



60 West Main Street  
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## City Council Agenda Information

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**To:** Mayor Miller and City Council  
**From:** Stephanie Fricke, City Recorder  
**Date:** April 13, 2026  
**Subject:** Ordinance 26-12 adding Chapter 2.02 Form of Government to Title 2 Administration and Personnel to the Hyrum City Municipal Code to formally define Hyrum City's form of government as a Six-Member Council Form of Government.

### **Summary:**

The proposed ordinance to adopt Chapter 2.02, defining Hyrum City's form of government, is intended to formally codify the City's governing structure within the municipal code.

During recent research related to the process for filling a vacated City Council seat, it became apparent that Hyrum City's form of government was not clearly identified within the Hyrum City Municipal Code. While state law—specifically Utah Code §10-3b-301—provides for various forms of municipal government, the absence of a clearly codified designation for Hyrum City required additional time and effort to determine the correct statutory procedures applicable to the City.

Because the City's form of government was not explicitly stated in the code, it created unnecessary delays in confirming the proper process for filling the vacated seat. This lack of clarity could also lead to confusion in future administrative or legal matters where the form of government directly impacts procedure, authority, or responsibilities.

Adopting this ordinance will:

- Clearly define Hyrum City's form of government as a six-member council form of government;
- Provide transparency and clarity for elected officials, staff, and the public;
- Ensure consistency with applicable Utah state law; and
- Improve efficiency in future decision-making and legal determinations by eliminating ambiguity.

### **Recommendation:**

Hyrum City Recorder Stephanie Fricke is recommending the city council adopt Ordinance 26-12 adding Chapter 2.02 Form of Government to Title 2 Administration and Personnel to the Hyrum City Municipal Code to formally define Hyrum City's form of government as a Six-Member Council Form of Government. Codifying this information in the municipal code is a proactive step to ensure that Hyrum City's governmental structure is clearly established, easily accessible, and consistently applied moving forward.

### **City Council Meeting Details:**

- Meeting Date: April 16, 2026
- Council Role: Information, discussion, possible roll call vote

ORDINANCE 26-12

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Utah State Code Section §10-3b-301 sets forth the different forms of municipal government; and

WHEREAS, Hyrum City has been operating as a six-member council form of government and the City desires to formally define its form of government within the Hyrum City Municipal Code; and

WHEREAS, pursuant to Utah Code §10-3b-301, municipalities may adopt a six-member council form of government; and

WHEREAS, the governing body of Hyrum City consists of a six-member City Council, which includes the Mayor and five City Council Members; and

WHEREAS, the Mayor serves as the presiding officer of the City, acts as the ceremonial head and Chief Executive Officer of the City, and is generally a nonvoting member except in the case of a tie or as otherwise provided by law; and

WHEREAS, the Mayor does not possess veto power over ordinances, tax levies, or appropriations, and may appoint an administrative assistant consistent with applicable law and budgetary provisions; and

WHEREAS, the Mayor and City Council serves as the legislative body of Hyrum City, with authority to enact ordinances, adopt budgets, levy taxes, and exercise all legislative powers granted by law; and

WHEREAS, in the absence or incapacity of the Mayor, the City Council may designate one of its members to serve as Mayor Pro Tempore to preside over meetings and perform the duties of the Mayor; and

WHEREAS, the City Council finds it to be in the best interest of the City to codify its governing structure consistent with state law;

NOW, THEREFORE, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE ADDING CHAPTER 2.02 FORM OF GOVERNMENT TO TITLE 2 ADMINISTRATION AND PERSONNEL TO THE HYRUM CITY MUNICIPAL CODE TO FORMALLY DEFINE HYRUM CITY'S FORM OF GOVERNMENT AS A SIX-MEMBER COUNCIL FORM OF GOVERNMENT.

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

1. Chapter 2.02 Form of Government of Title 2 Administration and Personnel of the Hyrum City Municipal Code is hereby added to read as follows:

**2.02.010 Six-Member Council Form of Government.**

Hyrum City operates under the six-member council form of government as authorized by Utah State Code §10-3b-301, and consistent with the provisions set forth therein.

2. REPEALER. All ordinances, AND resolutions 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.

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 of 16<sup>th</sup> day of April, 2026.

HYRUM CITY

BY: \_\_\_\_\_  
Steve J. Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Posted: \_\_\_\_\_

<b>Roll Call Vote -</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Councilmember Rebecca Foulger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Michael Nelson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Nalyn Nelson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Craig Rasmussen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember James L. Wright	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>