

**INTERLAKEN TOWN
WASATCH COUNTY, UTAH**

September 01, 2026

ORDINANCE NO. 23

**AN ORDINANCE AMENDING TITLE 2, CHAPTER 2 – ESTABLISHING ELECTRONIC
MEETING QUORUM AND ANCHOR LOCATION REQUIREMENTS**

WHEREAS, Pursuant to Utah Code § 52-4-207, the Interlaken Town Council is authorized to conduct public meetings via electronic communications, including telephonic, video, or online conferencing platforms; and

WHEREAS, the Town Council is authorized to establish requirements for a quorum of the council including electronic attendance and physical attendance at an anchor location; and

WHEREAS, the Mayor, acting as the chair of the Town Council, may waive the requirement to provide a physical anchor location for a public meeting if the Mayor makes a written determination that conducting the meeting at an anchor location presents a substantial risk to the health or safety of those who would be present.

NOW, THEREFORE, it is hereby ordained by the Town Council of Interlaken Town, Wasatch County, Utah, that Title 2, Chapter 2 of the Municipal Code is amended as follows and that the INTERLAKEN MEMORANDUM OF WRITTEN DETERMINATION, attached hereto as *Exhibit A*, is adopted:

CHAPTER 2.12 OPEN AND PUBLIC MEETINGS

Section 2.12.010 Title

Section 2.12.020 Purpose

Section 2.12.030 Application of the Utah Open and Public Meetings Act

Section 2.12.040 Electronic Meetings

Section 2.12.050 Waiver of Anchor Location for Health and Safety

Section 2.12.050-060 Approval of Minutes

Section 2.12.060 Opening Remarks or Invocation

Section 2.12.010 Title

This Chapter is known as the “Town of Interlaken Open and Public Meetings Ordinance.”

Section 2.12.020 Purpose

The Town believes that its government exists to aid in the conduct of the people’s business. It is the intent of the Town to take all of its actions openly and conduct all of its deliberations openly.

Section 2.12.030 Application of the Utah Open and Public Meetings Act

All meetings, proceedings and other activities of all councils, boards, commissions, committees, agencies and authorities established under the authority of this Title shall be governed by the provisions of the Utah Open and Public Meetings Act, Title 52, Chapter 4, Utah Code, as said Act may be amended from time to time.

Section 2.12.040 Electronic Meetings

A. All councils, boards, commissions, committees, agencies and authorities established under the authority of this Title may hold and conduct electronic meetings in accordance with this Section and the requirements of applicable Utah law.

B. Electronic meetings shall comply in all respects with the requirements of the Utah Open and Public Meetings Act, Title 52, Chapter 4, Utah Code (as amended from time to time), including providing required public notice of all meetings.

C. Notice of an electronic meeting to be held by any public body shall be given to each member of the body prior to the electronic meeting in the manner and time provided by the Open and Public Meetings Act in order to allow all members the opportunity to participate in the meeting electronically.

D. All electronic meetings, ~~(except for permissible closed meetings under the Open and Public Meetings Act, and meetings for which the anchor location presents a health and safety hazard, as specified in Section 2.12.050,)~~ shall be held in a location that allows attendance by the public at the electronic meeting.

E. A recording and written minutes of all electronic meetings shall be made as required by the Open and Public Meetings Act.

B. Quorum Determination. A quorum of the Town Council is established for all purposes when a majority of the members are present either physically at the anchor location or connected electronically via an authorized communication platform.

C. Electronic Attendance and Voting. Members participating electronically shall be considered fully present for the meeting. They shall be counted toward the establishment of a quorum, may participate in all discussions, and may cast votes on any matter before the Town Council.

D. No Physical Quorum Required at Anchor Location. There is no requirement that a majority or any specific number of Town Council members be physically present at a single anchor location to convene a meeting or establish a quorum, provided that a connection to the meeting is made available to the public at the designated anchor location, unless the anchor location presents a health and safety hazard, as specified in Section 2.12.050.

Section 2.12.050 Waiver of Anchor Location for Health and Safety

- A. Authority to Waive. Notwithstanding any provision in this Code to the contrary, the Mayor, acting as the chair of the Town Council, may waive the requirement to provide a physical anchor location for a public meeting if the Mayor makes a written determination that conducting the meeting at an anchor location presents a substantial risk to the health or safety of those who would be present.
- B. Required Written Determination. The Mayor's determination must be made in writing and must include a specific description of the factual circumstances and risk factors establishing the danger to public health or safety.
- C. Expiration of Waiver. Any written determination made under this section shall be valid for a maximum of thirty (30) days from the date it is signed. If the health or safety risk persists beyond thirty (30) days, the Mayor must issue a new written determination for subsequent meetings to proceed without an anchor location.
- D. Public Notice and Access Requirements. When the anchor location requirement is waived under this section, the public notice for the meeting shall:

 - 1. Include the Mayor's written determination, or a summary thereof, explaining why no anchor location is provided; and
 - 2. Provide clear instructions on how members of the public may monitor and, if public comment is permitted, participate in the electronic meeting remotely.

Section 2.12.050-060 Approval of Minutes

- A. Written minutes shall be taken for all public meetings of any public body of this municipality. The minutes of all public meetings of any public body of this municipality shall be recorded and taken down by the person assigned by the Town.
- B. Within 14 working days from the end of the meeting, the assigned person shall prepare proposed minutes for the meeting and give a copy of the proposed minutes to each member of the public body for his or her review and comments.
- C. Once the proposed minutes have been given to the members of the public body, the assigned person shall immediately make available to the public the proposed written minutes, which shall be clearly identified as "awaiting formal approval" or "unapproved" or with some other appropriate notice that the proposed minutes are subject to change until formally approved and they shall become a public document available to any member of the public who requests to read or copy the proposed minutes.
- D. The public body shall consider the proposed minutes for approval at the first meeting of the public body that immediately follows the assigned person giving the proposed minutes to the members of the public body. The members of the public body shall either approve the proposed written minutes as presented; or vote to correct and amend the proposed written minutes and then approve the corrected and amended written minutes at that meeting.

E. If the public body fails to consider the proposed minutes, or does not take any action to approve the proposed minutes at the first public meeting held by the public body immediately following the public body's receipt of the proposed minutes from the assigned person, the proposed minutes shall be deemed to have been approved by the public body and will stand as proposed.

F. Once the proposed minutes have either been approved by the public body, or have been deemed to have been approved by the inaction of the public body, they shall become the official record of the proceedings of the public body and shall be signed by the chair of the meeting and the person assigned to their preparation and shall be retained in the official records of this municipality and shall be a public document available for the inspection and copying by members of the public as appropriate under Utah law.

PASSED AND ADOPTED BY THE TOWN COUNCIL THIS 1ST DAY OF September 2026.

APPROVER:



Mayor: Gregory Harrigan

ATTEST:



Town Clerk and Administrator: Bart Smith



EXHIBIT A

**INTERLAKEN MEMORANDUM OF WRITTEN DETERMINATION
PURSUANT TO UTAH CODE § 52-4-207(4)**

TO: Town Council Members, Town Staff, and Members of the Public

FROM: [Mayor Name], Mayor of Interlaken Town

DATE: [Date, yyyy]

SUBJECT: Determination to Conduct Public Meetings Without a Physical Anchor Location

Pursuant to Utah Code Ann. § 52-4-207(4), I, as the Mayor of Interlaken Town and presiding officer of the Town Council, hereby make the following written determination regarding upcoming public meetings:

1. **Substantial Risk to Health and Safety:** I have determined that conducting Town Council meetings at a physical anchor location at this time presents a substantial risk to the health or safety of those who would be present.
2. **Factual Basis and Justification:** This determination is based on the following specific facts and safety risk factors:
 - [Insert specific reason here. Examples: *Severe structural or water damage to the Town Anchor Location, following the storm on [Date]* OR *An active, localized health and safety emergency as declared by [Local Health Dept/Emergency Services]*, OR *substantial risks caused by ongoing weather conditions, floods, snow or ice restricting safe access*, OR *Immediate security or environmental hazards present at the designated meeting facility*].
 - Due to these conditions, opening a physical space to the public creates a direct hazard to council members, staff, and residents.
3. **Waiver of Anchor Location:** Based on the foregoing risks, the requirement to provide a physical anchor location for the Town Council meeting scheduled for **[Date of Meeting]** [Optional: *and all subsequent meetings of the Town Council for the next 30 days*] is hereby waived.
4. **Public Electronic Access:** The public may fully monitor and participate in this meeting electronically. Specific instructions, including the link and call-in information to access the video and audio streams, are included in the public notice for this meeting published on the Utah Public Notice Website and the Interlaken Town website.
5. **Expiration:** In accordance with state law, this determination shall expire exactly thirty (30) days from the date signed below, unless revoked earlier or extended by a subsequent written determination.

Signed this ____ day of _____, yyyy.

[Mayor Name], Mayor
Interlaken Town, Utah

ATTEST:

[Town Clerk Name], Town Clerk/Recorder