

CHAPTER 2A-04. LEGISLATION

2A-04-010. Ordinances.

2A-04-020. Resolutions.

2A-04-030. Public Records.

2A-04-010. Ordinances.

(a) Legislative Power. Except as otherwise specifically provided, the City Council shall exercise its legislative powers through ordinances.

(b) Extent of Power. The City Council may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by law.

(c) Form. Any ordinance passed by the City Council shall contain and be in substantially the order and form as set forth in *Utah Code Ann.* §10-3-704, as amended. No ordinance shall be void or unlawful by reason of its failure to conform to certain provisions of said law.

(d) Effective Date. Unless otherwise provided in the ordinance, ordinances shall become effective twenty (20) days after publication or posting, or thirty (30) days after final passage by the City Council, whichever is sooner. Ordinances may become effective at an earlier or later date after publication or posting if so provided in the ordinance.

(e) Signed. Ordinances passed or enacted by the City Council, before taking effect, shall be signed by the Mayor, or if he or she is absent, by the Mayor pro tempore or by a quorum of the Council Members as required by law.

(f) Publication. Except as otherwise provided by law, all ordinances, before taking effect, shall be posted or published in accordance with applicable provisions of *Utah Code Ann.* §10-3-711, as amended.

(g) Recording. The City Recorder shall record, in a book used exclusively for that purpose, all ordinances passed by the City Council. The City Recorder shall give each ordinance a number, if the City Council has not already done so. The City Recorder shall make or cause to be made a certificate stating the date of passage and the date of publication or posting of the ordinance, as required. All ordinances shall be recorded as provided herein before taking effect.

(h) Prima Facie Evidence. The record and certificate prepared by the City Recorder, or a certified copy thereof, shall be prima facie evidence of the contents, passage, and publication or posting of the ordinance or codification. In addition, the ordinances printed and published by the authority of the City Council, shall be prima facie evidence of the contents, passage, and legal publication of such ordinances, as of the dates mentioned in the publication in all courts and administrative proceedings.

(i) Proved Under Seal. The contents of all Fruit Heights City ordinances, the dates of passage, and the dates of publication or posting, may be proved by the certification of the City Recorder under the seal of Fruit Heights City.

2A-04-020. Resolutions.

(a) Administrative Powers. Unless otherwise required by law, the City Council may exercise all administrative powers by resolution.

(b) Form. Any resolution passed by the City Council shall be in a form and contain sections substantially similar to that prescribed for ordinances.

(c) Effective Date. Resolutions may take effect on passage or at a later date as the City Council may determine, but resolutions may not become effective more than three (3) months from the date of passage.

(d) Publication. Resolutions may become effective without publication or posting.

(e) Limitation. No punishment, fine, or forfeiture may be imposed by resolution.

2A-04-030. Public Records.

The ordinances, resolutions, and any other books, records, accounts or documents of the City shall be kept at the office of the City Recorder. Approved copies shall be open and available to the public during regular business hours for examination and copying in accordance with the Utah Government Records Access and Management Act.