

WEST BOUNTIFUL CITY

ORDINANCE #387-17

**AN ORDINANCE AMENDING THE GOVERNMENT RECORDS
ACCESS AND MANAGEMENT PROVISIONS OF THE
WEST BOUNTIFUL MUNICIPAL CODE**

WHEREAS, Utah Code Ann. § 63G-2-701 authorizes the City’s governing body to adopt an ordinance or policy in compliance with the Government Records Access and Management Act, Utah Code Ann. § 63G-2-101, et seq., as amended (“**GRAMA**”); and,

WHEREAS, in 2015 GRAMA was amended to modify the appeals process as described in Utah Code Ann. § 63G-2-701(4-7) and to make certain other changes; and,

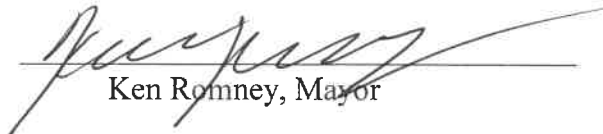
WHEREAS, the City Council finds that it is in the best interest of the City and its residents to adopt certain changes in the City’s Government Records Access and Management ordinance consistent with changes in GRAMA.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT CHAPTER 2.56 OF THE WEST BOUNTIFUL CITY CODE BE MODIFIED AS REFLECTED IN ATTACHMENT A.

This ordinance will become effective upon signing and posting.

Adopted this 7th day of February, 2017.

By:


Ken Romney, Mayor

Voting by the City Council:	<u>Aye</u>	<u>Nay</u>
Councilmember Ahlstrom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Bruhn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Enquist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Preece	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Attest:


Cathy Brighwell, City Recorder

Chapter 2.56 GOVERNMENT RECORDS ACCESS AND MANAGEMENT

Sections:

- 2.56.010 State Act Adopted
- 2.56.020 Retention Schedule
- 2.56.030 Records Officer
- 2.56.040 Records Requests
- 2.56.050 Fees
- 2.56.060 Appeals

2.56.010 State Act Adopted.

All government records of the City shall be maintained, classified and accessed in accordance with the Utah Government Records Access and Management Act, *Utah Code Ann. § 63G-2-101, et seq.*, as amended (“the Act”).

2.56.020 Retention Schedule.

All government records of the City shall be retained in accordance with the Utah Municipal General Records Retention Schedule, as created and retained by the Utah Division of Archives and Records Service, which is hereby adopted by reference as the West Bountiful City Records Retention Schedule.

2.56.030 Records Officer.

The city recorder is appointed as records officer of the City to oversee and coordinate records access, management and archives activities. The records officer will work with the Utah Division of Archives and Records Service in the care, maintenance, scheduling, designation, classification, disposal, and preservation of City records.

2.56.040 Records Requests.

Any person requesting a record shall file a written Government Records Access and Management Request form as provided by the City. Such request shall be submitted to the records officer and processed in accordance with the Act and this chapter.

2.56.050 Fees.

The following apply with respect to fees:

- A. The City may charge reasonable fees to cover the actual cost of providing a record consistent with Section 63G-2-203 of the Act. Such fees shall be adopted and set forth in the City’s Consolidated Fee Schedule.

- B. The City may require payment of past fees and future estimated fees before beginning to process a request if the fees are expected to exceed fifty dollars (\$50.00) or if the requester has not paid fees from previous requests. Any prepaid amount in excess of fees due shall be returned to the requester.

2.56.050 Appeals.

- A. Any person aggrieved by a decision of the city's classification of a record or by the city's response to a record request may appeal the determination within thirty (30) days after notice of the city's action to the city administrator by filing a written notice of appeal in the manner provided in Section 63G-2-403 of the Act.
- B. The City Administrator shall make a determination on the appeal within the time periods set forth in Section 63G-2-401 of the Act. The city administrator shall send written notice of his or her determination to all participants and shall include a statement that the requester has the right to appeal a denial to either the state records committee under Section 63G-2-403 or district court under Section 63G-2-404 of the Act.

**CERTIFICATE OF
PASSAGE AND POSTING ORDINANCE**

*I, the duly appointed and acting recorder for the City of West Bountiful,
do hereby certify that the foregoing Ordinance No. 387-17
was duly passed and published, or posted at three public places within the
municipality on March 1, 2017, which public places
are:*

- 1) West Bountiful City Hall,*
- 2) West Bountiful City Park Bowery, and*
- 3) Lakeside Golf Course.*

Cathy Brightwell DATE: 3/1/17
Cathy Brightwell, City Recorder

