

ORDINANCE 23-07

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", arecodification of municipal ordinances encompassing the ¹¹ Revised Ordinances of Hyrum City ¹¹ and ordinances adopted through July 16, 1993; and

WHEREAS, Title 2 of the Hyrum City Municipal Code sets forth those regulations governing the administration and personnel of Hyrum City; and

WHEREAS, the Hyrum City Council has determined there is a need to add Chapter 2.80 to establish and clarify the term and method of appointment to the Wastewater Treatment Plant Board.

NOW, THEREFORE, the City Council of Hyrum City, Cache County, State of Utah, hereby adopts, passes, and publishes the following:

AN ORDINANCE ADDING CHAPTER 2.80 TO TITLE 2 OF THE HYRUM CITY MUNICIPAL CODE TO ESTABLISH THE TERM AND METHOD OF APPOINTMENT TO THE WASTEWATER TREATMENT PLANT BOARD AND IDENTIFYING RESPONSIBILITIES.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State, of Utah, as follows:

1. Section 2.80 of Title 2 of the Hyrum City Municipal Code is hereby added to read as follows:

2.80.010 Creation.

A Sewer Treatment Plant Board (the "Board") shall be created for the purposes of monitoring hookups, monitoring each City's use of the total wastewater capacity of the Facility, adopting, policies and procedures, approving revenues and expenditures, planning and preparing for Plant expansion, and any other matters affecting the operation of the Treatment Plant as set forth in the Intermunicipal Wastewater Treatment Plant Operating Agreement.

2.80.020 Number of Representatives.

The Board shall consist of five (5) members, four (4) of whom shall be representatives from HYRUM, including the City Administrator or Mayor, Plant Manager, City Councilmember, and a member at large whose term shall be for four years with the possibility of an additional term(s); and one (1) of whom shall

be a representative from MILLVILLE. The number of Representatives of the Board may be increased based upon the admission of additional owners or adjusted ownership ratios. Representation on the Board shall be proportionate to ownership.

- A. Selection of Treatment Plant Board Members. The Governing Body of each City shall select and approve representative(s) to serve on the Sewer Treatment Plant Board. Each City shall determine the manner and duration of service for each representative.
- B. Removal or Disability. A City may remove from the Board its representative(s) with or without cause. In the event of resignation or removal, a successor shall be appointed within 3 months of resignation or removal.

2.80.030 Duties of Treatment Plant Board.

The Board shall govern the operation, maintenance, and improvement of the Treatment Plant. The Board shall be responsible for developing and adopting policies and procedures to ensure the efficient operation of the Treatment Plant. The Manager shall represent Hyrum City and be an ex-officio voting member of the Board and shall advise the Board as to matters before it. The Treatment Plant employees, including the Manager, shall be employees of HYRUM and shall be subject to HYRUM personnel policy. The Board shall make a recommendation of potential employees, including the Manager position, to HYRUM for hiring qualified personnel to operate the Treatment Plant.

2. REPEALER. All ordinances, resolutions, and regulations of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the

regulations contained therein, are hereby declared to be severable

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4. EFFECTIVE DATE . This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

5. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 20th day of July, 2023.

HYRUM CITY

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder