

**TOWN OF ALTA**

**ORDINANCE # 2024-O-2**

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 15, SECTION 1 AMENDING THE REQUIREMENT FOR THE TOWN MANAGER TO FURNISH A FIDELITY BOND**

**WHEREAS**, the Town of Alta (“Town”) Town Council (“Council”) enacted an ordinance on April 12, 2023, creating the position of Town Manager;

**WHEREAS**, the Town Manager ordinance requires posting of a fidelity bond, at the Town’s expense, for the Town Manager to insure the Town for potential liability;

**WHEREAS**, the Town carries an insurance policy that provides the same liability coverage as a fidelity bond;

**WHEREAS**, the Town wishes to amend the Town Manager ordinance to amend the fidelity bond requirement for the Town Manager to prevent duplicate coverage and needless cost.

NOW THEREFORE, BE IT ORDAINED by the Alta Town Council of, Utah that:

**Section I:** Title 1, Chapters 15 is hereby amended as follows:

**1-15-1: TOWN MANAGER OFFICE CREATED; ADMINISTRATIVE PROVISIONS:**

Office Created: The office of the Town Manager, which shall be known as "Town Manager", is created and established pursuant to Utah code section 10-3b-403. The Town Manager shall be referred to as the Town Manager and is the chief administrative officer of the Town.

- A. Control: The powers, duties and functions of the office of Town Manager shall be subject to the control and policies of the Town pursuant to Town ordinance and resolution.
- B. Appointment or Removal: The Town Manager shall be appointed or removed pursuant to 1-6-4.
- C. Bond or crime insurance: Before taking office, either the Town Manager shall either furnish a fidelity bond, at the expense of the Town, in the-an amount of-between ~~[\$70,000 to \$300,000]~~, conditioned upon the faithful performance of his or her duties, with a corporation licensed to do business in this state as a surety; or the town shall purchase secure crime insurance in at least the amount shown in Utah Administrative Code R628-4-4 (or successor regulation). Proof of Ssuch bond or insurance shall be filed with the Town Clerk after the Town Manager is appointed.
- D. Employment Agreement: Nothing in this chapter shall be construed as a limitation on the power or authority of the Town Council to enter into any employment agreement with the Town Manager with additional terms and conditions of employment not inconsistent with any provisions of this chapter.
- E. Salary: The salary and other compensation of the Town Manager shall be established by the Town Council in accordance with Utah law.

F. Office And Time Spent: The Town Manager shall maintain an office in the Town offices and shall spend such time in the performance of the duties of Town Manager as is necessary or required to perform the duties as assigned in Town ordinance or resolution. The Town Manager shall not accept any outside employment in addition to employment by the Town without prior approval of the Town Council.

G. Residence: The Town Manager need not be a resident of the Town at the time of the Town Manager's appointment or thereafter.

H. Resignation: Before voluntarily resigning from the position of Town Manager, the Town Manager shall give the Town Council at least sixty (60) days' written notice of his or her intent to resign.

**Section II: Effective Date.** This Ordinance shall become effective upon publication.

PASSED AND APPROVED by the Town of Alta Town Council, Utah, this 10<sup>th</sup> day of January, 2024.

By: TOWN OF ALTA

\_\_\_\_\_  
Mayor, Roger Bourke

Attest:

\_\_\_\_\_  
Jen Clancy, Town Clerk

Ordinance/summary published on Utah state noticing website on \_\_\_\_\_.

Effective date of Ordinance: \_\_\_\_\_.

Vote:

Mayor Bourke \_\_\_\_\_

Councilmember Anctil \_\_\_\_\_

Councilmember Byrne \_\_\_\_\_

Councilmember Morgan \_\_\_\_\_

Councilmember Schilling \_\_\_\_\_