures in accordance with the provisions of state law and Copperton 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.

F. Contractual representatives.

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

2. Individuals and business entities who are contracted to represent Copperton’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 Copperton officers, employees, agencies or officers.

[**2.12.050 Endorsements**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.050_Metro_Township_Endorsements)

Notwithstanding the provisions of this chapter, Copperton or a Copperton official 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.

**[2.12.060 Gifts](https://kearns.municipalcodeonline.com/book?type=ordinances" \l "name=2.07.070_Gifts)**

Copperton officers and 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 2.07.100.

[**2.12.070 Gifts and The Procurement Process**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.080_Gifts_And_The_Procurement_Process)

1. Without exception, receipt or solicitation of any gift or a request for employment by a purchasing official 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.
2. 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 an officer, employee, or representative of Copperton to obtain a specific procurement, disposal, contract or subcontract.
3. Contracts entered into resulting from a violation of this section are voidable and any payments made on these contracts shall be recoverable to Copperton.

**[2.12.080 Honoraria](https://kearns.municipalcodeonline.com/book?type=ordinances" \l "name=2.07.090_Honoraria)**

Copperton officers and employees shall not accept honoraria in regard to activities related to their Copperton duties or purpose except as provided in Section 2.12.090.

**[2.12.090 Exceptions](https://kearns.municipalcodeonline.com/book?type=ordinances" \l "name=2.07.100_Exceptions)**

1. The following are exceptions to the gifts and honoraria requirements of this chapter:
	1. The gift is a political contribution authorized by law and reported as part of the campaign disclosure requirements of Copperton or any other governmental entity;
	2. 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;
	3. Snacks, beverages or educational or informational materials provided at meetings or other functions;
	4. 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;
	5. Gifts not related to the activities of the officer and employee with Copperton;
	6. Awards publicly made for public service;
	7. Food or a beverage given at a widely attended reception, meal, or meeting by an organization before whom the recipient appears to represent Copperton, make a speech, answer questions or participate in part of a program;
	8. Attendance at political events that are primarily sponsored by a political party or political candidate;
	9. 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;
	10. Copperton sponsored programs, activities, or work;
	11. Gifts for Copperton that become the property of Copperton;
	12. Gifts to Copperton officers, employees, or representatives from other Copperton officers, employees or agencies;
	13. Death transfers including bequests and inheritances; and
	14. Gifts to blind trusts related to legal defense funds for imminent or pending litigation against officers or employees (related to their official duties).

[**2.12.100 Restrictions on Copperton Employment**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.110_Restrictions_On_Post-Metro_Township_Employment)

1. When an employee or exempt employee, excluding uncompensated volunteers, voluntarily leaves Copperton service he or she is prohibited for a period of one year from directly communicating, for compensation, with Copperton for the purpose of attempting to influence any action on any matter pending before Copperton. 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.
2. 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 Copperton for a period of one year from date of the violation.
3. A former officer or employee is not prohibited from holding any Copperton office but must disclose in writing and resolve any conflicts of interest arising from their previous Copperton employment which conflicts of interest would tend to interfere with Copperton’s best interest.

[**2.12.110 Nepotism**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.120_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.

[**2.12.120 Political Activities of Employees**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.130_Political_Activities_Of_Employees)

1. Except as otherwise provided by law, Copperton 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 Copperton under a merit system may be dismissed from service as a result of political opinion or affiliation.
	3. Employees may:
		1. Voluntarily contribute funds to political groups and become candidates for public office;
		2. Become candidates for political office or for leadership positions in political parties if they refrain from engaging in political activities or campaigning during Copperton business hours;
		3. Take an unpaid leave of absence in order to run for political office if such 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.
	4. No adverse employment action may be taken against officers or employees who file for office or take a leave of absence.
	5. Officers and employees, whether elected or appointed, may not:
		1. 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; and
		2. 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.
	6. No officer or employee may engage in any political activity during the hours of employment nor shall any person solicit political contributions from Copperton employees during hours of employment for political purposes, but nothing in this section shall preclude voluntary contribution by a Copperton employee to the party or candidate of the employee's choice.
	7. Nothing contained in this chapter shall be construed to permit partisan political activity by any Copperton officer or employee who is prevented or restricted from engaging in such political activity by the provisions of the federal Hatch Act.

[**2.12.130 Prohibitions on Political Use of Copperton Resources**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.07.140_Prohibitions_On_Political_Use_Of_Metro_Township_Resources)

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

**CHAPTER 2.15 ADMINISTRATIVE ORGANIZATION**

**2.15.010 Legislative Power - Ordinance Requirements**

**2.15.020 Policies and Procedures Defined**

**2.15.030 Council Initiated Policies and Procedures**

**2.15.040 Policies and Procedures – Adoption**

**2.15.050 Policies and Procedures – Recordkeeping and Distribution**

**2.15.060 Conflict of Policy and State Law**

**2.15.070 Discrimination Prohibited**

[**2.15.010 Legislative Power - Ordinance Requirements**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.08.010_Ordinance_Requirements)

A. The legislative power is vested in the Council to propose, consider, review, approve, and enact ordinances to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by state code and city code for the peace, health, or safety of Copperton and the general welfare of residents. The Council may appoint members to advisory committees to assist in the preparation of proposed Copperton ordinances.

B. Upon review, approval, and adoption by the Council, the ordinance shall be legally effective upon the date provided on the ordinance and when signed by the Mayor, attested by the Copperton clerk, and posted or published as required by state code.

C. Any ordinance that does not have an immediate effective date or earlier effective date shall become effective 20 days after posting, or 30 days after final passage by the council, whichever is sooner.

[**2.15.020 Policies and Procedures Defined**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.08.020_Policies_And_Procedures_Defined)

The Copperton policy and procedure includes a written statement formally adopted by the Council providing for the implementation of Council's ordinances, powers, and duties for Copperton’s governance and administration.

[**2.15.030 Council Initiated Policies And Procedures**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.08.030_Council_Initiated_Policies_And_Procedures)

If a policy or procedure is proposed by a majority of the Council, the Mayor shall refer the matter for adoption in accordance with Section 2.04.040.

[**2.15.040 Policies and Procedures--Adoption**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.08.040_Policies_And_Procedures--Adoption)

Any policy and procedure adopted by the Council must bear the signatures of the Mayor and Clerk.

[**2.15.050 Policies And Procedures--Recordkeeping And Distribution**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.08.050_Policies_And_Procedures--Recordkeeping_And_Distribution)

The Council shall maintain a current record of all Council-approved policies and procedures subject to review upon request.

[**2.15.060 Conflict Between Policies And State Laws**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.08.060_Conflict_Between_Policies_And_State_Laws)

If a policy and procedure conflicts with state law or Copperton ordinance, the statute supersedes the ordinance and the policy and procedure. Any ordinance supersedes a policy and procedure.

[**2.15.070 Discrimination Prohibited**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.08.070_Discrimination_Prohibited)

Any discrimination in Copperton’s government services is prohibited based on age, marital status, color, disability, national origin, sex, sexual orientation, gender identity, race or religion. Any individual shall be assured of equal access, opportunity, and protection in any of Copperton’s government services. This section is not intended to expand the services of Copperton’s government beyond those required by state or federal law.

**CHAPTER 2.25 CLERK**

The Mayor, with the advice and consent of the Council, may appoint a qualified person to the office of Clerk. The Clerk shall attend meetings of the Council and keep a record of its proceedings. The Clerk shall act as the auditor of financial accounts and shall have all other powers and duties as provided by Utah Code.

**Chapter 2.30 MANAGER**

The Council may budget for and create by ordinance the professional position of the Copperton manager. The council shall appoint a manager to direct Copperton operations under the authority and supervision of the Council and to serve as Copperton chief administrative officer with authority to implement municipal policy, oversee daily operations of Copperton departments and staff, and exercise any other duties the council may assign. The Copperton manager shall be an at-will employee and shall serve as the pleasure of the Council.

**CHAPTER 2.35 CITY ATTORNEY**

The Mayor, with the advice and consent of the Council, may appoint a qualified person to serve as Copperton’s City Attorney. The City Attorney shall be a licensed and registered member of the Utah State Bar in good standing. The City Attorney shall have those powers and duties assigned by the Mayor or the Manager, if appointed by the

 and Council as provided in Utah Code.

**Chapter 2.40 ENGINEER – SURVEYOR**

The Mayor, with the advice and consent of the Council, may appoint a Engineer. The Engineer shall be a licensed and registered professional engineer under Utah law. The Engineer shall review and approve all drawings and documents pertaining to public lands and improvements and shall have all other powers and duties as assigned by the Mayor and Council and provided in Utah Code.

**Chapter 2.45 TREASURER**

The Mayor, with the advice and consent of the Council, may appoint a qualified person to the office of Treasurer. The same person may not serve as Clerk and Treasurer. The Treasurer shall act as the custodian of all money, bonds, or other securities of the. The Treasurer shall be responsible for signing all check issued by Copperton and shall have all other powers and duties as provided in Utah Code.

**Chapter 2.60 LITIGATION**

**2.60.010 Litigation – Control and Direction**

**2.60.020 Legal Counsel**

**2.60.030 Litigation Against Copperton**

**2.60.040 Limitations**

[**2.60.010 Litigation--Control And Direction**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.09.010_Litigation--Control_And_Direction)

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

[**2.60.020 Legal Counsel**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.09.020_Legal_Counsel)

1. The Council must consent and approve the hiring of legal counsel in any litigation or any other matter involving Copperton.
2. Any contract for outside counsel that is processed and executed shall be governed by Utah law and the Copperton purchasing policy as applicable.

[**2.60.030 Litigation A**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.09.030_Litigation_Against_The_Metro_Township)**gainst Copperton**

1. The legal authority of any Copperton official, officer, or employee, acting in an official capacity, to bring litigation against or on behalf of Copperton or against any Copperton official, officer, or employee must be within that official's, officer's or employee's express authority under state law or this code. If the Copperton official, officer, or employee has no such legal authority, Copperton funds shall not be used to pay attorneys' fees or other legal costs, except when:
2. The Mayor, Council, and City Attorney have approved the use of Copperton funds in advance; or
3. The litigation against the Copperton or its officials, officers, or employees succeeds on the merits or payment is ordered by the court.

[**2.60.040 Limitations**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.09.040_Limitations)

1. Nothing in this chapter shall be construed to authorize any Copperton official, officer, or employee to bring a lawsuit against Copperton.
2. 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 2.65 ESTABLISHING FEES**

[**2.65.010 Fee Requirements and Limitations**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.24.060_Fee_Requirements_And_Limitations)

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

[**2.65.020 Fee Establishment Process**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.24.070_Fee_Establishment_Process)

* 1. A fee shall be initiated by the Council.
	2. In establishing the amount of a fee, costs and elements may be considered, including but not limited to:

1. Copperton’s staff expenses, including full compensation costs of all employees or contractors normally required to provide the services;
2. All direct costs;
3. For internal division costs, in accordance with accepted accounting standards; and
4. For Copperton’s indirect costs, in amounts established by the auditor's office.
	1. Any expenditures Copperton is required to make to other government entities, private contractors or other third parties.
	2. Reserves for liability, asset replacement, and capital improvements; and
	3. Costs and materials of other direct operational expenses.
	4. Fees shall be finally determined, approved and adopted by the Council.
	5. Fees shall be posted and available to the public either electronically or by physical posting at Copperton’s offices or workplace.
	6. 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.

[**2.65.030 Council Powers--Fees**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.24.080_Metro_Township_Council_Powers--Fees)

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

**Chapter 2.70 COMMUNITY COUNCIL**

**2.70.010 Purpose**

**2.70.020 Establishment**

**2.70.030 Community Council – Representation**

**2.70 040 Community Council – Participants**

**2.70.050 Community Council – Appointment of Members**

**2.70 060 Community Council – Municipal Services Recommendation**

**2.70.080 Community Council – Planning and Zoning Information Sent to Community Council**

**2.70.090 Budget**

**2.70.100 Council Participation**

**2.70.110 Assignment of Responsibilities**

**2.70.120. Volunteer Status – Indemnification**

[**2.70.010 Purpose**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.010_Purpose)

Community Councils provide a mechanism for residents of Copperton to identify community service needs and assist Copperton in facilitating those needed initiatives. Volunteer community councils are an effective way for Copperton to maximize the benefits of volunteer service for providing needed events and programming to the residents of Copperton.

[**2.70.020 Establishment**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.020_Establishment)

Community councils are created by private citizens as private corporations or otherwise and are not created by Copperton. Privately created community councils may be recognized by Copperton as provided in this chapter.

[**2.70.030 Community Councils--Representation**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.030_Community_Councils--Representation)

1. The citizens may form a community council to serve the community and provide volunteer services. All members of community councils shall serve without compensation. Vacancies on a community council shall be filled in accordance with the community council's bylaws. All community council meetings shall be open to the public.
2. All community council bylaws, articles of incorporation, meetings, activities, elections, and other functions shall abide by the minimum requirements of this chapter or the community council will not be entitled to the various services, benefits, and status set out herein.

[**2.70.040 Community Councils--Participation**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.040_Community_Councils--Participation)

The citizens may, by choice, decline to create a community council under the terms of this chapter.

[**2.70.050 Community Council Meetings**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.050_Community_Council_Meetings)

Community councils shall conduct open and public meetings and shall permit interested persons to attend and participate in those meetings in accordance with applicable community council bylaws and regulations.

[**2.70.060 Community Councils--Appointment Of Members**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.060_Community_Councils--Appointment_Of_Members)

Members of a community council shall be appointed or elected to the council as determined by the community council's bylaws.

[**2.70.070 Community Councils--Municipal Services Recommendations**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.070_Community_Councils--Municipal_Services_Recommendations)

1. The community council may develop recommended policy priorities regarding municipal services and facilities. These recommendations should be communicated in writing to the Council on an annual basis for use in policy development and in the budget process. Community councils are encouraged to arrive at such recommendations pursuant to duly held and well-publicized public meetings.
2. The Council may request municipal service providers and encourage elected officials and appointed board members to provide key personnel on a requested basis as staff and resource persons to the community council.

[**2.70.080 Community Councils--Planning And Zoning Information Sent To Community Councils**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.080_Community_Councils--Planning_And_Zoning_Information_Sent_To_Community_Councils)

1. The MSD planning and development services section, or contracted designee, shall submit to the chair and the designated planning and zoning member of each community council copies of the planning commission public meeting agendas, applications for changes to the zoning ordinances, general plan amendments, or conditional use applications pertaining to real property located within Copperton.

1. The staff of the MSD planning and development services section, or contracted designee, shall notify the community council on planning and zoning matters, and the date and time of the planning commission meeting.

[**2.70.090 Budget**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.090_Budget)

1. The Council may budget monies annually for the community councils, which will be spent for administrative costs, including legal notices, elections, newsletters, computers and software, other office equipment, dues to the Association of Community Councils Together (ACCT), Copperton -sponsored community events, and community council outreach activities or events, postage, stationary, and duplication costs. Funding will be provided pursuant to budgeted amounts and upon direction of the Council.
2. Any community council receiving funds from Copperton 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 close of the community council's fiscal year, the community council shall file a detailed financial statement with an identified Copperton 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.

**[2.70.100 Council Participation](https://kearns.municipalcodeonline.com/book?type=ordinances" \l "name=2.56.100_Metro_Township_Council_Participation)**

The Council shall schedule at least one meeting annually with the community councils for the purposes of receiving recommendations on policy, budget, and other priorities.

**2.70.110 Assignment of Responsibilities**

With the community council’s consent, the Council may assign certain tasks and functions to the community council to perform, subject to the Council’s oversight.

[**2.70.120 Volunteer Status--Indemnification**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.56.110_Volunteer_Status--Indemnification)

Community council members shall be considered Copperton volunteers and not Copperton employees, officials, or officers pursuant to the provisions of the Utah Governmental Immunity Act, Utah Code Ann.§ 63G-7-101, et seq., in any civil action that may occur.

**CHAPTER 2.75 QUASI JUDICIAL FUNCTIONS – STANDARDS OF CONDUCT**

**2.75.010 Purpose**

**2.75.020 Definitions**

**2.75.030 Conflict of Interest**

**2.75.040 Gifts and Favors**

**2.75.050 Ex Parte Communications**

**2.75.060 Other Applicable Provisions**

[**2.75.010 Purpose**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.70.010_Purpose)

The Council sees the critical importance to ensure that all individuals appearing before quasi-judicial officials or bodies in Copperton are provided a full, fair, and impartial hearing on the merits. The Council finds it in the best interests of the citizens of Copperton to provide uniform standards of conduct for all members of quasi-judicial bodies who perform quasi-judicial functions in Copperton.

[**2.75.020 Definitions**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.70.020_Definitions)

For the purposes of this chapter, the following words and phrases shall have the meanings respectively described to them below:

* + 1. “Conflict of interest” means: quasi-judicial official has a direct or indirect financial interest which will be or is reasonably likely to be affected by the outcome of the matter currently pending before the quasi-judicial official or the resolution of the matter before the quasi-judicial officer will or is reasonably likely to create a substantial personal gain or provide a substantial gain or advantage to relatives, friends, agents, business associates, or 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.
1. “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, with the exception of discussions of procedural matters such as the dates and times of hearings.
2. “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.
3. “Legislative capacity” means activity by a board or council when involved with the framing and enactment of ordinances and policies for Copperton including the adoption of or amendment to Copperton’s Code, policies and procedures, or administrative rules.
4. “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.

**2.75.030 Conflict of Interest**

1. 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.
2. 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 City Attorney in order that a determination may be made as to whether a conflict of interest exists.

[**2.75.040 Gifts and Favors**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.70.040_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 bring a matter 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 2.75.050(8). Campaign contributions shall be subject to all other provisions of applicable law but shall not be prohibited under this section.

[**2.75.050 Ex-Parte Communication**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.70.050_Ex-Parte_Communication)

1. 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 and Public Meetings Act and shall be made a matter of the official record of the proceeding.
2. 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:
3. The name of the party making the communication.
4. If the communication was in writing, a copy of the communication.
5. If the communication was oral, a summary of the communication;
6. The date of the communication.

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.

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.

C. 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.

1. Communications by the quasi-judicial official, whether in person or otherwise, with administrative staff who do not constitute representatives of a party to the proceeding, MSD attorney staff not representing a party to the proceeding, or Council staff.

[**2.75.060 Other Provisions Applicable**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.70.060_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 Copperton including the Municipal Officers and Employees Ethics Act, the Governments Records Access and Management Act, the Open and Public Meetings Act and Copperton ordinances and policies applicable specifically to the quasi-judicial body.

**CHAPTER 2.80. SECURITY OF PERSONAL IDENTIFIERS**

**2.80.010 Definitions**

**2.80.020 Protecting Personal Identifiers**

**2.80.030 Private Contractors**

**2.80.040 Penalty**

[**2.80.010 Definitions**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.81.010_Definitions)

1. As used in this chapter, “individual” refers to any natural person including Copperton clients and patrons, members of the public, and Copperton officers, employees, and volunteers.

1. As used in this chapter, “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 bank account numbers, credit card numbers, and information obtained to authenticate a cardholder or effectuate a payment card transaction.

[**2.80.020 Protecting Personal Identifiers**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.81.020_Protecting_Personal_Identifiers)

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

1. Copperton shall not collect or maintain personal identifiers except where provided by law or ordinance, or where necessary for the functions of Copperton. The collection of credit card numbers is permitted for those agencies which accept payment in the regular course of Copperton business by credit card.
2. Any Copperton agency which collects, maintains or transmits personal identifiers shall make a formal written determination which explains why personal identifiers are collected, maintained, or transmitted and which specific personal identifiers are necessary. Agencies shall collect or use only those specific personal identifiers which are necessary to government business.
3. Except for outside contractors that provide administrative services for Copperton, each Copperton 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.
4. Copperton 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 the Utah Governmental Records Access and Management Act (GRAMA) and the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

[**2.80.030 Private Contractors**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.81.030_Private_Contractors)

If Copperton 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.

[**2.80.040 Penalty**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.81.040_Penalty)

Any Copperton 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 2.82 RECORDS MANAGEMENT**

**2.82.010 Public Access**

**2.82.020 Appeals**

**2.82.030 Amendments and Corrections**

**2.82.040 Access Management – Archives**

**2.82.050 Custody and Control**

**2.82.060 Retention Schedules**

[**2.82.010**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.82.010_Government_Records_Findings--Recognition_Of_Public_Policy) **Public Access to Government Records**

1. Members of the public shall have the right to see, review, examine and take copies in any format maintained by Copperton and subject to Section 2.82.050 hereof, of all Copperton governmental records designated as "public" under the provisions of this chapter and Title 63G, Chapter 2, Utah Code, Government Records and Access Management Act (hereafter “GRAMA”), and policies and procedures developed here under.
2. After receiving a request for a record, Copperton shall:

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |

|  |  |
| --- | --- |
|  | 1. Review each request that seeks an expedited response and notify, within five business days after receiving the request, each requester that has not demonstrated that their record request benefits the public rather than the person that their response will not be expedited; and
2. As soon as reasonably possible, but no later than 10 business days after receiving the written request, or five business days after receiving a written request if the requester demonstrates that an expedited response to the request benefits the public rather than the person:
 |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |

|  |  |
| --- | --- |
| 1.
 | 1. Approve the request and provide a copy of the record;
 |
|  |  |

|  |  |
| --- | --- |
|  | 1. Deny the request in accordance with the procedures and requirements of Section [63G-2-205](https://le.utah.gov/xcode/Title63G/Chapter2/63G-2-S205.html?v=C63G-2-S205_1800010118000101);
 |

|  |  |
| --- | --- |
|  | 1. Notify the requester that it does not maintain the record requested and provide, if known, the name and address of the governmental entity that does maintain the record; or
 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 1. Notify the requester that because of one of the extraordinary circumstances, it cannot immediately approve or deny the request, and include with the notice:

|  |  |
| --- | --- |
|  | 1. A description of the circumstances that constitute the extraordinary circumstances; and
 |

|  |  |
| --- | --- |
|  | 1. The date when the records will be available, consistent with the requirements of Title 63G, Chapter 2, Utah Code.
 |

 |

 |
|  |  |

 |
|  |  |

C. Copperton 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.

D. If a record is temporarily held by a custodial Copperton 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 which usually keeps or maintains that record and any requests for access to such records shall be directed to that agency, rather than the custodial agency in compliance with procedures established by Copperton. Only records which have been formally filed for permanent archival retention shall confer responsibility on Copperton to respond to requests for another agency's records.

[**2.82.020 Appeals**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.82.040_Appeals)

1. Any person aggrieved by Copperton’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 Copperton’ policies and procedures adopted by the Council. The initial administrative appeal is made to the Mayor.
2. 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.
3. Unless otherwise stipulated by Copperton and the persons aggrieved, the Mayor shall have seven calendar days after the Mayor's receipt of the notice of appeal (or fourteen calendar days after Copperton sends a notice of appeal to a person who submitted a claim of business confidentiality) to respond to the record request.
4. The Mayor shall hear an appeal using a reasonable process chosen within the Mayor's discretion and issue decision in writing to appellant.
5. 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 to the State Records Committee or may a petition for judicial review with district court.

[**2.82.030 Amendments And Corrections**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.82.050_Amendments_And_Corrections)

Records held by Copperton 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.

[**2.82.040 Access Management and Archiving**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.82.060_Access_Management_And_Archiving)

1. There shall be designated a Copperton records manager to oversee and coordinate records access and management and Copperton archives activities. The records manager shall make annual reports of records services activities to the Council.
2. 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 the Act and this chapter. Approval and promulgation of records policies and procedures shall be in accordance with the provisions of this code of ordinances and GRAMA. Copies of any rule or policy promulgated under this chapter shall be forwarded by the Copperton record manager to the Utah State Division of Archives within thirty days after its effective date.

[**2.82.040 Custody and Control**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.82.070_Custody_And_Control)

1. Records maintenance procedures shall be developed to ensure that due care is taken to maintain and preserve Copperton 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 Copperton records and shall monitor compliance with required standards of quality, permanence, and admissibility pertaining to the creation, use and maintenance of records. Copperton 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.
2. Any Copperton record which constitutes an intellectual property right shall remain the property of Copperton unless federal or state legal authority provides otherwise.
3. The Copperton officer or employee having custody or control of any Copperton 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 Copperton records manager.

[**2.82.080 Retention Scheduling**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.82.080_Retention_Scheduling)

1. All Copperton records as defined by GRAMA, 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.
2. The responsibility for developing retention schedules shall reside with the Council, with the assistance and advice of the Copperton records manager.
3. In scheduling records for retention, the following considerations shall be taken into account:
4. Any specific retention requirement established by law, statute or ordinance.
5. Reasonable records standards and needs, based on best business practices, retention storage capabilities, and particular industry or professional requirements or standards.
6. Legal needs, including pending or likely litigation.
7. Applicable statutes of limitation.
8. Any pending fiscal or performance audit process.
9. Administrative and policy needs; and
10. Historical value.
11. 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.

1. Copperton officials, employees, and contractors 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 2.85 EMERGENCY RESPONSE AND RECOVERY**

**2.85.010 Intent – Liberal Construction**

**2.85.020 Definitions**

**2.85.030 Declaration of An Emergency**

**2.85.040 Succession**

**2.85.050 Powers of the Mayor**

**2.85.060 Powers of the Council**

**2.85.070 Relocation of Offices**

**2.85.080 Mutual Aid**

**2.85.090 Contracts for Good and Services During an Emergency**

**2.85.100 Criminal Penalties**

**2.85.010 Emergency Management Advisory Committee (RESERVED)**

**2.85.020 Severability**

[**2.85.010 Intent--Liberal Construction**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.010_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 Copperton 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 Copperton. 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.

[**2.85.020 Definitions**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.020_Definitions)

1. As used in this chapter:
2. “Attack” means nuclear, conventional, biological, or chemical warfare action, including domestic terrorism, against the United States of America, the State of Utah, Salt Lake County, or Copperton.

1. “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.
2. “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.
3. “Natural phenomena” means any earthquake, tornado, storm, flood landslide, avalanche, forest or range fire, drought or epidemic.
4. “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).
5. “State of emergency” means a condition in Copperton which requires Copperton’s government emergency assistance to save lives and to protect property, public health and safety, and to reduce the threat and effects of a disaster.
6. “Technological hazard” means any hazardous materials spill or accident, mining accident, train derailment, aircraft crash, radiation incident, pollution, structural fire or explosion

[**2.85.030 Declaration Of An Emergency**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.030_Declaration_Of_An_Emergency)

1. The Mayor is authorized to declare a state of emergency when the Mayor finds that Copperton or any part thereof is suffering from or is in imminent danger of suffering an emergency or disaster, except as provided in Utah Code Ann. §§ 15A-5-202.5, 53-2a-205, and Subsection 53-7-225(6).
2. Any declaration of an emergency or disaster by the Mayor shall be promptly filed with the Copperton Clerk, and the public shall be notified through general publicity of the declaration. The Mayor shall promptly notify the Council of any declaration of an emergency or disaster.
3. The declaration of an emergency or disaster shall be in effect as determined by the Mayor for a period of up to thirty days in accordance with the Utah Disaster Response and Recovery Act, Utah Code § 63-5a-6. 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.
4. 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.
5. 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 2.85.050. The declaration may be amended and periodically brought up to date as needed.

[**2.85.040 Succession**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.040_Succession)

1. If the Mayor is unavailable to perform the duties set out herein, the Deputy Mayor shall have the same authority as granted to the Mayor. If both the Mayor and Deputy Mayor are unavailable, the authority to exercise the powers set out in this chapter vests in the fire official assigned to Copperton by the Unified Fire Authority.
2. 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 2.85.050, only the fire official assigned to Copperton 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 the Mayor becomes available.

[**2.85.050 Powers Of The Mayor**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.050_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 use of all Copperton 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 provided in Utah Disaster Response and Recovery Act, Utah Code Ann. § 63-5a-4.

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 the state of emergency, the Mayor may 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.

D. In a state of emergency, the Mayor may 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 Copperton 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 Copperton 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.

E. 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 Federal Emergency Management Agency (FEMA) needs.
2. Ensure that all records and receipts for funds expended in emergency response are maintained in accordance with FEMA needs.
3. Coordinate and ensure prompt communication with the media about the emergency, providing to the extent possible, one consistent voice regarding Copperton’s activities.
4. Maintain ongoing communication with the Council, the MSD, the Unified Fire Authority, Salt Lake Valley Emergency Communications Center, and other government entities.
5. Notwithstanding Utah Code Ann. § 53-2a-205, 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:
6. Close theaters, schools and other public places and prohibit gatherings of people when necessary to protect the public health. (Utah Code§ 26A-l-l 14(1)(e));
7. 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));
8. 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-l 14(3)(b));
9. The authority of the director of the health department extends to a public health emergency wholly located within a municipality.

F. The Unified Police's office 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:

1. 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;
2. Violate any orders duly issued by the Mayor or authorized personnel; or
3. 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.

[**2.85.060 Powers of The Council**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.060_Powers_Of_The_Council)

1. Nothing in this chapter shall prevent the Council from acting as the legislative body of Copperton 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.
2. 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.

**2.85.070** [**Relocation Of Offices**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.070_Relocation_Of_Offices)

1. Whenever an emergency or disaster makes it imprudent or impossible to conduct the affairs of Copperton at its regular locations, the Council may meet at any safe and convenient place, inside or outside Copperton. Any temporary meeting location shall continue until a new location is established, the emergency or disaster is terminated, or Copperton operations are able to return to their normal locations.

1. 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.

[**2.85.080 Mutual Aid**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.080_Mutual_Aid)

1. The Mayor may, on behalf of Copperton, 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.
2. Copperton may act as a participating political subdivision consistent with the Statewide Mutual Aid Act, Utah Code Ann. § 53-2-401 et seq.

[**2.85.090 Contracts For Goods and Services During An Emergency**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.090_Contracts_For_Goods_And_Services_During_An_Emergency)

In accordance with the provisions of Copperton procurement ordinances or policies, Copperton 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, regarding the emergency acquisition of goods and services.

[**2.85.100 Criminal Penalties**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.100_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.

[**2.85.110 Emergency Management Advisory Committee (RESERVED)**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.110_Emergency_Management_Advisory_Committee_(RESERVED))

An emergency management advisory committee is created for the purpose of providing advice to the Mayor and Copperton on matters, policies and issues relating to county government emergency or disaster planning, mitigation, response and recovery actions.

[**2.85.120 Severability**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.86.120_Severability)

The provisions of this chapter are declared to be severable, and if any provision of this chapter shall, for any reason, be held to be invalid or unconstitutional or if the application of this chapter 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 this chapter.

**Chapter 2.95 EXECUTIVE OFFICE OF REGIONAL DEVELOPMENT**

[**2.95.010 Executive Office Of Regional Development**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.06B.020_Executive_Office_Of_Regional_Development)

**2.95.020 MSD**

[**2.95.010 Executive Office Of Regional Development**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.06B.020_Executive_Office_Of_Regional_Development)

1. Copperton shall cooperate with the Salt Lake County Mayor’s executive office of regional development that is responsible for supervision of regional development, including regional public safety and emergency preparation, economic development, grants and special projects, community resources, regional planning, and other responsibilities as designated in writing by the Mayor.
2. The executive office of regional development is supervised by the regional development officer under the direction and oversight of the chief administrative officer.

**2.95.020. GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT (“MSD”)**

1. The MSD provides certain municipal services to the metro townships of Copperton, Emigration Canyon, Copperton, Magna, White City, Town of Brighton, and the unincorporated Salt Lake County communities of Big Cottonwood, Granite, Sandy Hills, Willow Canyon, and Willow Creek.
2. The MSD shall receive funding from the metro townships, the Town of Brighton, and unincorporated communities through sales tax, Class B and C highway funds, fees, grants, and other revenues.
3. The MSD Board of Trustees shall include each mayor of the metro townships, the Town of Brighton, and a member of the Salt Lake County Council.
4. The MSD Board of Trustees shall have sole property tax authority over its members.
5. The MSD Board of Trustees shall set service levels, allocate funding, and establish policies, including contracts with Salt Lake County agencies for public works, animal services, engineering, parks, justice courts, municipal prosecution, indigent legal services, and certain levels of planning and development.
6. The MSD shall be supervised by the general manager under the direction and oversight of the Board of Trustees and may hear the recommendations from community councils.

H. The MSD shall be responsible for preparing planning and development studies and reports on urban growth, zoning ordinances and maps, conditional uses, subdivisions, board of adjustment applications economic development, approval of subdivision design and construction, administration of bonding and fee requirements, supervision of engineering surveys, and flood-control drainage plan review for new development. It is responsible for building inspection functions, including the issuance of building permits, inspection of construction for compliance with building codes, and enforcement of building code requirements. It provides land use information and inspection services to the public relating to the development process, field inspection for compliance with off-site improvement requirements and the zoning ordinances, and business license issuance and regulation services.

1. Engineering is responsible for the planning, engineering design and construction of county roads, bridges, traffic control devices, parking facilities, curbs, gutters, sidewalks, drainage, and other related projects, infrastructure and systems in the unincorporated areas of the county. When engineering work is competitively placed by contract with private licensed engineering consultants or construction firms, the office of township services is responsible for reviewing, inspecting and approving the engineering and construction aspects of project programming, cost estimates, plans and specifications, change orders, progress reports and payment requests. In addition, it is responsible for the development of the county transportation improvement plan, the standards for roadway development and the county standard plans for public works construction.

J. Municipal storm drain services oversees municipal storm drainage activities in the unincorporated areas of the county, including engineering and planning, construction, cleaning, and maintenance of storm drains.

**Chapter 2.97 BUDGET PROCESS**

**2.97.010 Provisions**

**2.97.010 Definitions**

**2.97.030 Authority**

**2.97.040 Tentative Budget**

**2.97.050 Council Budget – Final Budget**

**2.97.060 (RESERVED)**

**2.97.070 Budget Limitations**

**2.97.080 Final Adopted Budget Amendments**

**2.97.090 Budget and Financial Policies**

[**2.97.010 Provisions**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.010_Provisions)

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

[**2.97.020 Definitions**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.020_Definitions)

The following definitions apply to this chapter:

1. “Final budget” means the budget finally adopted by the Council pursuant to its legislative authority.

“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.

1. “Tentative budget” means the budget approved by the MSD after submittal of the proposed budget by the Council to the MSD.

[**2.97.030 Authority**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.030_Authority)

This chapter is based upon the requirements of state law regarding the administration and operation of the metro townships, the responsibilities of the County and the MSD in the metro townships, and the Uniform Fiscal Procedures Act for Cities ("the UFPAC").

[**2.97.040 Tentative Budget**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.040_Tentative_Budget)

1. 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 act. The Council shall submit the proposed budget to the MSD by October 1. The time of submittal of the proposed budget may be extended if requested by a majority of the MSD Board of Trustees.
2. 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 UFPAC and recommend modifications where necessary after consultation with the MSD Board of Trustees, other metro townships, and affected County offices, agencies and departments.
3. The proposed budget shall include 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.
4. In preparing the proposed budget, the Council may include a budget for capital improvements and maintenance in the capital improvements fund.
5. The MSD shall submit a budget calendar outlining all applicable budget related dates prior to September I of each year.
6. After the Council submits the proposed budget, the Council and MSD Board of Trustees may hold joint meetings for purposes of the MSD Board of Trustees preparing a tentative budget.
7. 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.
8. In the event an unforeseen reduction in revenue or other event that may require the MSD to make an urgent or emergency appropriation budget reduction or funding shift, the MSD shall immediately notify the Council. Within one business day of receiving notice from the MSD, the Mayor, Deputy Mayor or temporary chair shall call a special meeting or emergency meeting to discuss any necessary emergency appropriation budget reduction or funding shift. The Mayor, Deputy Mayor, or temporary chair shall provide notice and conduct the special meeting or emergency meeting consistent with the Utah Open and Public Meetings Act for the special or emergency meeting:
9. The MSD shall brief the Council on the nature of the unforeseen reduction in revenue and on the MSD's contingency plan to address the loss of revenue.

1. The Council may make a request for an urgent or emergency appropriation, budget reduction, or budget shift if necessary. The MSD may only make an emergency appropriation, budget reduction, or budget shift if it determines that the public health, safety and welfare require action.

[**2.97.050 Council Budget--Final Budget**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.050_Council_Budget--Final_Budget)

1. After the MSD approves a tentative budget for the Copperton, the Council shall adopt by resolution a final budget for Copperton on or before December 31st of each year for the following calendar fiscal year.
2. The recommended final Copperton budget shall be posted in the office of the Copperton Clerk, and Mayor for at least ten days prior to the public hearing. No budget may be adopted or considered unless it has been prepared and reviewed as provided in this chapter.
3. The Council shall set the date for the time and place of the public hearing on the final budget, and advise, prior to December 1st, the Mayor and MSD of the date of the public hearing, and cause the notice to be published and posted. The Council may hold public hearings as required. The Council may also hold public budget meetings with the Mayor and affected County offices as needed.
4. All interested parties shall have an opportunity to be heard at the public hearing pursuant to rules established by the Council. Adjustments may be made by the Council after the public hearing on the recommended final budget.
5. The final budget shall be available in the offices of the Mayor, and the Copperton clerk during business hours for public inspections.
6. The Mayor acting as budget officer shall file with the state auditor a certified copy of the final budget within thirty days after adoption.

[**2.97.060 Budget Limitations**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.070_Budget_Limitations)

The Mayor, Council and MSD 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.

[**2.97.070 Final Adopted Budget Amendments**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.080_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.

[**2.97.090 Budget And Financial Policies**](https://kearns.municipalcodeonline.com/book?type=ordinances#name=2.95.090_Budget_And_Financial_Policies)

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

**CHAPTER 2.98.010 COUNCIL ADMINISTRATION OF TRANS-JORDAN LANDFILL VOUCHERS**

**2.98.010 Definitions**

**2.98.020 Purpose**

**2.98.030 Voucher(s) Required**

**2.98.040 Household Solid Waste Only**

**2.98.050 Voucher Administrator**

**2.98.060 Verifying Residency**

**2.98.070 Vouchers**

**2.98.080 Appeals**

**2.98.090 Annual Review**

**2.98.010 Definitions**

The following definitions apply to this chapter:

1. “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:

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.

1. “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.
2. “Trans-Jordan” means the Trans-Jordan Landfill
3. “Voucher Administrator” means the person the Council selects to administer the voucher program authorized under this chapter pursuant to Section 2.98.050.

**2.98.020 Purpose**

This chapter governs 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.

**2.98.030 Voucher(s) Required**

 Any individual seeking to dispose of household solid waste at Trans-Jordan without cost pursuant to the Agreement shall 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 gatehouse.

**2.98.040 Household Solid Waste Only**

Under the Agreement, Copperton residents may only dispose of solid household waste at Trans-Jordan without cost. Household waste 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 wasteis 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);
5. Up to three mattresses may be disposed of for free under the voucher program and a per mattress surcharge shall apply to mattresses above three mattresses; and
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.

**2.98.050 Voucher Administrator**

1. Each year, 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.
2. The Voucher Administrator shall:
3. 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.
4. Keep the Council reasonably informed of any problems or other issues associated with this ordinance, providing at least quarterly reports to the Council on the operation of this ordinance; and
5. Act as the Council’s liaison with Trans-Jordan for the purposes of this ordinance, which shall include, at a minimum:
	1. Keeping the Trans-Jordan Executive Director appraised of the Voucher Administrator’s current telephone number and email address;
	2. 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
	3. Request vouchers from Trans-Jordan, as needed.

**2.98.060 Verifying Residency**

1. Except as otherwise provided, the Voucher Administrator shall issue a voucher(s) to any individual who provides any two of the following documents, which shall include the individual’s name and list their address as either “Copperton” or “Bingham Canyon,” Utah:
2. A valid, unexpired Utah driver’s license, U.S. passport, or U.S. passport card (only one of these documents shall be accepted);
3. A bank statement (dated within 60 days);
4. Court documents (issued within last year);
5. A major credit card bill (dated within 60 days);
6. Property tax notice (statement or receipt dated within one year);
7. School transcript (dated within 90 days); or
8. Utility bill (billing date within 60 days).
9. If an individual is unable to provide the documents listed in Section 2.98.060(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 ordinance.
10. If the Voucher Administrator declines to issue a voucher for failure to establish residency, they shall provide the individual with a written explanation of the reasons for the determination.

**2.98.070 Vouchers**

1. 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 bit shall only be able to use one voucher per trip.
2. Each voucher issued shall be in substantially the following form:

****

1. Requests for Vouchers:
2. Each Voucher Administrator designated by the Council shall develop the process and manner by which residents may request vouchers, subject the Council’s review and approval of said process.
3. Except as otherwise provided herein, a resident who satisfies the requirements of Section 2.98.060 may request a reasonable number of vouchers per month. The Voucher Administrator shall consider requests for vouchers in excess of this amount on a case-by-case basis.
4. 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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_.*

1. 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, 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 shall 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.

**2.98.080 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 may, by majority vote, affirm, amend, reverse, or take any other action it deems appropriate with respect to a decision made by the Voucher Administrator under this chapter.

**2.98.090 Annual Review**

The Council shall review this Chapter on an annual basis to determine if changes are needed.

**Chapter 2.99 BINGHAM CEMETERY BOARD**

**2.99.010 Definitions**

[**2.99.020 Board to Manage Cemetery Operations**](https://copperton.municipalcodeonline.com/book?type=ordinances#name=2.38.010_Trustee_Form_Of_Management_To_Manage_Cemetery_Operations)[**2.99.030 Purchasing Authority; Operating Procedures**](https://copperton.municipalcodeonline.com/book?type=ordinances#name=2.38.020_Purchasing_Authority;_Operating_Procedures)

**2.99.010 Definitions**

The following definitions apply to this chapter:

“Board” means the Bingham Cemetery Board created under this chapter.

“Cemetery” means the Bingham Cemetery.

“Escrow fund” means the fund Copperton acquired to maintain and operate the Cemetery when Copperton acquired the Cemetery.

“Liaison” means the person the Council appoints to serve as its liaison to the Board pursuant to Section 2.99.030.

“Small expenditure” means an expenditure of $2,000 or less for day-to-day operations and maintenance of the Cemetery.

[**2.99.020 Bingham Cemetery Board to Manage Cemetery Operations**](https://copperton.municipalcodeonline.com/book?type=ordinances#name=2.38.010_Trustee_Form_Of_Management_To_Manage_Cemetery_Operations)

The Board shall manage the Bingham Cemetery pursuant to this chapter and the Council’s directives and oversight. The Council shall appoint members to the Board in its sole discretion.

[**2.99.030 Purchasing Authority; Operating Procedures**](https://copperton.municipalcodeonline.com/book?type=ordinances#name=2.38.020_Purchasing_Authority;_Operating_Procedures)

1. The Board shall develop annual budgets for the operation and maintenance of the Cemetery and shall submit said budgets to the Council for review and approval in accordance with the timelines the Council establishes; and
2. The Council shall appoint one of its members to:
	1. Oversee the committee and act as a liaison between the Council and the Board on all matters involving the Cemetery;
	2. Act on behalf of the Council in reviewing and approving “small expenditures” pursuant to this chapter, that the Board may incur; and
	3. Act on behalf of the Council in submitting to the MSD for payment all expenditures the Board may incur in accordance with this chapter and applicable laws and other requirements.
3. The following provisions apply to small expenditures:

* 1. The Board shall have authority to 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 Liaison for review, approval, and submission to the MSD in accordance with this chapter and applicable laws and other requirements.
1. The following provisions shall apply to any expenditure that does not qualify as a small expenditure:
	1. Before the Board may incur any expenditure under this section:
		1. The Board shall submit a request for the expenditure to the Council through the Liaison; and
		2. The Council shall review the Board’s request for the expenditure and may approve the request in its discretion.
	2. After the Board has incurred an expense that the Council has approved under this section, the Board shall provide all related invoices and documentation to the Liaison, who shall be responsible for requesting payment from the MSD, provided that the Liaison shall first review all applicable invoices and documentation to ensure compliance with the Council’s approval of the expenditure.
2. If the Liaison or Council has questions or concerns about any expenditure incurred by the Board, the Liaison and the Council shall take any and all lawful actions necessary to resolve the question or concern and to ensure compliance with this Ordinance and any applicable laws and other requirements.
3. 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.
4. 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.
5. The Council may require the Liaison to seek payment of Cemetery expenses from appropriate amounts in Copperton’s budget instead of seeking payment from the Escrow Fund.