

Part 5
Meetings, Procedure, and Conduct - Voting

10-3-502 Regular and special council meetings.

- (1) The council of each municipality shall:
 - (a) by ordinance prescribe the time and place for holding its regular meeting, subject to Subsection (1)(b); and
 - (b) hold a regular meeting at least once each month.
- (2)
 - (a) The mayor of a municipality or two council members may order the convening of a special meeting of the council.
 - (b) Each order convening a special meeting of the council shall:
 - (i) be entered in the minutes of the council; and
 - (ii) provide at least three hours' notice of the special meeting.
 - (c) The municipal recorder or clerk 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.
 - (d) The personal appearance by a council member at a special meeting of the council constitutes a waiver of the notice required under Subsection (2)(c).

Amended by Chapter 19, 2008 General Session

10-3-504 Quorum defined.

The number of council members necessary to constitute a quorum is:

- (1) in a municipality with a seven-member council, four;
- (2) in a municipality with a five-member council, three; and
- (3) in a municipality operating under a six-member council form of government, three, excluding the mayor.

Amended by Chapter 19, 2008 General Session

10-3-505 Compelling attendance at meetings of legislative body.

The legislative body of a municipality may compel the attendance of its own members at its meetings and provide penalties it considers necessary for the failure to comply with an exercise of the authority to compel attendance.

Amended by Chapter 237, 2003 General Session

10-3-506 How the vote is taken.

A roll call vote shall be taken and recorded for all ordinances, resolutions, and any action which would create a liability against the municipality and in any other case at the request of any member of the governing body by a "yes" or a "no" vote and shall be recorded. Every resolution or ordinance shall be in writing before the vote is taken.

Enacted by Chapter 48, 1977 General Session

10-3-507 Minimum vote required.

- (1) The minimum number of yes votes required to pass any ordinance or resolution, or to take any action by the council, unless otherwise prescribed by law, is a majority of the voting members of the council, regardless of absence or vacancy.
- (2)
 - (a) Any ordinance, resolution, or motion of the council having fewer favorable votes than required in this section is defeated and invalid.
 - (b) Notwithstanding Subsection (2)(a), a council meeting may be adjourned to a specific time by a majority vote of the council even though the majority vote is less than that required in this section.
- (3) If a vacancy exists in one or more council seats, a majority of the council members presently occupying council seats, regardless of number, may vote to fill the vacancy as provided under Section 20A-1-510.

Amended by Chapter 338, 2014 General Session

10-3-508 Reconsideration.

Any action taken by the governing body may not be reconsidered or rescinded at any special meeting unless the number of members of the governing body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

Amended by Chapter 378, 2010 General Session