



# REQUEST FOR COUNCIL ACTION

**Presenter:** Mayor Dirk Burton

**Meeting Date Requested:** 9/9/2020

**Department:** Mayor's Office

**Date Final Action Required:** 9/9/2020

**Meeting Type:** ☐ Work Session ☐ Public Hearing ☒ Business Item ☐ Other Consent Item

**Action Requested:** ☐ Provide Information ☐ Request Feedback ☒ Decision ☐ Other

**Time Requested:** **Total Time:** 15 Minutes (Presentation Time: Council Discussion: )


## Signatures:

Submitter:   
Korban Lee (Sep 2, 2020 17:30 MDT)

Dept. Head:   
Korban Lee (Sep 2, 2020 17:30 MDT)

Reviewed as to Form:   
David Quealy (Sep 2, 2020 17:35 MDT)

Executive: 

Council Office: 

## AGENDA SUBJECT

Discussion and possible action on Ordinance No. 20-34 amending Title 1, Chapter 8 of the West Jordan City Code regarding the organization of departments and special Functions.

## PURPOSE FOR COUNCIL TIME

To allow the City Council time to discuss and possibly adopt amendments to Title 1, Chapter 8 of the City Code that (1) set forth the departments and special functions of the City, and (2) simplify how the City Code reads with respect to codified departments and special functions.

## SUMMARY

State law (Utah Code § 10-3b-202) requires the first mayor elected under a newly established mayor-council form of government to draft and submit to the city council a proposed ordinance within six months of taking office that provides for the division of the municipality's administrative service into departments, divisions, and bureaus and defines the functions of each. The Mayor is fulfilling that duty with this ordinance. The prior city council adopted Ordinance 19-38 on November 13, 2019 that divided the City's functions into six core departments and a list of special functions. The current city council adopted the City of West Jordan Fiscal Year 20-21 Annual Budget, which includes a City Organization Chart depicting the separation and structure of City departments and special functions, by ordinance on June 24, 2020. The Mayor sees no need to alter the existing structure and proposes the same, with the exception of renaming the Finance Department in City Code to the Administrative Services Department to allow it to oversee non-finance special functions.

## TIME SENSITIVITY / URGENCY

Urgent. This Ordinance is required to bring the City into compliance with State Code.

**BUDGET IMPACT**

No anticipated budget impact. The Fiscal Year 20-21 Annual Budget includes funding for all positions included in the proposed structure.

**STAFF RECOMMENDATION**

N/A

**PLANNING COMMISSION RECOMMENDATION** (If Applicable)

N/A

**MOTION RECOMMENDED** (If Applicable)

I move the City Council adopt Ordinance No. 20-34 amending Title 1, Chapter 8 of the West Jordan City Code to Provide for the Division of the City's administrative services into departments and special functions.

**MAYOR RECOMMENDATION** (if applicable)

The Mayor is recommending approval of this Ordinance.

**PACKET ATTACHMENT(S)** (Embed Electronically)

1. Ordinance No. 20-34 showing the final code language that would be adopted.
2. A redlined copy of City Code section 1-8-1 showing the specific language changes being proposed.
3. A redlined copy of Articles A-J of City Code Title 1, Chapter 8 showing how they were incorporated into new City Code section 1-8-8.
4. Organizational Chart from the Fiscal year 20-21 Annual Budget
5. Visual aid organization chart showing color coded clarifications

**OTHER INFORMATION** (If Applicable)Structural Changes

The prior City Council codified an organizational structure consisting of six core departments in Ordinance 19-38 on November 13, 2019. The six core departments are set forth in Title 1, Chapter 8, Articles C-H and are: (1) the Legal Department; (2) Development Services; (3) the Fire Department; (4) the Police Department; (5) the Police Department; and (6) the Finance Department. Ordinance 19-38 also set forth 26 "special functions" (see City Code 1-8J-1) that are not appropriate for codification as a department because they may be subject to frequent reassignment by successive administrations.

The Mayor's proposal collapses the Title 1, Chapter 8 Articles into a single new Code Section 1-8-8, which required several formatting edits. Substantively, however, the proposal does not change the City's structure, as the Mayor believes the structure the prior council adopted less than a year ago functions appropriately and effectively. Thus, the proposed Ordinance maintains the same six core

department and list of special functions, with the exception of changing the name of the Finance Department to Administrative Services to better reflect that it may absorb some non-finance special functions in the future. The proposed location of the six core departments is follows

1. The Legal Department (1-8-8(B))
2. Community Development (1-8-8(C))
3. The Fire Department (1-8-8(D))
4. The Police Department (1-8-8(E))
5. The Public Works Department (1-8-8(F))
6. The Administrative Services Department (1-8-8(G))

Similarly, the current city council adopted a City Organizational Chart as part of the Fiscal Year 20-21 Annual Budget that showed, with more detail, the organizational operations of the City—denoting for example the location of several special functions within the organization. The Mayor again does not see a need to revisit the substance of the recently adopted City Organization Chart, but does want to communicate two clarifications that may not have been apparent from the budget chart.

First, Community Engagement is not a codified “Department” despite being shown on the same level as true departments on the Organizational Chart. Rather, because the functions it supervises are all specifically identified “special functions” that are a focus of the Mayor’s platform, it is more appropriately considered to be a division within the Mayor’s Office. The Mayor believes clarifying the status of Community Engagement as a division of the Mayor’s Office for the council is important so it is clear that the special functions currently conglomerated in Community Engagement could be reconstituted by a future administration and/or the division dissolved. Placing the Community Engagement special functions under the Mayor’s Office is permitted by City Code § 1-8J-2(C) and 1-7-5(A).

Second, Information Technology and Economic Development appear on the Organizational Chart on the same level as true departments. They are not, however, departments, but are rather “special functions” (see City Code § 1-8J-1(C) and (D)) that are constituted as independent divisions as permitted by City Code § 1-8J-2(C). They are independent divisions because the current administration desires to have the Directors of those divisions report directly to the CAO rather than have them report to the head of a codified department. A future administration may prefer to have Information Technology and/or Economic Development report directly to another department head. Thus, they are best constituted as independent divisions rather than codified departments.

Attached hereto is a copy of the Organizational Chart from the Budget and an organizational chart with color coding that helps visualize the above described clarifications.

**ORDINANCE NO. 20-34**

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 8 OF THE  
WEST JORDAN CITY CODE TO PROVIDE FOR THE  
DIVISION OF THE CITY'S ADMINISTRATIVE SERVICES  
INTO DEPARTMENTS AND SPECIAL FUNCTIONS**

WHEREAS, Utah Code § 10-3b-202 requires the first mayor elected under a newly established mayor-council form of government to submit an ordinance to the city council providing for the division of the city's administrative service into departments, divisions, and bureaus;

WHEREAS, West Jordan City Code ("City Code") § 1-8-1, adopted November 13, 2019, sets forth the "structure of the executive branch, including departments";

WHEREAS, Title 1, Chapter 8, Articles A-J of the City Code, adopted November 13, 2019, identify specific City of West Jordan ("City") departments, special functions, and the duties of each;

WHEREAS, the City of West Jordan Fiscal Year 20-21 Annual Budget, adopted June 24, 2020, includes a City Organization Chart depicting the separation and structure of City departments and special functions ("Organization Chart");

WHEREAS, the organizational structure proposed by Mayor Dirk Burton pursuant to Utah Code § 10-3b-202 does not substantively differ from the structure currently outlined in Title 1, Chapter 8 of City Code or the Organization Chart; and

WHEREAS, the West Jordan City Council ("City Council") agrees with the City structure and City Code amendments proposed by Mayor Burton pursuant to Utah Code § 10-3b-202.

NOW THEREFORE BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:

Section 1. Amendment. Section 1-8-1 of the City Code is amended to read as set forth in **Attachment A** of this ordinance ("Ordinance").

Section 2. Repeal. Articles A-J of Title 1, Chapter 8 of the City Code are hereby repealed in their entirety.

Section 3. Adoption. Title 1, Chapter 8 of the City Code is amended to adopt Section 1-8-8 to read as set forth in **Attachment B** of this Ordinance.

Section 4. Severable. This Ordinance shall be severable. If a court of competent jurisdiction finds any specific provision of this Ordinance invalid on its face or in application, the remainder of the Ordinance shall not be affected.

Section 5. Effective Date. This Ordinance shall become effective immediately upon (i) posting or publishing as required by law and (ii) either the Mayor signing the Ordinance, the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the

51 Mayor failing to sign or veto the ordinance within fifteen (15) days after the City  
52 Council presents the Ordinance to him.  
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54  
55

56 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH THIS  
57 \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

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59  
60 CITY OF WEST JORDAN

61  
62  
63 By: \_\_\_\_\_  
64 Christopher McConnehey  
65 Council Chair  
66

67 ATTEST:

68  
69  
70 \_\_\_\_\_  
71 Cindy M. Quick, MMC  
72 Council Office Clerk  
73  
74

75	Voting by the City Council:	"YES"	"NO"
76			
77	Christopher McConnehey	_____	_____
78	Zach Jacob	_____	_____
79	Melissa Worthen	_____	_____
80	Chad Lamb	_____	_____
81	Kayleen Whitelock	_____	_____
82	Kelvin Green	_____	_____
83	David Pack	_____	_____

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88 (Continued on the following page)  
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97  
98  
99 **PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON** \_\_\_\_\_.

100  
101 Mayor's Action: \_\_\_\_\_ Approve \_\_\_\_\_ Veto

102  
103  
104 By: \_\_\_\_\_  
105 Mayor Dirk Burton \_\_\_\_\_ Date \_\_\_\_\_  
106

107  
108 ATTEST:  
109

110 \_\_\_\_\_  
111 TANGEE SLOAN  
112 Interim City Recorder  
113  
114

115 **STATEMENT OF APPROVAL OF PASSAGE** (check one)  
116

117 \_\_\_\_\_ The Mayor approved and signed Ordinance No. 20-34

118  
119 \_\_\_\_\_ The Mayor vetoed Ordinance No. 20-34 on \_\_\_\_\_ and the  
120 City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_\_.  
121

122 \_\_\_\_\_ Ordinance No. 20-34 became effective by operation of law without the  
123 Mayor's approval or disapproval.  
124  
125  
126

127 \_\_\_\_\_  
128 TANGEE SLOAN  
129 Interim City Recorder  
130  
131  
132

133 **CERTIFICATE OF PUBLICATION**  
134

135 I, Tangee Sloan, certify that I am the Interim City Recorder of the City of West Jordan,  
136 Utah, and that the foregoing ordinance was published/posted in the \_\_\_\_\_,  
137 on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, pursuant to law.  
138

139 [SEAL]  
140

141 \_\_\_\_\_  
142 Tangee Sloan  
Interim City Recorder

143  
144  
145 **ATTACHMENT A**  
146  
147

148 **1-8-1: STRUCTURE OF THE EXECUTIVE BRANCH, INCLUDING DEPARTMENTS:**

149 A. General Structure: The executive branch of city government consists of the Office of the  
150 Mayor and the various departments, committees, boards, commissions, offices, and officers  
151 appointed by the mayor.

152 B. Departments and Department Directors: Subject to budget constraints, the executive branch  
153 of city government consists of such departments that are: (i) recommended by the mayor and  
154 created by the council, (ii) identified in this code or state statute, or (iii) identified in the  
155 organizational chart of the annual budget as amended.

156 1. Each department shall be administered by a department director appointed by the  
157 mayor, with the advice and consent of the city council.

158 2. Each department director shall be head of that department and shall manage and hire  
159 such subordinate division heads, officers, and employees as city administration may  
160 approve.

161 4. Each department, independent division, or other division shall have the duties,  
162 functions, and responsibilities assigned by the Mayor and city administration.

163 C. Mayor's Authority to Reorganize: The mayor may, subject to budget constraints, state  
164 statute, and this code, recommend the council create, consolidate, rearrange, or abolish  
165 departments. The mayor may also take action consistent with sections 1-8-8(H)(2) and (3). The  
166 mayor shall seek the advice of the city administrator before initiating any such process. The  
167 mayor shall make recommendations and take action based upon what s/he considers to be  
168 necessary for the good government of the city.  
169

170 D. Annual Organization Chart: An organization chart depicting all departments and divisions  
171 shall be submitted with the annual budget. Subject to budget constraints, the Mayor may change  
172 the organization of divisions or special functions within or among departments during the fiscal  
173 year without city council approval.  
174

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177 **ATTACHMENT B**  
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180 **1-8-8: EXECUTIVE BRANCH ORGANIZATION:**  
181

182 The executive branch of the city is organized as follows:  
183

184 A. Office of the Mayor:

185 1. *Appointment and Organization of Office Staff.* The mayor may appoint, without the  
186 advice and consent of the city council, assistants and officers who shall perform such  
187 functions and duties as may be assigned to them by the mayor. In order to provide proper  
188 staff and administrative services to the city and its departments, the mayor is authorized  
189 to establish within the Office of the Mayor such divisions or sections as may seem  
190 necessary or proper for the aforesaid purposes without the city council's advice and  
191 consent.

192 2. *City Administrator.*

193 a. The mayor shall appoint a chief administrative officer, to be officially called  
194 city administrator, with the advice and consent of the city council, to exercise  
195 such duties as the mayor shall prescribe which are consistent with city ordinances  
196 and state law.

197 b. The position of city administrator was mandated by voter approval of  
198 Resolution 17-163 on November 7, 2017.  
199

200 c. The city administrator shall be appointed on the basis of demonstrated  
201 ability. Experience in the field of local government administration is preferred.  
202

203 d. The city administrator may be removed at the sole discretion of the mayor,  
204 without the advice and consent of the city council.  
205

206 e. Except as the mayor may otherwise direct, and except as otherwise provided  
207 in this section, the city administrator may exercise the powers identified in section  
208 1-8-8(A)(3), including the approving and signing of contracts.  
209

210 3. *Powers and Duties of City Administrator.* The city administrator's powers and duties  
211 shall include, but are not limited to:  
212

213 a. Administering, supervising, and exercising control over all executive branch  
214 departments and divisions of the city, including supervising all department  
215 directors;

216 b. Recommending to the mayor the hiring, disciplining or termination of  
217 department directors, statutory officers and other at-will employees appointed by  
218 the mayor;  
219



- c. Hiring, disciplining, and terminating all other executive branch employees;
- d. Conducting performance evaluations and pay adjustments as prescribed by the code;
- e. Supervising the administration and enforcement of all laws, including this code, as they affect the executive branch departments and divisions;
- f. Executing the policies affecting the departments that are adopted by the city council;
- g. Issuing rules, regulations, and procedures applicable to all city operations and employees which are not in conflict with the laws of the state or this code;
- h. Subject to state statute and council rules, attending all open city council meetings (and closed meetings, if invited by the council) with the right to take part in all discussions as requested by the council;
- i. Establishing procedures, consistent with law and approved by the mayor, for the purchase of materials or services and otherwise authorizing expenditures of funds in executive branch departments on behalf of the city;
- j. Approving and executing contracts;
- k. Cooperating with, and instructing city employees to cooperate with, city council investigative committees; and
- l. Performing such other duties as directed by the mayor or permitted by law.

4. *Assistant City Administrator.* Subject to budget constraints, the mayor may appoint one or more assistant city administrators, after a recommendation from the city administrator, to exercise such duties as the city administrator shall prescribe which are consistent with state law.

- a. An assistant city administrator shall be appointed on the basis of demonstrated ability and prior experience in the field of local government administration, together with such other qualifications as may be prescribed by the city administrator;
- b. An assistant city administrator may be removed at the sole discretion of the city administrator; and
- c. An assistant city administrator shall have only the powers delegated by the city administrator, which may include, but are not limited to:
  - i. Executing the powers listed above for the city administrator if specifically delegated by the city administrator;

263 ii. Fulfilling assignments to serve as a department head and/or to  
264 supervise one or more departments or independent divisions without  
265 advice and consent of the city council; and

266 iii. Substituting as acting city administrator in the absence of the city  
267 administrator.

268 B. Legal Department: The function of the legal department shall be to carry out the duties, as  
269 applicable, of the city attorney.  
270

271 1. *Appointment of City Attorney*. The city attorney is the director of the legal department  
272 and chief legal advisor to the mayor and the city council. The city attorney must be a  
273 member in good standing of the Utah state bar and licensed to practice law before all  
274 federal and state courts in Utah.

275 2. *Retention of Outside Counsel*. Nothing in this article precludes city administration or  
276 the city council from retaining outside legal counsel, paid from budgeted appropriations,  
277 as they may deem needed or appropriate. Outside legal counsel shall not interfere with  
278 the ethical obligations of the attorneys that work in the legal department or their duties.

279 3. *Functions and Duties of City Attorney*. Subject to the general supervision and  
280 direction of city administration, the city attorney's duties shall include, but are not limited  
281 to:

282 a. Advising city administration, the city council, and other city officers and  
283 employees, including members of committees, boards, and commissions, on  
284 matters of law affecting the city or their actions.

285 b. Prosecuting violations of city ordinances and state law.

286 c. Preparing and reviewing contracts, ordinances and other legal documents  
287 concerning the city.

288 d. Managing litigation in which the city is a party.

289 e. Cooperating with outside counsel hired by the city council or the city  
290 administration.

291 f. Handling and participating in, including the filing of friend of the court  
292 pleadings, litigation which directly affects the city or an identifiable class of city  
293 residents, if authorized to do so by city administration. However, in the sole  
294 discretion of the city attorney, or his/her designee, such litigation shall not create  
295 a conflict of interest for the city or for the city attorney in the performance of his  
296 professional responsibilities.

297 g. Administering the legal department and supervising employees assigned to the  
298 legal department.

299 h. Performing such other duties imposed by city ordinance or assigned by city  
300 administration.

i. With the concurrence of city administration, establishing within the legal department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions.

4. *Other Duties Assigned by City Administration.* The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities to the city attorney.

5. *Attorney Ethics and Professionalism Govern.* Although the activities of the city attorney are subject to the general supervision and direction of city administration, nothing expressed in this section shall be deemed to be a limitation upon the professional opinion or judgment of the city attorney on matters of law affecting the city.

6. *Granting Immunity.* The city attorney may grant immunity from prosecution for violation of city ordinances as permitted by Utah law.

C. Community Development: The function of the community development department shall be to carry out the duties, as applicable, of the community development director.

1. *Appointment of Community Development Director:* The mayor shall appoint a qualified person to be the director of the community development department with the advice and consent of the city council.

2. *Functions and Duties of Director:* Subject to the supervision and direction of city administration, the community development director's duties shall include, but are not limited to:

a. Performing the duties prescribed by state law, this code, and other city ordinances;

b. Establishing long range and short range land use plans, goals, policies and frameworks for land use;

c. Developing and updating the master street plan of the city;

d. Coordinating the review of street standards with the director of public works and city engineer;

e. Assisting the director of public works in the preparation of the capital improvements program and plans;

f. Providing city administration, the land use appeal authority, and the planning commission with technical assistance and advice;

g. Reviewing all zoning petitions and conditional use permit applications;

h. Preparing and coordinating the agendas for meetings of the planning commission and the land use appeal authority;

i. Reviewing all plats of subdivisions and site plans of residential, commercial and industrial developments to ensure compliance with city ordinances;

- j. Inspecting the work covered under the provisions of the building, electrical, plumbing and other applicable construction codes, including those contained in title 10 of this code;
- k. Issuing building and development permits under the provisions of the construction codes;
- l. Assisting and advising the public with respect to the requirements of such construction codes;
- m. Investigating complaints concerning the presence of hazardous or illegal conditions or uses in premises;
- n. Administering and enforcing the planning and zoning ordinances and licenses and ensure compliance with their provisions;
- o. Reviewing sites and inspecting premises for compliance with international codes, state law and city ordinances;
- p. Administering the community development department;
- q. Coordinating with other departments as needed;
- r. Coordinating with city committees, boards, and commissions, as assigned by city administration;
- s. Performing such other duties as are imposed by law, this code and other city ordinances, or by direction of city administration;
- t. Supervising and coordinating the functions of the city engineer; and
- u. With the concurrence of city administration, establishing within the community development department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions.

3. *Other Duties Assigned by City Administration.* The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities to the community development department or from assigning the designated duties and responsibilities to another department or division, as city administration shall deem appropriate.

4. *Appointment of City Engineer.* The mayor shall appoint a qualified person to serve as the city engineer with the advice and consent of the city council. To be qualified, the city engineer must be a professional engineer registered with the state under Utah Code Annotated title 58, chapter 22, or any successor statute.

5. *Functions and Duties of City Engineer:* The duties and responsibilities of the city engineer or designee include, but are not limited to, the following:

- a. In cooperation with other divisions and departments, oversee the process of private development in the city, including land disturbance, engineer review,

378 storm drainage, road construction, parks and trails, culinary water and  
379 wastewaters;

380 b. Review and process subdivision development plans and inspect all public  
381 improvements;

382 c. Monitor, evaluate, and administer city imposed impact fees;

383 d. Provide technical support and assist in the development of various utility and  
384 impact fee rates, including those for culinary water, wastewater and stormwater;

385 e. Develop standard city construction specifications;

386 f. Monitor and develop specifications and evaluate the city transportation grid  
387 and traffic issues and conduct traffic studies;

388 g. In cooperation with the other divisions in the community development  
389 department, review and inspect private development and construction;

390 h. Develop and maintain a geographical information system for the city;

391 i. Perform other functions and duties assigned by the community development  
392 director; and

393 j. File all drawings and documents submitted to him pertaining to public lands  
394 and improvements. Such documents shall be open for public inspection. The city  
395 engineer shall keep the records and files in good condition and turn the same over  
396 to his successor in office. The city engineer shall allow no alteration, mutilation or  
397 changes in any matter or record and shall be held strictly accountable for the  
398 same. However, the city engineer may designate the city recorder to be the  
399 repository of said records and documents.

400 D. Fire Department: The function of the fire department shall be to carry out the duties, as  
401 applicable, of the fire chief.

402

403 1. *Appointment of Fire Chief*. The mayor shall appoint a qualified person to be chief of  
404 the city fire department with the advice and consent of the city council.

405

406 2. *Functions and Duties of Fire Chief*. Subject to the supervision and direction of city  
407 administration, the fire chief's duties shall include, but are not limited to:

408 a. Carrying out the duties of a fire department as prescribed by law;

409 b. Supervising and controlling the function of the fire department;

410 c. Aggressively seeking to prevent and suppress fires and other life threatening  
411 or property endangering situations; enforcing laws pertaining to fire prevention;  
412 identifying fire hazards; and maintaining appropriate records concerning fires and  
413 other hazards;

414 d. Responding to calls for emergency medical assistance;

e. With the concurrence of city administration, establishing within the fire department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions; and

f. Performing such other duties as are assigned by city administration.

3. *Other Duties Assigned by City Administration.* The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities to the fire chief or assigning the designated duties and responsibilities to another department or division, as city administration shall deem appropriate.

4. *Powers and Duties of Fire Officers.* The members of the fire department shall have the power and authority as set forth in Utah Code Annotated.

E. Police Department: The function of the police department shall be to carry out the duties, as applicable, of the police chief.

1. *Appointment of Police Chief.* The mayor shall appoint a qualified person to be chief of the city police department with the advice and consent of the city council.

2. *Functions and Duties of Police Chief.* Subject to the supervision and direction of city administration the police chief's duties shall include, but are not limited to:

a. Carrying out the duties of a police department as prescribed by law;

b. Supervising and controlling the function of the police department;

c. Enforcing the laws of the united states, state of utah and city ordinances, investigating violations thereof and apprehending and assisting in the prosecution of the violators thereof;

d. Responding to calls for emergency assistance;

e. Investigating traffic accidents;

f. Recovering lost, stolen property and maintaining the same until said property is disposed of, as provided by law;

g. With the concurrence of city administration, establishing within the police department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions; and

h. Performing such other duties as are assigned by city administration.

3. *Other Duties Assigned by City Administration.* The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities to the police chief or assigning the designated duties and responsibilities to another department or division, as city administration shall deem appropriate.

4. *Powers and Duties of Police Officers.* The members of the police force shall have all power and authority authorized in state and federal law.

454 F. Public Works Department: The function of the public works department shall be to carry out  
455 the duties, as applicable, of the public works director.

456 1. *Appointment of Public Works Director*. The mayor shall appoint a qualified person to  
457 be the director of public works with the advice and consent of the city council.

458  
459 2. *Functions and Duties of the public works director*. Subject to the supervision and  
460 direction of city administration the public works director's duties shall include, but are  
461 not limited to:

462  
463 a. Supplying and distributing culinary water to the public and maintaining  
464 culinary water, sanitary sewer, and storm sewer lines, including coordinating and  
465 developing storm water reports and compliance measures for the city pollution  
466 discharge elimination system (UPDES) permit, dealing with the city overall  
467 administration of compliance efforts;

468 b. Being responsible for street construction, maintenance and snow removal;

469 c. Maintaining street signs;

470 d. Ensuring that residential refuse is collected and disposed of on a routine  
471 basis;

472 e. Administering contracts for public works projects;

473 f. Designing city projects and developing city infrastructure master plans;

474 g. Managing and administering the capital projects engineering function;

475 h. With the concurrence of city administration, establishing within the public  
476 works department such divisions or sections as may seem necessary or proper for  
477 the efficient and effective operation of the department and its functions; and

478 i. Perform such other duties as are assigned by city administration.

479 3. *Other Duties Assigned by City Administration*: The enumeration of the foregoing  
480 duties and responsibilities shall not be deemed to prevent or limit city administration  
481 from prescribing additional duties, functions, or responsibilities to the public works  
482 director or assigning the designated duties and responsibilities to another department or  
483 division, as city administration shall deem appropriate.

484 G. Administrative Services Department: The function of the administrative services department  
485 shall be to carry out the duties, as applicable, of the administrative services director.

486 1. *Appointment of Administrative Services Director*. The mayor shall appoint a qualified  
487 person to be the administrative services director with the advice and consent of the city  
488 council.

489  
490 2. *Functions and Duties of the Administrative Services Director*. Subject to the  
491 supervision and direction of city administration the administrative services director's  
492 duties shall include, but are not limited to:

493

- a. Performing the duties set forth in the uniform fiscal procedures act for Utah cities, Utah Code Annotated title 10, chapter 6, or any successor provisions, including but not limited to those of a finance department;
- b. Supervising the city treasurer;
- c. Performing the city's accounting functions;
- d. Preparing the city's annual budget and any necessary budget adjustments;
- e. Supervising and administering the procurement of goods and services for the city in accordance with applicable state law and city code;
- f. Administering the city's payroll;
- g. With the concurrence of city administration, establishing within the administrative services department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions; and
- h. Performing such other duties as are Performing such other duties as are assigned by city administration.

3. *Other Duties Assigned by City Administration:* The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities to the administrative services director or assigning the designated duties and responsibilities to another department or division as city administration shall deem appropriate.

4. *Appointment of Treasurer.* The mayor shall appoint a qualified person to serve as the city treasurer with the advice and consent of the city council who shall not be the administrative services director or director of finance.

5. *Function and Duties of Treasurer.* Subject to the supervision and direction of the administrative services director, the city treasurer's duties shall include, but are not limited to:

- a. Being the custodian of all money, bonds or other securities of the city;
- b. Determining the cash requirements of the city and providing for the investment of all idle cash;
- c. Receiving all money payable to the city, within three (3) business days after collection, including all taxes, licenses, fines and intergovernmental revenue, and keeping an accurate, detailed account in the manner provided by the uniform fiscal procedures act for Utah cities, Utah Code Annotated title 10, chapter 6, or successor provisions;
- d. Giving or causing to be given to every person paying money to the city treasury a receipt or other evidence of payment, specifying, as appropriate, the date of payment and upon which account paid, and file the duplicate of the



534 receipt, a separate report or other evidence of payment in the office of the  
535 administrative services director;

536 e. Promptly depositing all city funds in the appropriate bank account of the city;

537 f. Keeping in proper books a full and accurate account of all the monies, bonds  
538 or other securities received and disbursed by him on behalf of the city, specifying  
539 the time of receipt and disbursement, from whom received and to whom  
540 disbursed, on what account received and disbursed, and how paid;

541 g. Canceling all warrants and other evidences of debt against the city, whenever  
542 paid by him, by writing or stamping across the face the words, "paid by the city  
543 treasurer", with the date of payment written or stamped thereon;

544 h. Receiving and having custody of all monies paid to the city and disbursing  
545 city monies upon the warrant of the administrative services director. The city  
546 treasurer shall sign all checks prepared by the administrative services director.  
547 Prior to affixing the signature, the city treasurer shall determine that a sufficient  
548 amount is on deposit in the appropriate bank account of the city to honor the  
549 check;

550 i. Paying city employees, upon presentation of the properly certified payroll;

551 j. Demanding and receiving all monies and fees owing to the city whenever any  
552 person is indebted to the city in any manner;

553 k. Preparing estimates of revenue and giving such other assistance in the  
554 preparation of the budget as may be required of him by city administration;

555 l. Collecting all special taxes and assessments, as provided by law and  
556 ordinance. All money received by the city treasurer on any special assessment  
557 shall be applied to the payment of the improvement for which the assessment was  
558 made. The money shall be used for the payment of interest and principal on bonds  
559 or other indebtedness issues in settlement thereof, and shall be used for no other  
560 purpose whatsoever, except as otherwise provided in Utah Code Annotated  
561 section 10-6-131;

562 m. If the city is without funds on deposit in one of its appropriate bank accounts  
563 with which to pay any lawfully approved claim, the administrative services  
564 director shall draw and sign a warrant upon the city treasurer for payment of the  
565 claim, the warrant to be tendered to the payee named on the warrant. The city  
566 treasurer shall pay all warrants in the order in which presented and as money  
567 becomes available for payment in the appropriate funds of the city. The city  
568 treasurer shall note upon the back of each warrant presented the date of  
569 presentation and the date of payment;

570 n. Making a regular settlement with the administrative services director or  
571 his/her designee of the amounts received and paid out during the day for which  
572 settlement is being made, and at such settlements deliver to the administrative  
573 services director, properly canceled, all warrants and other obligations to the city  
574 paid by him/her since his last settlement and take a receipt in duplicate, one to be  
575 turned over to the administrative services director and one to be retained by him,  
576 and once each month he shall balance accounts with the administrative services

- 577 director, which monthly settlement shall show the balance to the credit of the  
578 several funds for which the city treasurer is responsible;
- 579 o. Making a detailed report to the administrative services director on the first  
580 business day after the last calendar day of the preceding month as to the business  
581 of his office during the preceding month, showing the balance on and to the credit  
582 of the different funds at the time of his last report, the amount received during the  
583 month, and on what account, together with such other items and facts the  
584 administrative services director;
- 585 p. Receiving cash as required and provide such other general central services as  
586 required; and
- 587 q. Keeping appropriate records concerning bonds and other evidences of  
588 indebtedness incurred by the city.
- 589 r. Performing all such duties as may be prescribed by statute, ordinance, or city  
590 administration or the administrative services director that are consistent with law.

591 H. Special Functions, Positions, and Departments:

- 592 1. *List of Special Functions and Positions.* The following special functions and  
593 positions may (and in some instances, shall) exist in the executive branch:
- 594 a. City recorder's office;
- 595 b. Processing passports;
- 596 c. Economic development/redevelopment;
- 597 d. Information technology;
- 598 e. GIS (geographical information systems);
- 599 f. Human resources and employee benefits;
- 600 g. Risk management;
- 601 h. Emergency management/preparation;
- 602 i. Public information/communications, including social media;
- 603 j. Special events;
- 604 k. Staff support for committees;
- 605 l. Cemeteries;
- 606 m. Parks and trails;
- 607 n. Urban forestry;
- 608 o. Performing arts;

- 609 p. Facilities management;
- 610 q. Fleet management;
- 611 r. Code enforcement;
- 612 s. Business licensing and rental licensing;
- 613 t. Grants, including community development block grants;
- 614 u. Animal control;
- 615 v. Parking enforcement;
- 616 w. Crossing guards;
- 617 x. Victim advocates (victim assistance);
- 618 y. Real property administration;
- 619 z. Contract/lease administration; and
- 620 aa. Other miscellaneous functions and positions.

621 2. *Placement of Special Functions and Positions.* During a budget year, city  
622 administration may change the organizational placement of any currently funded special  
623 function or position without the need for council approval, as long as: (i) the change  
624 complies with subsections 1-8-1C and 1-8-1D; and (ii) notice is provided to the council  
625 proving that the change is fully funded by the current budget. A special function or  
626 position which is not currently funded requires council funding approval before the  
627 special function or position may be created. City administration may organizationally  
628 place any given special function or position:

- 629 a. In a department identified in the city code;
- 630 b. In a special department;
- 631 c. As, or as part of, an independent division;
- 632 d. In the mayor's office; or
- 633 e. In some combination thereof.

634 3. *Creation of Special Departments.* Within budget constraints and consistent with  
635 subsections 1-8-1C and 1-8-1D, city administration may recommend special departments  
636 by rearranging currently funded divisions from departments identified in the city code,  
637 independent divisions, and/or any special functions or positions. Each special department  
638 shall have at least two divisions or functions and shall be identified in the organizational  
639 chart of the annual city budget. Council approval is required to create a new special  
640 department.

641 4. *Appointment of City Recorder.* The mayor, with the advice and consent of the city  
642 council, shall appoint a qualified person to the office of city recorder. The city recorder,

with the approval of city administration, may hire one or more deputy or assistant city clerks as is required to assist in the city recorder's public duties.

5. *Functions and Duties of City Recorder.* The city recorder (or designee) shall:

a. Perform such duties as are now or may hereafter be provided by law, this code, or other ordinance.

b. Attend meetings of the city council as needed, receive the record of its proceedings from council staff, and perform such other duties of a like nature as may be required by city administration.

c. Be responsible for the recording, filing, indexing, making available for public inspection and safekeeping of all proceedings of the city council and other records of the city.

d. Record in full, uniformly and permanently, all ordinances and authenticate the same. The city recorder shall record all ordinances passed by the city council. The city recorder shall give each ordinance a number. Immediately following each ordinance, or codification of ordinances, the city recorder shall make or cause to be made a certificate stating the date of passage and of the date of publication or posting, as required. The record and memorandum, or a certified copy thereof, shall be prima facie evidence of the contents, passage and publication or posting of the ordinance or codification.

e. Post or publish, as required by law, ordinances adopted by the city council, and all legal notices.

f. Oversee all municipal elections in accordance with state law and municipal ordinances and keep and maintain all election records and have custody of all property used in connection therewith, according to law.

g. Attest the mayor's (or the city administrator's) signature on all contracts made on behalf of the city and maintain a properly indexed record of all such contracts.

h. Notify the mayor or other appointing authority of the impending expiration of the term of office of a member of any executive branch committee, board, or commission, said notice to be given at least thirty (30) days before such expiration.

i. Unless otherwise allowed by law, administer the constitutional oath of office to all officers of the city, whether elected or appointed, before such officers enter on the duties of their respective offices. All oaths of office shall be filed with the city recorder, except for the oath of office for the city recorder, which shall also be filed with the city treasurer.

j. Be the custodian of the official seal of the city.

k. Act as the city records officer under state law to oversee and coordinate records access and management and city archives activities as required by local, state and federal law. As the records officer, the city recorder shall:

- 682 i. Make annual reports of records service activities to the city council, as  
683 requested;
- 684 ii. Provide training relative to records management, maintenance and  
685 access to the various city departments, as necessary;
- 686 iii. Establish and maintain an active, continuing program for the  
687 economical and efficient management of the city's records;
- 688 iv. Submit to the state archivist proposed schedules of records;
- 689 v. Cooperate with the state archivist in conducting surveys made by the  
690 state archivist;
- 691 vi. Evaluate all record series that the city uses or creates and report to the  
692 state archivist the classification of each record series that is classified;
- 693 vii. Establish and report, to the state archivist, retention schedules for  
694 objects that the city determines are not records, but that have historical or  
695 evidentiary value; and
- 696 viii. Designate those record series as required by law and report the  
697 designations of its record series to the state archivist.
- 698 l. As the records officer, the city recorder may:
- 699 i. For purposes of GRAMA, classify a particular record, record series or  
700 information within a record at any time, but is not required to classify a  
701 particular record, record series or information until access to the record is  
702 requested.
- 703 ii. Re-designate a record series or reclassify a record, record series or  
704 information within a record at any time.
- 705 m. Perform such other duties assigned by city administration.
- 706 n. Certify copies of all papers filed in the city recorder's office and transcripts  
707 from all records of the city council with the city's corporate seal, which shall  
708 make them admissible in all courts as original documents.
- 709 o. Certify the ordinance or resolution setting the tax levy to the County auditor  
710 on or before the date specified in state code.
- 711 p. Accept service of process, writs of garnishment, employee appeals, initiative  
712 and referendum petitions, claims as set forth under state law or by this code, and  
713 any other document prescribed by state law, this code, or other ordinance that is  
714 required to be served on the city or city recorder. All documents, claims, or other  
715 matters served or filed with or against the city will be deemed filed when received  
716 by the city recorder.
- 717 q. Prepare, attest, and report on the vital statistics of the city.

1 **1-8-1: STRUCTURE OF THE EXECUTIVE BRANCH, INCLUDING DEPARTMENTS:**

2 A. General Structure: The executive branch of ~~C~~city government ~~is structured between the~~  
3 ~~mayor, the city administrator, and consists of the Office of the Mayor and~~ the various  
4 departments, committees, boards, ~~and~~ commissions, offices, and officers appointed by the  
5 mayor.

6 ~~1. The powers and duties of the mayor are set forth in chapter 7 of this title.~~

7 ~~2. The powers and duties of the city administrator and any assistant city~~  
8 ~~administrator are set forth in articles A and B of this chapter.~~

9 ~~3. Executive branch departments are referenced in subsections B and C below and~~  
10 ~~are set forth in articles C through J inclusive of this chapter.~~

11 ~~4. Executive branch committees, boards, and commissions are referenced in~~  
12 ~~subsection D below and are set forth in title 2 of this code.~~

13 B. Departments and Department HeadsDirectors: ~~Subject to budget constraints, T~~he  
14 executive branch of city government consists of such departments, ~~divisions, and offices~~  
15 ~~that are: (i) recommended by the mayor and created by the council, (ii) identified in~~ this  
16 code ~~and or~~ state statute, ~~or (iii) identified in the organizational chart of the annual budget~~  
17 ~~as amendedsubject to budget constraints.~~

18 1. Each department ~~and office~~ shall be administered by a department head-director  
19 appointed by the mayor, with the advice and consent of the city council.

20 2. Each department head-director shall be head of that department, and shall  
21 manage and hire such subordinate division headss, officers, and employees as city  
22 administration may approve.

23 ~~3. These departments and offices shall be those identified in the articles of this~~  
24 ~~chapter and in the organizational chart of the annual budget as amended.~~

25 4. Each department, independent division, or other division shall have the duties,  
26 functions, and responsibilities assigned by the Mayor and city administration ~~and~~  
27 ~~this code, including as set forth in articles C through J inclusive of this chapter.~~

28 ~~5. Department heads shall have the other duties and responsibilities identified in~~  
29 ~~section 1-8-2.~~

30 ~~6. The mayor may also exercise authority consistent with sections 1-8J-2 and 1-8J-~~  
31 ~~3.~~

32 C. Mayor's Authority to Reorganize: The mayor may, subject to budget constraints, state  
33 statute, and this code, recommend ~~that~~ the council create, consolidate, rearrange, or  
34 abolish departments, ~~divisions and offices~~. The mayor may also take action consistent with

sections ~~1-8-21-8-8(H)(2) and (3) and 1-8-3~~. The mayor shall seek the advice of the city administrator before initiating any such process. The mayor shall make recommendations and take action based upon what ~~he/s~~/he considers to be necessary for the good government of the city.

D. Annual Organization Chart: An organization chart depicting all departments and divisions shall be submitted with the annual budget. Subject to budget constraints, the Mayor may change the organization of divisions or special functions within or among departments during the fiscal year without city council approval.

D. Committees: The executive branch of city government may have committees, as defined in section 2-1-3, as follows:

1. The mayor may establish, from city personnel and private citizens, temporary committees to assist and provide counsel. Temporary committees may not exist for more than 365 days.

2. Various standing committees, boards, and commissions referenced in or established under title 2 of the West Jordan City Code, shall report to, coordinate with, or have liaison with city administration unless otherwise stipulated by state code or this code.

E. Justice Court: A separate and judicially independent department shall be comprised of justice court judges and staff as set forth in chapter 10 of this title. Justice court staff are city employees and are subject to city policies. (2001 Code § 2-4-301; amd. 2009 Code; Ord. 09-13, 4-14-2009; Ord. 15-23, 8-25-2015; §1-7C-1, Ord. 19-37, 11-13-2019, Effective at 12 noon on January 6, 2020)

2 noon on January 6, 2020)

1 **1-8-8: EXECUTIVE BRANCH ORGANIZATION:**

2  
3 The executive branch of the city is organized as follows:

4  
5 A. Office of the Mayor:

6 1. Appointment and Organization of Office Staff. The mayor may appoint, without  
7 the advice and consent of the city council, assistants and officers who shall perform  
8 such functions and duties as may be assigned to them by the mayor. In order to  
9 provide proper staff and administrative services to the city and its departments, the  
10 mayor is authorized to establish within the Office of the Mayor such divisions or  
11 sections as may seem necessary or proper for the aforesaid purposes without the  
12 city council's advice and consent.

13 2. City Administrator.

14 a.

15 **ARTICLE A. CITY ADMINISTRATOR**

16 **SECTION:**

17 **1-8A-1: Mandatory Appointment of City Administrator**

18 **1-8A-2: Powers and Duties of City Administrator**

19  
20 **1-8A-1: MANDATORY APPOINTMENT OF CITY ADMINISTRATOR:**

21 The mayor shall appoint a chief administrative officer, to be officially called  
22 city administrator, with the advice and consent of the city council, to exercise  
23 such duties as the mayor shall prescribe which are consistent with city  
24 ordinances and state law.

25 ~~—Ab. The position of city administrator was mandated by voter approval of~~  
26 ~~This appointment is mandatory pursuant to Utah Code subsection 10-3b-~~  
27 ~~202(1)(c)(iii)(A), because Resolution 17-163 initiating the change of~~  
28 ~~government to the council-mayor form of municipal government, which was~~  
29 ~~approved by the voters on November 7, 2017, required a chief~~  
30 ~~administrative officer (city administrator);~~

31  
32 ~~—Bc.~~ The city administrator shall be appointed on the basis of demonstrated  
33 ability. ~~Prior~~ e Experience in the field of local government administration is  
34 preferred.  
35



36 ~~—Cd.~~ The city administrator may be removed at the sole discretion of the  
37 mayor, without the advice and consent of the city council, ~~and~~  
38

39 ~~—De.~~ Except as the mayor may otherwise direct, and except as otherwise  
40 provided in this section, the city administrator may exercise the powers  
41 identified in section ~~1-8A-21-8-8(A)(3)~~, including the approving and signing  
42 of contracts. ~~{Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6,~~  
43 ~~2020}~~  
44

### 45 3. Powers and Duties of City Administrator.

#### 46 ~~1-8A-2: POWERS AND DUTIES OF CITY ADMINISTRATOR:~~

47 The city administrator's powers and duties shall include, but are not limited to: ~~the~~  
48 ~~following:~~  
49

50  
51 ~~—Aa.~~ Administering, supervising, and exercising control ~~of over~~ all  
52 executive branch departments and divisions of the city, including supervising  
53 all department ~~heads~~ ~~directors~~;

54 ~~—Bb.~~ Recommending to the mayor the hiring, disciplining or termination ~~onng~~  
55 of department ~~heads~~ ~~directors~~, statutory officers and other at-will employees  
56 appointed by the mayor;  
57

58 ~~—Cc.~~ Hiring, disciplining, and terminating all other executive branch  
59 employees;  
60

61 ~~—Dd.~~ Conducting performance evaluations and pay adjustments as  
62 prescribed by the code;  
63

64 ~~—Ee.~~ Supervising the administration and enforcement of all laws, including  
65 this code, as they affect the executive branch departments and divisions;  
66

67 ~~—Ff.~~ Executing the policies affecting the departments that are adopted by  
68 the city council;  
69

70 ~~—Gg.~~ Issuing rules, ~~and~~ regulations, and ~~out-lining general~~ procedures  
71 applicable to all city operations and employees which are not in conflict with  
72 the laws of the state or this code;  
73

74 ~~—Hh.~~ Subject to state statute and council rules, attending all open city  
75 council meetings (and closed meetings, if invited by the council) with the  
76 right to take part in all discussions as requested by the council;  
77

78 —~~Ii.~~ Establishing procedures, consistent with law and to be approved by the  
79 mayor, for the purchase of materials or services and otherwise authorizing  
80 expenditures of funds in executive branch departments on behalf of the city  
81 subject to the requirements of statutes, the West Jordan City Code and other  
82 city ordinances now or hereafter lawfully enacted;

83  
84 \_\_\_\_\_~~Ji.~~ Approving and signing-executing contracts;

85  
86 —~~Kk.~~ Cooperating with, and instructing city employees to cooperate with,  
87 city council investigative committees ~~{see subsection 1-6-6D and section 1-6-~~  
88 ~~13}~~; and

89  
90 —~~Ll.~~ Performing such other duties as may be prescribed directed by the  
91 mayor or permitted by law. ~~{Ord. 19-38, 11-13-2019, Effective at 12 noon on~~  
92 ~~January 6, 2020}~~

93  
94 4. Assistant City Administrator.

95  
96 ~~ARTICLE B. ASSISTANT CITY ADMINISTRATOR~~

97 ~~SECTION:~~

98 ~~1-8B-1: Appointment Of Assistant City Administrator~~

99 ~~1-8B-2: Powers And Duties Of Assistant City Administrator~~

100  
101 ~~1-8B-1: APPOINTMENT OF ASSISTANT CITY ADMINISTRATORS:~~

102 Subject to budget constraints, the mayor may appoint one or more assistant city  
103 administrators, after a recommendation from the city administrator, to exercise  
104 such duties as the city administrator shall prescribe which are consistent with state  
105 law.

106 —~~Aa.~~ An assistant city administrator shall be appointed on the basis of  
107 demonstrated ability and prior experience in the field of local government  
108 administration, together with such other qualifications as may be prescribed  
109 by the city administrator;

110 —~~Bb.~~ An assistant city administrator may be removed at the sole discretion  
111 of the city administrator; and

112 ~~—Cc.~~ An assistant city administrator shall have only the powers delegated by  
113 the city administrator, which may include, but are not limited to: . (Ord. 19-  
114 38, 11-13-2019, Effective at 12 noon on January 6, 2020)

115  
116 1-8B-2: POWERS AND DUTIES OF ASSISTANT CITY ADMINISTRATORS:

117 ~~An assistant city administrator's powers and duties may include, but are not limited to:~~

118 ~~—Ai.~~ Executing ~~any of~~ the powers ~~that are~~ listed above for the city  
119 administrator ~~which have been~~ if specifically delegated by the city  
120 administrator;

121 ~~—Bii.~~ Fulfilling assignments, ~~to without the need for council advice~~  
122 ~~and consent, to be serve as~~ a department head and/or to supervise  
123 one or more departments or independent divisions without advice  
124 and consent of the city council; and

125 ~~—Ciii.~~ Substituting as acting city administrator in the absence of the  
126 city administrator. ~~(Ord. 19-38, 11-13-2019, Effective at 12 noon on~~  
127 ~~January 6, 2020)~~

128 B. Legal Department: The function of the legal department shall be to carry out the duties,  
129 as applicable, of the city attorney.

130  
131 1. Appointment of City Attorney.

132 ARTICLE C. LEGAL DEPARTMENT

133 SECTION:

134 1-8C-1: Appointment of City Attorney

135 1-8C-2: Duties and Responsibilities of City Attorney

136  
137 1-8C-1: APPOINTMENT OF CITY ATTORNEY:

138 ~~—A.~~ ~~Appointment: The mayor shall, with the advice and consent of the city council,~~  
139 ~~appoint a qualified person to be t~~ The city attorney is the director of the legal  
140 department and who shall be the chief legal advisor to the mayor and the city  
141 council. ~~In order to be qualified, t~~ The city attorney must be a member in good  
142 standing of the Utah state bar, and licensed to practice law before all federal and  
143 state courts ~~located in the state and be in good standing before the~~ in Utah ~~supreme~~  
144 ~~court.~~

145 ~~—B2. Retention of Outside Counsel.:~~ Nothing in this article ~~shall~~ preclude~~s~~ city  
146 administration or ~~the the~~ city council from retaining ~~or engaging~~ outside legal  
147 counsel, paid from budgeted appropriations, as they may deem needed or  
148 appropriate. ~~Any o~~Outside legal counsel ~~hired by the administration or by the city~~  
149 ~~council~~ shall not interfere with the ethical obligations of ~~either (i) the city attorneys~~  
150 ~~that in the performance of the city attorney's duties, or (ii) the other lawyers who~~  
151 work in the legal department ~~and or~~ their duties. ~~{2001 Code § 2-5-301; amd. 2009~~  
152 ~~Code; §1-8B-1, Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020}~~

153  
154 3. Functions and Duties of City Attorney.

155 ~~1-8C 2: DUTIES AND RESPONSIBILITIES OF CITY ATTORNEY:~~

156 ~~—A. Duties:~~ Subject to the general supervision and direction of city administration,  
157 the city attorney~~'s duties shall include, but are not limited to, or designee, shall:~~

158 ~~—1a.~~ Advis~~ing~~ city administration, the city council, and other city officers  
159 and employees, including members of committees, boards, and commissions,  
160 on matters of law affecting the city or their actions.

161 ~~\_\_\_\_\_ 2b.~~ Prosecut~~ing~~ violations of city ordinances ~~and state law.~~

162 ~~—3c.~~ Prepar~~ing~~ and review~~ing~~ contracts, ordinances and other legal  
163 documents concerning the city.

164 ~~\_\_\_\_\_ 4d.~~ Manag~~ing~~ litigation in which the city is a party.

165 ~~—5e.~~ Cooperat~~ing~~ with outside counsel hired by the city council or the city  
166 administration.

167 ~~—6f.~~ Handl~~ing~~ and participat~~ing~~ in, including the filing of friend of the  
168 court pleadings, litigation which directly affects ~~the city or~~ an identifiable  
169 class of city residents, if authorized to do so by city administration. However,  
170 in the sole discretion of the city attorney, or his/her designee, such litigation  
171 shall not create a conflict of interest for the city or for the city attorney in the  
172 performance of his professional responsibilities.

173 ~~—7g.~~ Administer~~ing~~ the legal department and supervis~~ing~~ ~~the legal~~  
174 employees assigned to the ~~legal~~ department.

175 ~~—8h.~~ Perform~~ing~~ such other duties imposed by city ordinance or assigned  
176 by city administration.

177 i. With the concurrence of city administration, establishing within the legal  
178 department such divisions or sections as may seem necessary or proper for  
179 the efficient and effective operation of the department and its functions.

180 ~~—B4. Other Duties Assigned by City Administration.:~~ The enumeration of the  
181 foregoing duties and responsibilities shall not be deemed to prevent or limit city  
182 administration from prescribing additional duties, functions, or responsibilities ~~for~~  
183 to the city attorney.

184 ~~—C5. Attorney Ethics and Professionalism Govern.:~~ Although the activities of the city  
185 attorney are subject to the general supervision and direction of city administration,  
186 nothing expressed in this section shall be deemed to be a limitation upon the  
187 professional opinion or judgment of the city attorney on matters of law affecting the  
188 city.

189 ~~—D6. Granting Immunity.:~~ ~~As provided and limited by state law, t~~The city attorney  
190 may grant immunity from prosecution for violation of city ordinances as permitted  
191 by Utah law. ~~(2001 Code § 2-5-302; amd. 2009 Code; §1-8B-2, Ord. 19-38, 11-13-~~  
192 ~~2019, Effective at 12 noon on January 6, 2020)~~

193 C. Community Development: The function of the community development department  
194 shall be to carry out the duties, as applicable, of the community development director.

195 1. Appointment of Community Development Director:

196  
197 ARTICLE D. DEVELOPMENT SERVICES DEPARTMENT  
198 SECTION:

199 1-8D-1: Appointment Of Development Services Director

200 1-8D-2: Duties And Responsibilities Of Director

201 1-8D-3: Department Divisions

202 1-8D-4: Appointment of City Engineer

203 1-8D-5: Duties and Responsibilities of City Engineer

204  
205 1-8D-1: APPOINTMENT OF DEVELOPMENT SERVICES DIRECTOR:

206 The mayor shall, ~~with the advice and consent of the city council,~~ appoint a qualified  
207 person to be the director of the community development department services with  
208 the advice and consent of the city council. ~~(2001 Code § 2-5-201; amd. 2009 Code §~~  
209 ~~1-8A-1; Ord. 09-13, 4-14-2009; Ord. 19-38, 11-13-2019, Effective at 12 noon on~~  
210 ~~January 6, 2020)~~

211  
212 2. Functions and Duties of Director: Subject to the supervision and direction of city  
213 administration, the community development director's duties shall include, but are  
214 not limited to:

215  
216  
217 1-8D-2: DUTIES AND RESPONSIBILITIES OF DIRECTOR:

218 —Aa. ~~Duties: In addition to Performing~~ the duties prescribed by state law,  
219 this code, and other city ordinances; ~~the director of development services, or~~  
220 ~~designee, subject to the supervision and control of city administration, and~~  
221 ~~unless assigned to another department or division, shall:~~

222 —1b. Establishing long range and short range land use plans, goals,  
223 policies and frameworks for land use;

224 —2c. Develop and update the master street plan of the city;

225 —3d. Coordinate the review of street standards with the director of  
226 public works and city engineer;

227 —4e. Assist the director of public works in the preparation of the capital  
228 improvements program and plans;

229 —5f. Provide city administration, the land use appeal authority, and the  
230 planning commission with technical assistance and advice;

231 —6g. Review all zoning petitions and conditional use permit applications;

232 —7h. Prepare and coordinate the agendas for meetings of the  
233 planning commission and the land use appeal authority;

234 —8i. Review all plats of subdivisions and site plans of residential,  
235 commercial and industrial developments to ensure compliance with city  
236 ordinances;

237 —9j. Inspect the work covered under the provisions of the building,  
238 electrical, plumbing and other applicable construction codes, including those  
239 contained in title 10 of this code;

240 —10k. Issue building and development permits under the provisions of  
241 the construction codes;

242 —11l. Assist and advise the public with respect to the requirements  
243 of such construction codes;

244 —12m. Investigate complaints concerning the presence of hazardous or  
245 illegal conditions or uses in premises;

246 —13n. Administer and enforce the planning and zoning ordinances  
247 and licenses and ensure compliance with their provisions;

248 —14o. Review sites and inspect premises for compliance with  
249 international codes, state law and city ordinances;

\_\_\_\_\_15p. Administering the community development department;~~of development services.~~

\_\_\_\_\_16q. Coordinating with other departments as needed~~;~~

—17r. Coordinating with city committees, boards, and commissions, as assigned by city administration~~;~~

—18s. Performing such other duties as are imposed by law, this code and other city ordinances, or by direction of city administration~~;~~

t. Supervising and coordinating the functions of the city engineer; and

u. With the concurrence of city administration, establishing within the community development department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions.

~~—B3. Other Duties Assigned by City Administration~~;~~ The enumeration of the foregoing duties and responsibilities specified in this section are not exclusive and shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities for to the community development department~~director of development services~~, or from assigning the designated duties and responsibilities to another department or division, as city administration shall deem appropriate. {2001 Code § 2-5-202; amd. 2009 Code § 1-8A-2; Ord. 09-13, 4-14-2009; Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020}~~

#### 4. Appointment of City Engineer.

##### 1-8D-3: DEPARTMENT DIVISIONS:

~~The director of development services may, with the concurrence of city administration, make such work assignments and assign such duties for the personnel within the department as required for the effective and efficient delivery of services through the functions of the department. Included within these assignments and responsibilities may be one or more of the following:~~

~~—A. City engineer division.~~

~~—B. Zoning administrator/planning division.~~

~~—C. Building inspections division.~~

~~—D. Real property administration division, unless assigned to another department. {2001 Code § 2-5-203; amd. 2009 Code § 1-8A-3; Ord. 09-13, 4-14-2009; Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020}~~

##### 1-8D-4: APPOINTMENT OF CITY ENGINEER:

The mayor shall, ~~with the advice and consent of the city council, designate and~~ appoint a qualified person to serve as, professional engineer to be the city engineer with the advice and consent of the city council. To be qualified, the city engineer



must be a professional ~~engineer and~~ registered ~~engineer~~ with the state, under Utah Code Annotated title 58, chapter 22, or any successor statute. ~~{2001 Code § 2-5-503; amd. 2009 Code § 1-8E-1; Ord. 09-13, 4-14-2009; §1-8G-4, Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020}~~

5. Functions and Duties of City Engineer:

~~1-8D-5: DUTIES AND RESPONSIBILITIES OF CITY ENGINEER:~~

~~Unless assigned to another department or division, t~~The duties and responsibilities of the city engineer or ~~assignee designee~~ include, but are not limited to, the following:

~~—Aa.~~ In cooperation with other divisions and departments, oversee the process of private development in the city, including land disturbance, engineer review, storm drainage, road construction, parks and trails, culinary water and wastewaters.;

~~—Bb.~~ Review and process subdivision development plans and inspect all public improvements.;

~~—Cc.~~ Monitor, evaluate, and administ~~errate~~ city imposed impact fees.;

~~—Dd.~~ Provide technical support and assist in the development of various utility and impact fee rates, including those for culinary water, wastewater and stormwater.;

~~—Ee.~~ Develop standard city construction specifications.;

~~—Ff.~~ Monitor and develop specifications and evaluate the city transportation grid and traffic issues and conduct traffic studies.;

~~—Gg.~~ In cooperation with the other divisions in the community development department~~-of development services~~, review and inspect private development and construction.;

~~—Hh.~~ Develop and maintain a geographical information system for the city.;

~~—Ii.~~ Perform ~~Other~~ functions and duties assigned by the community development director~~-of development services. and~~

~~—Jj.~~ ~~The city engineer shall f~~File all drawings and documents submitted to him pertaining to public lands and improvements. Such documents shall be open for public inspection. The city engineer shall keep the records and files in good condition and turn the same over to his successor in office. The city



engineer shall allow no alteration, mutilation or changes in any matter or record and shall be held strictly accountable for the same. However, the city engineer may designate the city recorder to be the repository of said records and documents. ~~(2009 Code § 1-8E-2; amd. Ord. 09-13, 4-14-2009; §1-8G-5, Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

D. Fire Department: The function of the fire department shall be to carry out the duties, as applicable, of the fire chief.

1. Appointment of Fire Chief.

~~ARTICLE E. FIRE DEPARTMENT~~

~~SECTION:~~

~~1-8E-1: Appointment Of Fire Chief~~

~~1-8E-2: Duties And Responsibilities Of Fire Chief~~

~~1-8E-3: Powers And Duties Of Fire Officers~~

~~1-8E-4: Department Divisions~~

~~1-8E-1: APPOINTMENT OF FIRE CHIEF:~~

The mayor, ~~with the advice and consent of the city council,~~ shall appoint a qualified person to be chief of the city fire department with the advice and consent of the city council. ~~(2001 Code § 2-5-401; amd. 2009 Code § 1-8C-1; Ord. 09-13, 4-14-2009; Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

2. Functions and Duties of Fire Chief. Subject to the supervision and direction of city administration, the fire chief's duties shall include, but are not limited to:

a. Carrying out the duties of a fire department as prescribed by law;

~~1-8E-2: DUTIES AND RESPONSIBILITIES OF FIRE CHIEF:~~

~~—A. Duties: In addition to the duties prescribed by law, this code or other city ordinances, the fire chief, or designee, subject to the supervision and direction of city administration, and unless assigned to another department or division, shall:~~

~~\_\_\_\_\_ 1b. Supervising and controlling the function of the fire department; of fire services.~~

~~—2c. Aggressively seeking to prevent and suppress fires and other life threatening or property endangering situations; enforcing laws pertaining to fire prevention; identifying fire hazards; and maintaining appropriate records concerning fires and other hazards.~~

~~\_\_\_\_\_ 3d. Responding to calls for emergency medical assistance.~~

e. With the concurrence of city administration, establishing within the fire department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions; and

~~—4. Prepare and promulgate emergency preparedness plan and coordinate the city emergency response activities.~~

5e. Performing such other duties as are assigned by city administration.

~~—B3. Other Duties Assigned by City Administration:~~ The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities ~~for~~ to the fire chief or assigning the designated duties and responsibilities to another department or division, as city administration shall deem appropriate. ~~(2001 Code § 2-5-402; amd. 2009 Code § 1-8C-2; Ord. 09-13, 4-14-2009; Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

#### 4. Powers and Duties of Fire Officers.

#### ~~1-8E-3: POWERS AND DUTIES OF FIRE OFFICERS:~~

The members of the fire department shall have the power and authority as set forth in Utah Code Annotated. ~~(2001 Code § 2-5-403; 2009 Code § 1-8C-3; amd. Ord. 09-13, 4-14-2009)~~

E. Police Department: The function of the police department shall be to carry out the duties, as applicable, of the police chief.

#### 1. Appointment of Police Chief. ~~1-8E-4: DEPARTMENT DIVISIONS:~~

~~The fire chief may, with the concurrence of city administration, make such work assignments and assign such duties for the personnel within his department as s/he deems appropriate. (2001 Code § 2-5-404; amd. 2009 Code § 1-8C-4; Ord. 09-13, 4-14-2009; Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

### ~~ARTICLE F. POLICE DEPARTMENT~~

#### ~~SECTION:~~

#### ~~1-8F-1: Appointment Of Police Chief~~

#### ~~1-8F-2: Duties And Responsibilities Of Police Chief~~

393 ~~1-8F-3: Powers And Duties Of Police Officers~~

394 ~~1-8F-4: Department Divisions~~

395  
396 ~~1-8F-1: APPOINTMENT OF POLICE CHIEF:~~

397 The mayor, ~~with the advice and consent of the city council,~~ shall appoint a qualified  
398 person to be ~~chief of the city the police department chief with the advice and~~  
399 ~~consent of the city council. (2001 Code § 2-5-601; amd. 2009 Code; Ord. 19-38, 11-~~  
400 ~~13-2019, Effective at 12 noon on January 6, 2020)~~

401 2. *Functions and Duties of Police Chief.* Subject to the supervision and direction of  
402 city administration the police chief's duties shall include, but are not limited to:

403  
404 ~~1-8F-2: DUTIES AND RESPONSIBILITIES OF POLICE CHIEF:~~

405 ~~—A. Duties: In addition to the duties prescribed by law, this code or other city ordinances,~~  
406 ~~the police chief, or designee, subject to the supervision and direction of city administration,~~  
407 ~~and unless assigned to another department or division, shall:~~

408 a. Carrying out the duties of a police department as prescribed by law;

409 1b. Supervising and controlling the function of the police department of  
410 police services.

411 —2c. Enforcing the laws of the united states, state of utah and the city  
412 ordinances of the city, investigating violations thereof and apprehending  
413 and assisting in the prosecution of the violators thereof;

414 3d. Responding to calls for emergency assistance;

415 4e. Investigating traffic accidents;

416 —5f. Recovering lost, stolen property and maintaining the same until said  
417 property is disposed of, as provided by law;

418 g. With the concurrence of city administration, establishing within the police  
419 department such divisions or sections as may seem necessary or proper for  
420 the efficient and effective operation of the department and its functions; and

421 6h. Performing such other duties as are assigned by city administration.

422 ~~—B3. Other Duties Assigned by City Administration:~~ The enumeration of the  
423 foregoing duties and responsibilities shall not be deemed to prevent or limit city

administration from prescribing additional duties, functions, or responsibilities ~~for~~  
to the police chief or assigning the designated duties and responsibilities to another  
department or division, as city administration shall deem appropriate. ~~(2001 Code §~~  
~~2-5-602; amd. 2009 Code; Ord. 19-38, 11-13-2019, Effective at 12 noon on January~~  
~~6, 2020)~~

4. Powers and Duties of Police Officers.

~~1-8F-3: POWERS AND DUTIES OF POLICE OFFICERS:~~

The members of the police force shall have all power and authority authorized in  
state and federal law. ~~(2001 Code § 2-5-603; amd. 2009 Code)~~

F. Public Works Department: The function of the public works department shall be to  
carry out the duties, as applicable, of the public works director.

1. Appointment of Public Works Director. ~~1-8F-4: DEPARTMENT DIVISIONS:~~

~~The police chief may, with the concurrence of city administration, make such work  
assignments and assign such duties for the personnel within his/her department as s/he  
deems appropriate. (2001 Code § 2-5-604; amd. 2009 Code; Ord. 19-38, 11-13-2019,  
Effective at 12 noon on January 6, 2020)~~

~~ARTICLE G. PUBLIC WORKS DEPARTMENT  
SECTION:~~

~~1-8G-1: Appointment Of Public Works Director~~

~~1-8G-2: Duties And Responsibilities Of Director~~

~~1-8G-3: Department Divisions~~

~~1-8G-1: APPOINTMENT OF PUBLIC WORKS DIRECTOR:~~

The mayor, ~~with the advice and consent of the city council~~, shall appoint a qualified  
person to be the director of public works with the advice and consent of the city  
council. ~~(2001 Code § 2-5-501; 2009 Code § 1-8D-1; amd. Ord. 09-13, 4-14-2009;  
Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

2. Functions and Duties of the public works director. Subject to the supervision and  
direction of city administration the public works director's duties shall include, but  
are not limited to:

460 ~~1-8G-2: DUTIES AND RESPONSIBILITIES OF DIRECTOR:~~

461 ~~—A. Duties: Unless assigned to another department or division, the director of public~~  
462 ~~works, or designee, shall:~~

463 ~~—1a. Supplying and distributing~~ culinary water to the public and  
464 ~~maintaining~~ culinary water, sanitary sewer, and storm sewer lines, including  
465 coordinating and developing storm water reports and compliance measures  
466 for the city pollution discharge elimination system (UPDES) permit, dealing  
467 with the city overall administration of compliance efforts;

468 ~~—2b. Being~~ responsible for street construction, maintenance and snow  
469 removal;

470 ~~\_\_\_\_\_ 3c. Maintaining~~ street signs;

471 ~~—4d. Ensuring~~ that residential refuse is collected and disposed of on a  
472 routine basis;

473 ~~\_\_\_\_\_ 5e. Administering~~ contracts for public works projects;

474 ~~\_\_\_\_\_ 6f. Designing~~ city projects, and ~~developing~~ city infrastructure master plans;

475 ~~\_\_\_\_\_ 7g. Managing~~ and ~~administering~~ the capital projects engineering function;

476 ~~h. With the concurrence of city administration, establishing within the~~  
477 ~~public works department such divisions or sections as may seem necessary~~  
478 ~~or proper for the efficient and effective operation of the department and its~~  
479 ~~functions; and; and~~

480 ~~—8i. Perform such other duties as are imposed by city ordinance or~~  
481 ~~direction of the city manager assigned by city administration.~~

482 ~~—B3. Other Duties Assigned by City Administration:~~ The enumeration of the  
483 foregoing duties and responsibilities shall not be deemed to prevent or limit city  
484 administration from prescribing additional duties, ~~functions,~~ or responsibilities ~~for~~  
485 ~~to the public works director of public works~~ or assigning the designated duties and  
486 responsibilities to another department or division, as city administration shall deem  
487 appropriate. ~~(2001 Code § 2-5-502; 2009 Code § 1-8D-2; amd. Ord. 09-13, 4-14-~~  
488 ~~2009; Ord. 15-23, 8-25-2015; Ord. 19-38, 11-13-2019, Effective at 12 noon on~~  
489 ~~January 6, 2020)~~

490 G. Administrative Services Department: The function of the administrative services  
491 department shall be to carry out the duties, as applicable, of the administrative services  
492 director.

493 1. Appointment of Administrative Services Director.

494  
495 ~~1-8G-3: DEPARTMENT DIVISIONS:~~

496 ~~The director of public works may, with the concurrence of city administration, appoint~~  
497 ~~subordinate managers, make such work assignments and assign such duties for the~~  
498 ~~personnel within the department as is needed for the efficient and effective functioning of~~  
499 ~~the department and its functions. (2001 Code § 2-5-504; 2009 Code § 1-8D-3; amd. Ord. 09-~~  
500 ~~13, 4-14-2009; Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

501  
502 ~~ARTICLE H. FINANCE DEPARTMENT~~  
503 ~~SECTION:~~

504 ~~1-8H-1: Director of Finance~~

505 ~~1-8H-2: City Treasurer~~

506  
507 ~~1-8H-1: DIRECTOR OF FINANCE:~~

508 ~~Pursuant to Utah Code Annotated section 10-6-157, a qualified person shall be~~  
509 ~~appointed by tThe mayor, with the advice and consent of the city council, shall~~  
510 ~~appoint a qualified person to be as the administrative services director with the~~  
511 ~~advice and consent of the city council.~~

512  
513 ~~2. *Functions and Duties of the Administrative Services Director.* Subject to the~~  
514 ~~supervision and direction of city administration the administrative services~~  
515 ~~director's duties shall include, but are not limited to:~~

516  
517 ~~a. director of finance, to pPerforming the duties as specifiedset forth in the~~  
518 ~~uniform fiscal procedures act for Utah cities, Utah Code Annotated title 10,~~  
519 ~~chapter 6, or any successor provisions, including but not limited to those of a~~  
520 ~~finance department;~~

521 ~~b. , and to sSupervising the city treasurer; (2001 Code § 2-7-204; amd.~~  
522 ~~2009 Code § 1-8G-1; Ord. 09-13, 4-14-2009; Ord. 15-23, 8-25-2015; Ord. 16-~~  
523 ~~01, 1-13-2016; §1-8A-4, Ord. 19-38, 11-13-2019, Effective at 12 noon on~~  
524 ~~January 6, 2020)~~

525 ~~c. Performing the city's accounting functions;~~

526 ~~d. Preparing the city's annual budget and any necessary budget~~  
527 ~~adjustments;~~

528 ~~e. Supervising and administering the procurement of goods and services for~~  
529 ~~the city in accordance with applicable state law and city code;~~

530 ~~f. Administering the city's payroll;~~

h. With the concurrence of city administration, establishing within the administrative services department such divisions or sections as may seem necessary or proper for the efficient and effective operation of the department and its functions; and

i. Performing such other duties as are Performing such other duties as are assigned by city administration.

3. Other Duties Assigned by City Administration: The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration from prescribing additional duties, functions, or responsibilities to the administrative services director or assigning the designated duties and responsibilities to another department or division as city administration shall deem appropriate.

4. Appointment of Treasurer.

The mayor shall appoint a qualified person to serve as the city treasurer with the advice and consent of the city council who shall not be the administrative services director or director of finance.

5. Function and Duties of Treasurer. 1-8H-2: CITY TREASURER:

~~—A. Appointment: The mayor, with the advice and consent of the city council, shall appoint a qualified person to be the city treasurer, who shall not be the finance director.~~

~~—B. Duties: Subject to the supervision and direction of the administrative services director of finance, the city treasurer's duties, or designee, unless otherwise required by law or assigned to another department or division, shall include, but are not limited to:~~

~~1a. Being~~ the custodian of all money, bonds or other securities of the city;

~~—2b. Determining~~ the cash requirements of the city and provid~~ing~~ for the investment of all idle cash;

~~—3c. Receiv~~ing all money payable to the city, within three (3) business days after collection, including all taxes, licenses, fines and intergovernmental revenue, and keep~~ing~~ an accurate, detailed account in the manner provided by the uniform fiscal procedures act for Utah cities, Utah Code Annotated title 10, chapter 6, or successor provisions;

~~—4d. Giv~~ing or caus~~e~~ing to be given to every person paying money to the city treasury a receipt or other evidence of payment, specifying, as appropriate, the date of payment and upon which account paid, and file the



570 duplicate of the receipt, a separate report or other evidence of payment in  
571 the office of the administrative services director; ~~of finance.~~

572 —5e. Promptly depositing all city funds in the appropriate bank account of  
573 the city;

574 —6f. Keeping in proper books a full and accurate account of all the monies,  
575 bonds or other securities received and disbursed by him on behalf of the city,  
576 specifying the time of receipt and disbursement, from whom received and to  
577 whom disbursed, on what account received and disbursed, and how paid;

578 —7g. Canceling all warrants and other evidences of debt against the city,  
579 whenever paid by him, by writing or stamping across the face the words,  
580 "paid by the city treasurer", with the date of payment written or stamped  
581 thereon;

582 —8h. Receiving and having custody of all monies paid to the city and  
583 disbursing city monies upon the warrant of the administrative services  
584 director ~~of finance~~. The city treasurer shall sign all checks prepared by the  
585 administrative services director ~~of finance~~. Prior to affixing the signature, the  
586 city treasurer shall determine that a sufficient amount is on deposit in the  
587 appropriate bank account of the city to honor the check;

588 —9i. Paying city employees, upon presentation of the properly certified  
589 payroll;

590 —10j. Demanding and receiving all monies and fees owing to the city  
591 whenever any person is indebted to the city in any manner;

592 —11k. Preparing estimates of revenue and giving such other assistance  
593 in the preparation of the budget as may be required of him by city  
594 administration;

595 —12l. Collecting all special taxes and assessments, as provided by law and  
596 ordinance. All money received by the city treasurer on any special  
597 assessment shall be applied to the payment of the improvement for which  
598 the assessment was made. The money shall be used for the payment of  
599 interest and principal on bonds or other indebtedness issues in settlement  
600 thereof, and shall be used for no other purpose whatsoever, except as  
601 otherwise provided in Utah Code Annotated section 10-6-131;

602 —13m. If the city is without funds on deposit in one of its appropriate bank  
603 accounts with which to pay any lawfully approved claim, the administrative  
604 services director ~~of finance~~ shall draw and sign a warrant upon the city  
605 treasurer for payment of the claim, the warrant to be tendered to the payee  
606 named on the warrant. The city treasurer shall pay all warrants in the order  
607 in which presented and as money becomes available for payment in the



appropriate funds of the city. The city treasurer shall note upon the back of each warrant presented the date of presentation and the date of payment~~;~~

—~~14n.~~ Mak~~ing~~inge a regular settlement with the administrative services director ~~of finance~~ or his/her designee of the amounts received and paid out during the day for which settlement is being made, and at such settlements deliver to the administrative services director ~~of finance~~, properly canceled, all warrants and other obligations to the city paid by him/her since his last settlement and take a receipt in duplicate, one to be turned over to the administrative services director ~~of finance~~ and one to be retained by him, and once each month he shall balance accounts with the administrative services director ~~of finance~~, which monthly settlement shall show the balance to the credit of the several funds for which the city treasurer is responsible~~;~~

—~~15o.~~ Mak~~ing~~inge a detailed report to the administrative services director ~~of finance~~ on the first business day after the last calendar day of the preceding month as to the business of his office during the preceding month, showing the balance on and to the credit of the different funds at the time of his last report, the amount received during the month, and on what account, together with such other items and facts the administrative services director~~;~~ ~~of finance may require.~~

—~~16p.~~ Receiv~~ing~~inge cash as required and provide such other general central services as required~~;~~ and

—~~17q.~~ Keep~~ing~~ing appropriate records concerning bonds and other evidences of indebtedness incurred by the city.

—~~18r.~~ Perform~~ing~~ing all such duties as may be prescribed by statute, ordinance, or city administration or the administrative services director ~~of finance which that~~ are consistent with law. ~~{2001 Code § 2-7-205; amd. 2009 Code § 1-8G-5; Ord. 09-13, 4-14-2009; § 1-8A-5, Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020}~~

## H. Special Functions, Positions, and Departments:

### 1. List of Special Functions and Positions.

~~ARTICLE I. RESERVED~~

~~{2009 Code 1-8I; Rep. by Ord. 09-13, 4-14-2009}~~

~~ARTICLE J. SPECIAL DEPARTMENTS, FUNCTIONS, AND POSITIONS~~

~~SECTION:~~

~~1-8J-1: List of Special Functions and Positions:~~

~~1-8J-2: Placement of Special Functions and Positions:~~

~~1-8J-3: Creation of Special Departments:~~

~~1-8J-4: Reserved:~~

~~1-8J-5: Appointment of City Recorder:~~

~~1-8J-6: Duties of City Recorder:~~

~~1-8J-7: Parks and Trails Division:~~

~~1-8J-8: Duties and Responsibilities of Parks Superintendent:~~

~~1-8J-1: LIST OF SPECIAL FUNCTIONS AND POSITIONS:~~

The following special functions and positions may (and in some instances, shall) exist in the executive branch:

~~Aa.~~ City recorder's office;

~~Bb.~~ Processing passports;

~~Cc.~~ Economic development/redevelopment;

~~Dd.~~ Information technology;

~~Ee.~~ GIS (geographical information systems);

~~Ff.~~ Human resources and employee benefits;

~~Gg.~~ Risk management;

~~Hh.~~ Emergency management/preparation;

~~Ii.~~ Public information/communications, including social media;

~~Jj.~~ Special events;

~~Kk.~~ Staff support for committees;

~~Ll.~~ Cemeteries;

~~Mm.~~ Parks and trails;

~~Nn.~~ Urban forestry;

~~Oo.~~ Performing arts;

~~Pp.~~ Facilities management;

~~Qq.~~ Fleet management;

~~Rr.~~ Code enforcement;

\_\_\_\_\_ ~~Ss.~~ Business licensing and rental licensing;  
\_\_\_\_\_ ~~Tt.~~ Grants, including community development block grants;  
\_\_\_\_\_ ~~Uu.~~ Animal control;  
\_\_\_\_\_ ~~Vv.~~ Parking enforcement;  
\_\_\_\_\_ ~~Ww.~~ Crossing guards;  
\_\_\_\_\_ ~~Xx.~~ Victim advocates (victim assistance);  
\_\_\_\_\_ ~~Yy.~~ Real property administration;  
\_\_\_\_\_ ~~Zz.~~ Contract/lease administration; and  
\_\_\_\_\_ ~~AAaa.~~ Other miscellaneous functions and positions. ~~{Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020}~~

## 2. Placement of Special Functions and Positions.

### ~~1-8J-2: PLACEMENT OF SPECIAL FUNCTIONS AND POSITIONS:~~

During a budget year, city administration may change the organizational placement of any currently funded special function or position ~~{see section 1-8J-1}~~ without the need for council approval, as long as: ~~(i)~~ the change complies with subsections 1-8-1C and 1-8-1D; and ~~(ii)~~ notice is provided to the council proving that the change is fully funded by the current budget. A special function or position which is not currently funded requires council funding approval before the special function or position may be created.

City administration may organizationally place any given special function or position:

- \_\_\_\_\_ ~~a. A.~~ In a department identified in the city code;
- \_\_\_\_\_ ~~b. B.~~ In a special department;
- \_\_\_\_\_ ~~c. C.~~ As, or as part of, an independent division;
- \_\_\_\_\_ ~~d. D.~~ In the mayor's office; or
- \_\_\_\_\_ ~~Ee.~~ In some combination thereof. ~~{Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020}~~

## 3. Creation of Special Departments.

### ~~1-8J-3: CREATION OF SPECIAL DEPARTMENTS:~~

704 Within budget constraints and consistent with subsections 1-8-1C and 1-8-1D, city  
705 administration may recommend special departments by rearranging currently  
706 funded divisions from departments identified in the city code, independent  
707 divisions, and/or any special functions or positions ~~(see section 1-8J-1)~~. Each  
708 special department shall have at least two divisions or functions and shall be  
709 identified in the organizational chart of the annual city budget. Council approval is  
710 required to create a new special department. ~~(Ord. 19-38, 11-13-2019, Effective at~~  
711 ~~12 noon on January 6, 2020)~~

712 4. Appointment of City Recorder.

713 ~~1-8J-4: RESERVED:~~

714 ~~(Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

715  
716 ~~1-8J-5: APPOINTMENT OF CITY RECORDER:~~

717 The mayor, with the advice and consent of the city council, shall appoint a qualified  
718 person to the office of city recorder. The city recorder, with the approval of city  
719 administration, may hire one or more deputy or assistant city clerks as is required  
720 to assist in the city recorder's public duties. ~~(Ord. 09-13, 4-14-2009; amd. Ord. 18-~~  
721 ~~38, 11-7-2018; §1-8C-4, Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6,~~  
722 ~~2020)~~

723 5. Functions and Duties of City Recorder.

724  
725 ~~1-8J-6: DUTIES OF CITY RECORDER:~~

726 The city recorder (or designee) shall:

727 ~~—Aa.~~ Perform such duties as are now or may hereafter be provided by law,  
728 this code, or other ordinance.

729 ~~—Bb.~~ Attend meetings of the city council as needed, receive the record of its  
730 proceedings from council staff, and perform such other duties of a like nature  
731 as may be required by city administration.

732 ~~—Cc.~~ Be responsible for the recording, filing, indexing, making available for  
733 public inspection and safekeeping of all proceedings of the city council and  
734 other records of the city.

735 ~~—Dd.~~ Record in full, uniformly and permanently, all ordinances and  
736 authenticate the same. The city recorder shall record all ordinances passed  
737 by the city council. The city recorder shall give each ordinance a number.

738 Immediately following each ordinance, or codification of ordinances, the city  
739 recorder shall make or cause to be made a certificate stating the date of  
740 passage and of the date of publication or posting, as required. The record and  
741 memorandum, or a certified copy thereof, shall be prima facie evidence of the  
742 contents, passage and publication or posting of the ordinance or codification.

743 ~~—Ee.~~ Post or publish, as required by law, ordinances adopted by the city  
744 council, and all legal notices.

745 ~~—Ff.~~ Oversee all municipal elections in accordance with state law and  
746 municipal ordinances and keep and maintain all election records and have  
747 custody of all property used in connection therewith, according to law.

748 ~~—Gg.~~ Attest the mayor's (or the city administrator's) signature on all  
749 contracts made on behalf of the city and maintain a properly indexed record  
750 of all such contracts.

751 ~~—Hh.~~ Notify the mayor or other appointing authority of the impending  
752 expiration of the term of office of a member of any executive branch  
753 committee, board, or commission, said notice to be given at least thirty (30)  
754 days before such expiration.

755 ~~—Ii.~~ Unless otherwise allowed by law, administer the constitutional oath of  
756 office to all officers of the city, whether elected or appointed, before such  
757 officers enter on the duties of their respective offices. All oaths of office shall  
758 be filed with the city recorder, except for the oath of office for the city  
759 recorder, which shall also be filed with the city treasurer.

760 ~~—Jj.~~ Be the custodian of the official seal of the city.

761 ~~—Kk.~~ Act as the city records officer under state law to oversee and  
762 coordinate records access and management and city archives activities as  
763 required by local, state and federal law.

764 ~~—1.~~ As the records officer, the city recorder shall:

765 ~~—ai.~~ Make annual reports of records service activities to the city  
766 council, as requested;

767 ~~—bii.~~ Provide training relative to records management,  
768 maintenance and access to the various city departments, as necessary;

769 ~~—ciii.~~ Establish and maintain an active, continuing program for the  
770 economical and efficient management of the city's records;

771 ~~—div.~~ Submit to the state archivist proposed schedules of records;

- 772                   —~~ev.~~ Cooperate with the state archivist in conducting surveys  
773                   made by the state archivist;
- 774                   —~~fyi.~~ Evaluate all record series that the city uses or creates and  
775                   report to the state archivist the classification of each record series  
776                   that is classified;
- 777                   —~~gvii.~~ Establish and report, to the state archivist, retention  
778                   schedules for objects that the city determines are not records, but that  
779                   have historical or evidentiary value; and
- 780                   —~~hvjii.~~ Designate those record series as required by law and  
781                   report the designations of its record series to the state archivist.

782                   ~~1. 2.~~ As the records officer, the city recorder may:

783                   —~~aj.~~ For purposes of GRAMA, classify a particular record, record  
784                   series or information within a record at any time, but is not required  
785                   to classify a particular record, record series or information until  
786                   access to the record is requested.

787                   —~~bji.~~ Re-designate a record series or reclassify a record, record  
788                   series or information within a record at any time.

789                   ~~lm.~~ Perform such other duties assigned by city administration.

790                   —~~mn.~~ Certify copies of all papers filed in the city recorder's office and  
791                   transcripts from all records of the city council with the city's corporate seal,  
792                   which shall make them admissible in all courts as original documents.

793                   —~~no.~~ Certify the ordinance or resolution setting the tax levy to the County  
794                   auditor on or before the date specified in state code.

795                   —~~op.~~ Accept service of process, writs of garnishment, employee appeals,  
796                   initiative and referendum petitions, claims as set forth under state law or by  
797                   this code, and any other document prescribed by state law, this code, or  
798                   other ordinance that is required to be served on the city or city recorder. All  
799                   documents, claims, or other matters served or filed with or against the city  
800                   will be deemed filed when received by the city recorder.

801                   —~~pq.~~ Prepare, attest, and report on the vital statistics of the city. (~~Ord. 09-13,~~  
802                   ~~4-14-2009; amd. Ord. 18-38, 11-7-2018; §1-8C-5, Ord. 19-38, 11-13-2019, Effective~~  
803                   ~~at 12 noon on January 6, 2020~~)

804

805                   ~~1-8J-7: PARKS AND TRAILS DIVISION:~~

~~The division of parks and trails may consist of the following (or other) functional units:~~

~~—Public services~~

~~—Parks maintenance~~

~~—Urban forestry~~

~~—Cemetery~~

~~as well as such division level personnel and functions as may be appropriate and necessary. The superintendent of parks and trails may, with the concurrence of the supervising department head, make such work assignments and assign such duties for the personnel within the division as may be deemed appropriate. (Ord. 15-23, 8-25-2015; §1-8H-1, Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

~~1-8J-8: DUTIES AND RESPONSIBILITIES OF PARKS SUPERINTENDENT:~~

~~—A. Duties: Unless assigned to another department or division, the superintendent of parks and trails shall:~~

~~—1. Maintain all parks, public grounds, and cemetery grounds and other real property owned by the city;~~

~~—2. Perform such services as necessary for the proper functioning of the cemetery;~~

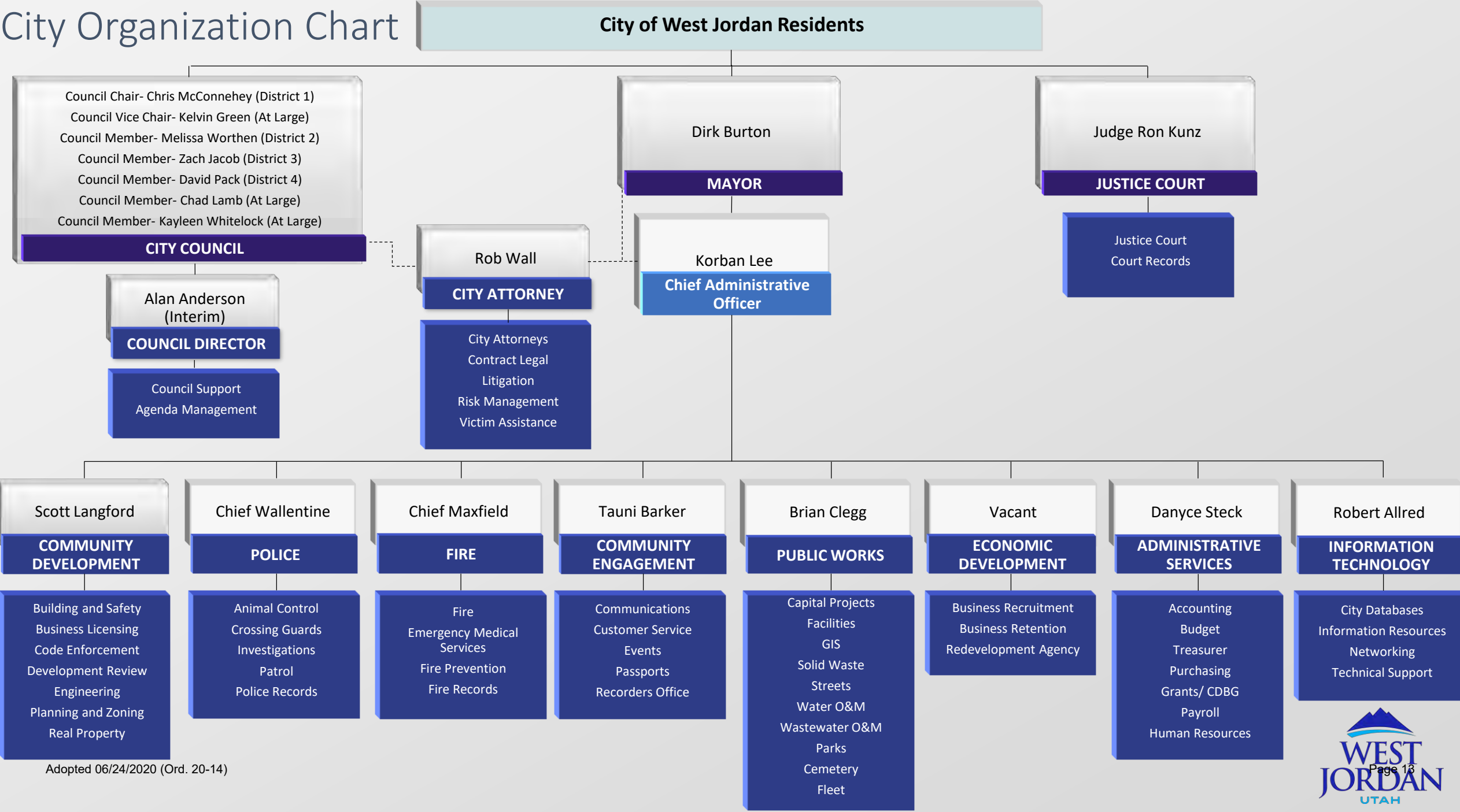
~~—3. Maintain and improve the city's urban forestry resources;~~

~~—4. Maintain the public walkways associated with city hall and other city facilities free from snow and ice;~~

~~—5. Coordinate as needed with special events staff regarding special events scheduling and arrangements.~~

~~—B. Other Duties Assigned By City Administration or Supervising Department Head: The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit city administration or the supervising department head from prescribing additional duties or responsibilities for the superintendent of parks and trails or assigning the designated duties and responsibilities to another department or division, as city administration or the supervising department head shall deem appropriate. (Ord. 15-23, 8-25-2015; §1-8H-2, Ord. 19-38, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

# City Organization Chart





# City Organization Chart

