



**THE CITY OF WEST JORDAN
CITY COUNCIL MEETING
April 10, 2024**

8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

Zoom Webinar ID: **847 7787 1284** Password: **8000** [Click Here to Join](#)

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CITY COUNCIL MEETING 6:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

Please address comments to the Council Chair without expecting debate or response. It is our desire that each person attending a meeting feel safe, respected, and comfortable participating in their government. We hope commenters will have the same goal striving to keep comments respectful, professional, and free from profanity, personal attacks, and indecency. Please provide your full name and limit your remarks to three (3) minutes. Alternatively written comments may also be submitted.

4. REPORTS TO COUNCIL

- City Council Reports
- Council Office Report
- Mayor's Report
- City Administrator's Report
- ChamberWest Report

5. BUSINESS ITEMS

- Ordinance No. 24-16** amends West Jordan City Code Sections 6-3B-1 and 6-3C-5

addressing animal impound duration and licensing renewal timing.

- b. **Ordinance No. 24-19** amending West Jordan City Code Title 2 – Executive Branch Committees
- c. **Ordinance No. 24-04** amending West Jordan City Code Title 1, Chapter 8 – Municipal Administration, including Departments
- d. **Ordinance No. 24-10** amending West Jordan City Code Title 6, Chapter 3, Article E. Ownership and Maintenance of Fowl

6. CONSENT ITEMS

Items not requiring public discussion or which have previously been discussed may be adopted by one single motion. Council Members may request to pull an item for further discussion and consideration.

- a. Approve Meeting Minutes
 - March 20, 2024 – Committee of the Whole Meeting

7. ADJOURN

*UPCOMING BUSINESS

Items appearing for the first time on an agenda notifying the Council that the matter will be considered at a future meeting. This introduction allows for appropriate preparation time.

- a. **Ordinance No. 24-18** a petition by Utah Land Company/Robbie Thomson for a Rezone of 9.75 acres of property from A-5 Zone (*Agriculture 5 acre minimum lots*) to R-1-8 Zone (*Single-family residential 8,000 square foot minimum lots*) for Taylor Farms located at 7218 South Temple Drive (1300 West)

UPCOMING CITY COUNCIL MEETINGS

- Wednesday, April 24, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, May 8, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, May 15, 2024 – Committee of the Whole Meeting – 6:00p
- Wednesday, May 22, 2024 – Regular City Council Meeting – 6:00p

Interested parties may contact the Council PRIOR to the meeting in one of the following ways: (*your comment will not be part of the meeting but will be provided to all members of the entire City Council*)

- Call the 24-hour Public Comment Line PRIOR to the meeting and leave a message: **(801) 569-5052**. Please include your name and phone number.

- Send an email to councilcomments@westjordan.utah.gov. Please include your name and phone number.

You can follow the City Council on Facebook @WestJordanCityCouncil

In accordance with the Americans with Disabilities Act, the City of West Jordan will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting the West Jordan City Council Office at 801-569-5017, providing at least three working days' advance notice of the meeting.

ELECTRONIC PARTICIPATION

One or more council members may participate electronically in this meeting using online video conferencing technology per Utah Code (§52-4-207) and West Jordan City Code 1-13-1-E. Participation will be broadcast and amplified so all present in the meeting will be able to hear or see the communication.

INTELLECTUAL PROPERTY PERMISSION NOTICE

By attending this meeting/event, you consent to the use of your photograph, voice, likeness, and image in broadcasts of this meeting/event, and in subsequent productions drawn from video or audio recordings of this meeting/event, in the sole and absolute discretion of the City of West Jordan. The city retains copyright for all video and audio recordings. Video and audio recordings may not be modified, manipulated, or distributed in any way without the express written consent of the City Administrator.

CERTIFICATE OF POSTING

I certify that the foregoing agenda was posted at the principal office of the public body, on the Utah Public Notice website <https://www.utah.gov/pmn/>, on West Jordan City's website <https://westjordan.primegov.com/public/portal>, and notification was sent to the Salt Lake Tribune, Deseret News, and West Jordan Journal.

Please note: agenda items are subject to change and may be reordered or tabled in order to accommodate the needs of the City Council, staff, and the public.

Posted and dated April 4, 2024 Cindy M. Quick, MMC, Council Office Clerk



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 04/10/2024

Presenter: Dan Eatchel, Animal Service Manager

Deadline of item :

Applicant:

Department Sponsor: Police Department

Agenda Type: BUSINESS ITEMS

Presentation Time: 5 minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-16 amends Sections 6-3B-1 and 6-3C-5 addressing animal impound duration and licensing renewal timing.

2. EXECUTIVE SUMMARY

The Council is being asked to amend West Jordan Code Sections 6-3B-1 and 6-3C-5. The purpose of the proposed amendment to Section 6-3B-1 is to bring code into compliance with Utah Code Section 11-46-103 which requires municipalities to impound animals for a minimum of five (5) business days. The purpose of the proposed amendment to Section 6-3C-5 is to renew animal licenses annually based on the date of the initial licensure rather than by the end of the calendar year. If approved, the proposed amendment would spread licensing renewals across the full calendar year and minimize burden on staff at the end of the calendar year.

3. FISCAL NOTE

A small revenue increase is expected because staff would no longer need to accept prorated license fees.

4. STAFF ANALYSIS

Under the current code, animal owners are required to renew their license by the end of each calendar year. Consequently, renewals come at the end of the year in significant numbers.

5. MOTION RECOMMENDED

Move to approve/deny Ordinance No. 24-16 amending Sections 6-3B-1 and 6-3C-5 addressing animal impound duration and licensing renewal timing.

6. MAYOR RECOMMENDATION

N/A

7. PACKET ATTACHMENT(S)

Ordinance No. 24-16

8. OTHER INFORMATION

Utah Code 11-46-103

West Jordan City Council Meeting

Council Staff Review



Item Name: Animal Impound Duration and Licensing Renewal Timing
Department: Police Department
Action Needed: Adopt/Not Adopt Ordinance

EXECUTIVE SUMMARY

The Council is being asked to amend West Jordan Code Sections 6-3B-1 and 6-3C-5, relating to animal impound duration and licensing renewal timing.

Amending Section 6-3B-1 will bring the code into compliance with Utah Code Section 11-46-103, which requires municipalities to impound animals for a minimum of five (5) business days.

Amending Section 6-3C-5 will renew animal licenses annually based on the date of the initial licensure rather than by the end of the calendar year.

If approved, the proposed amendment would spread licensing renewals across the full calendar year and minimize burden on staff at the end of the calendar year.

RECOMMENDATION

Finding no issues or concerns with the proposal, council staff recommends that council approve Ordinance No. 24-16, amending Sections 6-3B-1 and 6-3C-5, addressing animal impound duration and licensing renewal timing, respectively.

TIMELINE

This item did not require a Committee of the Whole discussion, as it is within the approved operation of the department staff. Consequently, it has not been discussed in council or COTW meeting recently.

COUNCIL OFFICE ANALYSIS

Summary of changes to Section 6-3B-1 are found below:

- Line 9 – changed to read “annually” instead of “on or before January 1 of each year”.
- Line 20 – Deletion of prorated fees on a monthly basis.

Summary of changes to Section 6-3B-5 are found below:

- Lines 2-5 – changed from “three” days to “five”, deleting the previous provision of five days for licensed animals/animals with ID.

2
3 **ORDINANCE NO. 24-16**

4
5 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE**
6 **(Animal Control; West Jordan Code §§ 6-3B-1 and 6-3C-5)**

7
8 WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in
9 2009; and

10 WHEREAS, the City Council of the City (“Council” or “City Council”) desires to amend certain
11 sections of the City Code, regarding and related to animal licensing and impound durations
12 (“proposed City Code amendments”); and

13 WHEREAS, the City Council held a public meeting on April 10, 2024 regarding the proposed
14 City Code amendments; and

15 WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and
16 welfare of the residents of the City to adopt the following proposed City Code amendments.

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

19 **Section 1. Amendment of Code Provisions.** City Code Section 6-3B-1 and 6-3C-5 are amended
20 to read as shown on Attachment 1 to this Ordinance.

21
22 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court
23 of competent jurisdiction, the remainder shall not be affected thereby.

24 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting
25 or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council
26 duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the
27 Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

28
29 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS _____ DAY OF
30 _____ 2024.

31
32 CITY OF WEST JORDAN

33
34 By: _____
35 Zach Jacob
36 Council Chair

37 ATTEST:
38
39 _____
40 Cindy M. Quick, MMC
41 Council Office Clerk

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44 (continued on the next page)

(continued on the next page)

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2024. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, CMC
City Recorder

(Attachment on the following page)

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Attachment 1

[Attachment to ORDINANCE NO. 24-16

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(*Animal Control*; West Jordan Code §§ 6-3B-3 and 6-3C-5)]**

1 6-3B-1: DOG AND CAT LICENSING; EXEMPTIONS:

2 A. License Required: All dogs and cats must be licensed each year to a person eighteen
3 (18) years or older, except as per section 6-3B-3 of this article or as otherwise provided
4 herein.

5 B. Time Limits For Licensing: Any owner or custodian of a dog or cat shall obtain a
6 license for such animal within thirty (30) days after the dog or cat reaches the age of four
7 (4) months, or, in the case of a dog or cat over four (4) months of age, within thirty (30)
8 days of the date of acquisition, ownership, or possession of the dog or cat.

9 C. Annual License Applications And Fees: ~~On or before January 1 of each year, a~~All
10 owners of dogs and cats must renew their dog and cat licenses ~~annually~~. New license
11 applications must be submitted to the division of animal control, utilizing a standard form
12 which contains the dog or cat owner's name, address and telephone number, and the breed,
13 sex, color and age of the animal. All dogs and cats must have current rabies vaccinations
14 before being licensed. Rabies vaccinations must be given by an authorized provider and a
15 copy of the vaccination certificate must be presented with the license application before a
16 license renewal application will be accepted by the division of animal control.

17 D. License Fees:

18 —~~1.~~ The licensing fees for new licenses and license renewals are those adopted by the
19 city council in its uniform fee schedule.

20 —~~2.~~ ~~Beginning in March of each year, the applicable license fees are prorated on a~~
21 ~~monthly basis.~~ (2001 Code § 14-2-101; amd. 2009 Code; Ord. 17-08, 2-8-2017)

1 6-3C-5: DISPOSITION OF IMPOUNDED ANIMALS:

2 A. Minimum Impounding Duration: Animals shall be impounded for a minimum of three
3 five (35) business days before further disposition, unless the animal is wearing a license
4 tag or has other identification, in which case it will be held a minimum of five (5) calendar
5 days. Notice shall be deemed given when sent or posted to or on the last known address of
6 the listed owner.

7 B. Extended Impounds; Cost Recovery: All animals, except those quarantined or confined
8 by court order, may be held longer than the minimum impound period, and all animals
9 voluntarily relinquished to the impound facility may be destroyed, adopted or sold as the
10 Division of Animal Control or his designee shall direct. Any healthy animal may be adopted
11 by any person over eighteen (18) years of age or sold to any institution engaged in
12 scientific research and desiring to purchase such animal for a price to recoup City costs as
13 reasonably determined by the mayor or his designee, but not to exceed the amount set by
14 the City Council in its uniform fee schedule, plus license and rabies vaccination if required.
15 Any animal which has not been neutered or spayed may not be so adopted by a private
16 person unless and until the animal has been neutered or spayed by a licensed veterinarian,
17 at the expense of the adopter, prior to its release from the impound facility.

18 C. Owner Responsible For Costs: In the event an owner is notified of the impoundment of
19 his/her pet and fails to either redeem or formally release said pet to the Division of Animal
20 Control, the owner shall be responsible for payment of all fees and/or charges incurred
21 pursuant to the impound and may be charged with abandonment under subsection 6-3D-
22 10F of this chapter.

23 D. Release To Owner: Any animal voluntarily relinquished to the Division of Animal
24 Control by the owner, for the destruction or placement of the animal, need not be kept for
25 the minimum holding period. The owner will sign a statement assuring that s/he is
26 unaware of any bite inflicted by the animal within the last ten (10) days.

27 E. Retention During Judicial Proceedings: Animals being held pursuant to an
28 investigation, court order or hearing may not be redeemed prior to completion of the
29 investigation, court order or hearing.

30 F. Owner Directed Destruction; Costs: The Division of Animal Control may destroy an
31 animal upon the request of the owner without transporting the animal to the shelter. A fee
32 shall be charged the owner for the destruction and any subsequent disposal of the carcass
33 provided by the City that approximates the direct and indirect cost to the City or the fee
34 established by the City Council in its uniform fee schedule.

35 G. Diseased Animals: Any licensed animal impounded and having or suspected of having
36 serious physical injury or contagious disease requiring medical attention may, in the
37 discretion of the animal control officer, be released to the care of a veterinarian without the
38 consent of the owner.

39 H. Eminent Danger Destruction: When in the judgment of the animal control officer, it is
40 determined that an animal should be destroyed for humane reasons or to protect the public

41 from imminent danger to persons or property, such animal may be destroyed without
42 regard to any time limitations otherwise established herein, and without court order.
43 (2001 Code § 14-3-105; amd. 2009 Code; Ord. 19-03, 1-23-2019; Ord. 21-04, 2-10-2021)

1 6-3B-1: DOG AND CAT LICENSING; EXEMPTIONS:

2 A. License Required: All dogs and cats must be licensed each year to a person eighteen
3 (18) years or older, except as per section 6-3B-3 of this article or as otherwise provided
4 herein.

5 B. Time Limits For Licensing: Any owner or custodian of a dog or cat shall obtain a
6 license for such animal within thirty (30) days after the dog or cat reaches the age of four
7 (4) months, or, in the case of a dog or cat over four (4) months of age, within thirty (30)
8 days of the date of acquisition, ownership, or possession of the dog or cat.

9 C. Annual License Applications And Fees: All owners of dogs and cats must renew their
10 dog and cat licenses annually. New license applications must be submitted to the division of
11 animal control, utilizing a standard form which contains the dog or cat owner's name,
12 address and telephone number, and the breed, sex, color and age of the animal. All dogs and
13 cats must have current rabies vaccinations before being licensed. Rabies vaccinations must
14 be given by an authorized provider and a copy of the vaccination certificate must be
15 presented with the license application before a license renewal application will be accepted
16 by the division of animal control.

17 D. License Fees: The licensing fees for new licenses and license renewals are those
18 adopted by the city council in its uniform fee schedule.

19 (2001 Code § 14-2-101; amd. 2009 Code; Ord. 17-08, 2-8-2017)

1 6-3C-5: DISPOSITION OF IMPOUNDED ANIMALS:

2 A. Minimum Impounding Duration: Animals shall be impounded for a minimum of five
3 (5) business days before further disposition. Notice shall be deemed given when sent or
4 posted to or on the last known address of the listed owner.

5 B. Extended Impounds; Cost Recovery: All animals, except those quarantined or confined
6 by court order, may be held longer than the minimum impound period, and all animals
7 voluntarily relinquished to the impound facility may be destroyed, adopted or sold as the
8 Division of Animal Control or his designee shall direct. Any healthy animal may be adopted
9 by any person over eighteen (18) years of age or sold to any institution engaged in
10 scientific research and desiring to purchase such animal for a price to recoup City costs as
11 reasonably determined by the mayor or his designee, but not to exceed the amount set by
12 the City Council in its uniform fee schedule, plus license and rabies vaccination if required.
13 Any animal which has not been neutered or spayed may not be so adopted by a private
14 person unless and until the animal has been neutered or spayed by a licensed veterinarian,
15 at the expense of the adopter, prior to its release from the impound facility.

16 C. Owner Responsible For Costs: In the event an owner is notified of the impoundment of
17 his/her pet and fails to either redeem or formally release said pet to the Division of Animal
18 Control, the owner shall be responsible for payment of all fees and/or charges incurred
19 pursuant to the impound and may be charged with abandonment under subsection 6-3D-
20 10F of this chapter.

21 D. Release To Owner: Any animal voluntarily relinquished to the Division of Animal
22 Control by the owner, for the destruction or placement of the animal, need not be kept for
23 the minimum holding period. The owner will sign a statement assuring that s/he is
24 unaware of any bite inflicted by the animal within the last ten (10) days.

25 E. Retention During Judicial Proceedings: Animals being held pursuant to an
26 investigation, court order or hearing may not be redeemed prior to completion of the
27 investigation, court order or hearing.

28 F. Owner Directed Destruction; Costs: The Division of Animal Control may destroy an
29 animal upon the request of the owner without transporting the animal to the shelter. A fee
30 shall be charged the owner for the destruction and any subsequent disposal of the carcass
31 provided by the City that approximates the direct and indirect cost to the City or the fee
32 established by the City Council in its uniform fee schedule.

33 G. Diseased Animals: Any licensed animal impounded and having or suspected of having
34 serious physical injury or contagious disease requiring medical attention may, in the
35 discretion of the animal control officer, be released to the care of a veterinarian without the
36 consent of the owner.

37 H. Eminent Danger Destruction: When in the judgment of the animal control officer, it is
38 determined that an animal should be destroyed for humane reasons or to protect the public
39 from imminent danger to persons or property, such animal may be destroyed without

40 regard to any time limitations otherwise established herein, and without court order.
41 (2001 Code § 14-3-105; amd. 2009 Code; Ord. 19-03, 1-23-2019; Ord. 21-04, 2-10-2021)



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 04/10/2024

Presenter: Alan Anderson

Deadline of item :

Applicant:

Department Sponsor: Council Office

Agenda Type: BUSINESS ITEMS

Presentation Time: 10 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-19 amending West Jordan City Code Title 2 – Executive Branch Committees

2. EXECUTIVE SUMMARY

The city council has deliberated on revisions to Title 2 at Committee of the Whole on November 8, February 21, and March 27.

The council originally discussed changes to the Title 2 "Executive Branch Committees" on November 8, 2023. Direction was given to simplify committee efficiencies and to allow the mayor the ability to create, and dissolve volunteer committees by Executive Order. Contemplated changes also allow the mayor, and the mayor's staff, to manage the executive committees.

Changes include:

- 2-1-1 The title governs city boards, commissions, agencies and support organizations.
- 2-1-2 Updates definitions for use in in the Title 2
- 2-1-3 Mayor appoints all executive committee and statutory committee members. Council retains advice and consent on Statutory committees
- 2-1-4 Statutory committee terms are 3-years. Mayor can set terms of Executive Committee in the Executive Order creating the committee
- 2-1-5 Mayor fills vacancies on all committees and seeks advice and consent of the council for Statutory Committees
- 2-1-6 Statutory Committee members must reside in the city and be a registered voter.
- 2-1-7 (new) a simple majority is required by a Statutory Committee in order to conduct business
- 2-1-8 (new) Mayor can create and/or dissolve Executive Committees by Executive Order which would establish the scope, purpose, stated goals, vision and anticipated involvement of the committee.
- 2-1-9 (new) Statutory Committees meet as necessary and anchored at West Jordan City Hall.
- 2-1-10 (new) Statutory Committees shall comply with Open Public Meeting Act (OPMA)
- 2-1-11 (new) City Attorney and other city staff may support Committees.
- 2-1-12 (new) Mayor may remove any members of executive branch and statutory committees unless precluded by law.
- 2-1-13 (new) Members are volunteer public servants and receive immunities, legal representation, and indemnification in the Utah Government Immunity Act.
- 2-1-14 (new) Each committee may adopt its own bylaws and the transaction of business.
- 2-1-15 (new) Ethics and conflict of business complies with Title 1 Chapter 11

- 2-1-16 The Mayor shall ensure all members of Statutory Committees and Support Organization receive annual training outline in Title 2 and other important topics.
- 2-1-17 (new) parameters of Support Organizations
- Chapter 2 – Planning Commission
 - Is a Statutory Committee and covers appointment and terms, compensation in the annual budget process, must be training requirements in 10-9a-302(b)
 - Other clean up as directed
- Chapter 3 - Board of Adjustment
 - Is a Statutory Committee and covers appointment and terms, compensation in the annual budget process, 3 members are required to override an action.
 - Savings clause for members currently serving with the former 5-year term.
 - (new) appointees shall have 3-year terms.
- Chapter 4 – Ethics Commission. Council elected to use the Political Subdivisions Ethics Review Commission in 63A-15
- Chapter 6 – Applications for monetary and non-monetary assistance provided by Council Office.

3. TIME SENSITIVITY / URGENCY

There is no deadline

4. FISCAL NOTE

Adopting this ordinance has no fiscal impact. Any committees needing funding would go through established budget processes which require city council approval.

5. STAFF ANALYSIS

Please review the attached Council Staff Report

6. MOTION RECOMMENDED

Move to approve Ordinance No. 24-19 amending West Jordan City Code Title 2 Executive Branch Committees

7. MAYOR RECOMMENDATION

Mayor supports the proposed amendments for Title 2

West Jordan City Council Meeting

Council Staff Review



Item Name: Executive Branch Committees

Department: Office of the City Council

Action Needed: Adopt/Not Adopt Ordinance

EXECUTIVE SUMMARY

Council is being asked to approve Ordinance No. 24-19 as it relates to Title 2, Executive Branch Committees.

RECOMMENDATION

Council staff recommends that council approve Ordinance No. 24-19, amending Title 2 – Executive Branch Committees.

TIMELINE

Committee of the Whole Meetings

November 8, 2023, February 21, 2024, and March 27, 2024

Ongoing dialogue provided an ultimate direction from council, to simplify committee efficiencies and to allow the mayor the ability to create, and dissolve volunteer committees by Executive Order.

Proposed changes also allow the mayor, and the mayor's staff, to manage the executive committees.

COUNCIL OFFICE ANALYSIS

The proposed ordinance has been revised as a result of feedback from council the referenced Committee of the Whole meetings.

Not including minor grammatical adjustments, summarized changes are found below:

Chapter 1

- Lines 2-10: Scope and Purpose revised and simplified.
- Lines 13-18: Appointment of Committee Members deleted.
- Lines 19-30: Definitions revised and simplified.
- Lines 31-36: Appointment of Committee Members revised.
- Lines 37-64: Various Terms revised and clarified.
- Lines 65-74: Vacancies revised and simplified.
- Lines 75-96: Qualification and Residency Requirements revised and compressed.
- Lines 97-112: Sections on Committee Size/Appointment of Committee Officers placed elsewhere or deleted.

West Jordan City Council Meeting

Council Staff Review



- Lines 113-130: Quorum and Creation of Executive Committees revised and simplified.
- Lines 131-159: Meetings, Times, Locations and Open and Public Meetings Act revised, deleted, or placed elsewhere.
- Lines 160-167: Attorney and Other City Staff Support revised.
- Lines 168-180: Budget and Compensation sections removed or placed elsewhere.
- Lines 181-189: Termination or Removal revised and simplified.
- Lines 190-207: Liability Coverage and Indemnification and Rules, Policy, Procedure revised and simplified.
- Lines 208-217: Member Attendance Requirements and No Power to Administer or Enforce Law removed or placed elsewhere.
- Lines 218-245: Ethics and Conflicts of Interest, Training, Support Organizations revised.

Chapter 2

- Lines 254-260: Planning Commission Established revised.
- Lines 261-278: Appointment and Term revised.
- Lines 279-314: Powers and Duties revised.

Chapter 3

- Lines 321-384: Various revisions relating to Board of Adjustment.

Chapter 4

- Lines 393-419: Various revisions relating to Other Statutory Committees and Hearing Officers.

Chapter 6

- Lines 430-465: Various revisions as they relate to City Support of Unrelated Charitable or Educational Entities.

2
3 **ORDINANCE NO. 24-19**

4
5 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE,**
6 **TITLE 2 EXECUTIVE BRANCH COMMITTEES**

7
8 WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in
9 2009; and

10 WHEREAS, the City Council of the City (“City Council”) desires to amend a certain section of the
11 City Code, regarding and related to mayoral appointments and council advice and consent (“**proposed City**
12 **Code amendments**”); and

13 WHEREAS, the City Council held a public meeting on April 10, 2024, regarding the proposed City
14 Code amendments; and

15 WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and
16 welfare of the residents of the City to adopt the following proposed City Code amendments.

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

19 **Section 1. Amendment of Code Provisions.** City Code Title 2 is amended to read as shown on
20 Attachment 1 to this Ordinance.

21
22 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court of
23 competent jurisdiction, the remainder shall not be affected thereby.

24 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting or
25 publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly
26 overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance
27 within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

28
29 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
30 _____ DAY OF _____ 2024.

31
32 CITY OF WEST JORDAN

33
34
35 By: _____
36 Zach Jacob
37 Council Chair

38 ATTEST:

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41 _____
42 Cindy M. Quick, MMC
43 Council Office Clerk

44
45 *(continued on the next page)*

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CERTIFICATE OF PUBLICATION

98

99 I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a

100 short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____

101 day of _____ 2024. The fully executed copy of the ordinance is retained in the Office

102 of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

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105 _____

106 Tangee Sloan, CMC

107 City Recorder

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119 *(Attachment on the following page)*

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Attachment 1

[Attachment to ORDINANCE NO. 24-19

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
TITLE 2**

1 EXECUTIVE BRANCH COMMITTEES

2 2-1-1: SCOPE ~~OF PROVISIONS~~ AND PURPOSE:

3 ~~Subject to the following exceptions, this title governs~~This title governs all city boards,
4 commissions, agencies, and support organizations, ~~or committees of the executive branch:~~
5 ~~(1) this title does not govern the creation, operation, structure, or any other elements of~~
6 ~~internal committees of city employees, which may be created, disbanded, and governed by~~
7 ~~the mayor in his/her sole discretion; and (2) when the law specifically provides otherwise.~~
8 ~~City council committees are governed by title 1, chapter 6 of this code. For the purposes of~~
9 ~~this title,~~This title does not govern City Council Committees established under title 1,
10 chapter 6. Any references to “law” will include city ordinances. (2001 Code § 2-6-101; amd.
11 Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020;
12 Ord. 20-38, 9-30-2020; Ord. 20-47, 12-16-2020)

13 2-1-2: APPOINTMENT OF COMMITTEE MEMBERS:

14 ~~Members of the boards, commissions, agencies, support organizations or committees~~
15 ~~created through and governed by this title shall be appointed to an initial term, or~~
16 ~~reappointed to an additional term, by the mayor, unless otherwise required or allowed by~~
17 ~~law. (2001 Code § 2-6-102; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019, Effective at~~
18 ~~12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)~~

19 2-1-3: DEFINITIONS:

20 As used in this chapter:

- 21 1. “Statutory Committee” means a body required or allowed by state law. The mayor
22 appoints or reappoints members with the advice and consent of the city council.
- 23 2. “Executive Committee” or just “Committee” means a body not required by state law.
24 The mayor appoints or reappoints members without the advice and consent of the
25 city council.
- 26 3. “Support Organization” means a city-controlled tax-exempt entity formed to assist
27 the city. The entity raises private funds for the city’s public purposes.

28 (2001 Code § 2-6-103; amd. Ord. 10-08, 2-24-2010; Ord. 19- 53, 12-11-2019, Effective at 12 noon
29 on January 6, 2020; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-
30 30-2020)

ADVICE AND CONSENT: A duty of the city council is to vote on Mayoral
appointments, when required by statute or ordinance; each
vote may either approve or disapprove of a given
appointment.

CITY ADMINISTRATION: The mayor and city administrator and the authorized
officers and assistants acting on their behalf.

COMMITTEE: Unless otherwise expressly provided, as used in this
chapter, the term “committee” includes every executive
branch board, commission, agency or committee of the city,

either individually or collectively, as the term in context would indicate.

STATUTORY COMMITTEE: An executive branch committee which is required or allowed by state law ("statutory committee"). The members are appointed or reappointed by the mayor, with the advice and consent of the city council, unless otherwise specifically stated under law.

SUPPORT ORGANIZATION: A city-controlled tax exempt entity created to assist the city in raising private funds for the city's public purposes.

EXECUTIVE BRANCH COMMITTEE: An executive branch committee, which is not required by state law, with the members to be appointed by the mayor, without the advice and consent of the city council..(2001 Code § 2-6-103; amd. Ord. 10-08, 2-24-2010; Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

31 2-1-3: APPOINTMENT OF COMMITTEE MEMBERS:

32 The mayor may appoint, or reappoint, members to an Executive Committee or Statutory
33 Committee. The mayor shall provide the city council with the prior experience and
34 background information on members whose appointment, or reappointment, requires
35 advice and consent. (2001 Code § 2-6-102; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-
36 2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

37 2-1-4: TERMS:

38 A. Statutory Committee Member Terms: Statutory Committee terms are three years, or
39 as otherwise provided by law. The mayor may adjust the initial terms for members of
40 newly created committees to stagger term expirations and ensure continuity within
41 the committee. The term of each committee member shall expire: 1) on December 31
42 of the last year of the expiring term; or 2) the date the committee member ceases to
43 reside within the city.The terms for each member of a committee shall be three (3)
44 calendar years, unless otherwise specifically provided by law. The initial terms for
45 members of newly created committees may be shortened or lengthened to achieve a
46 staggering of term expirations and to maintain continuity of the committee. The term
47 of each committee member shall expire: 1) on December 31 of the last year of the
48 expiring term.

49 B. ~~Statutory Committee Member Terms: The terms for each member of a Statutory~~
50 ~~Committee shall be three (3) years, unless otherwise specifically provided by law. The~~
51 ~~initial terms for members may be shortened or lengthened to achieve a staggering of~~
52 ~~term expirations and to maintain continuity of the Statutory Committee. The term of~~
53 ~~each Committee member shall expire: 1) on December 31 of the last year of the~~
54 ~~expiring term~~

55 ~~—B. Support Organizations: Support organizations are separate legal entities,~~
56 ~~determining the terms and holding elections for trustees/directors/managers as~~
57 ~~outlined in their organizational documents and Utah law. Support organizations are~~
58 ~~separate legal entities and the terms and elections of trustees/directors/managers~~
59 ~~shall be as provided in the entity's organizational documents and in applicable Utah~~
60 ~~law.~~

61 C. Executive Committee member terms may be set by executive order.

62 D. The city council may waive the term limit for any Statutory Committee member by
63 passing a reappointment resolution that specifically waives Subsection A. The mayor
64 must also recommend the waiver.

65 2-1-5: VACANCIES:

66 ~~A. Committees: The mayor shall fill vacancies on committees mentioned in this title for~~
67 ~~the remaining term of the original appointment. The mayor will only fill vacancies on~~
68 ~~Statutory Committees after receiving advice and consent. Vacancies occurring on any~~
69 ~~committee referenced under this title, shall be filled by the mayor, for the remainder of the~~
70 ~~unexpired term of the original appointment.~~

71 ~~B. Support Organizations: Vacancies on management boards~~ Support Organizations shall
72 are ~~be~~ handled according to the bylaws or operating agreement of the entity. (2001 Code §
73 2-6-106; 2009 Code § 2-1-6; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019, Effective
74 at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

75 2-1-6: QUALIFICATIONS; RESIDENCY REQUIREMENTS:

76 Statutory Committee members must meet the following qualifications:

77 A. Have their primary residence within the city; and

78 B. Be a registered voter.

79 The mayor may set specific qualifications for Executive Committee members.

80 ~~Unless otherwise specifically provided in this title, the following conditions and restrictions~~
81 ~~apply to all committees and support organizations:~~

82 ~~—A. Residency:~~

83 ~~—1. Committee Members Generally Residents: Except as expressly provided otherwise,~~
84 ~~voting membership on any committee or support organization is limited to residents of the~~
85 ~~city appointed by the mayor, who are persons eighteen (18) years of age or older.~~

86 ~~—2. Business And Property Owners: For purposes of committee membership, an owner~~
87 ~~of a business located in West Jordan and an owner of property located in West Jordan, even~~
88 ~~though the owner does not actually reside in West Jordan, are deemed residents of the city.~~

89 ~~—B. Nonresidents:~~

90 —1. ~~Nonresident Members: Nonresidents may be appointed if the mayor finds that~~
91 ~~special expertise, unique needs of the committee or support organization, or special~~
92 ~~circumstances make such a nonresident appointment to be in the public interest.~~

93 —2. ~~Nonresident Members Prohibited: Nonresidents may not be appointed to the~~
94 ~~planning commission or West Jordan youth council.~~ (2001 Code § 2-6-107; 2009 Code § 2-
95 1-7; amd. Ord. 10-08, 2-24-2010; Ord. 10-12, 4-28-2010; Ord. 11-04, 2-9-2011; Ord. 19-16,
96 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

97 ~~2-1-7: COMMITTEE SIZE:~~

98 ~~All committees will consist of up to a maximum of fifteen (15) members, unless otherwise~~
99 ~~specifically provided by law. Other ex officio members and subcommittee members may be~~
100 ~~appointed, as needed. (2001 Code § 2-6-109; 2009 Code § 2-1-9; amd. Ord. 10-08, 2-24-~~
101 ~~2010; Ord. 20-38, 9-30-2020)~~

102 ~~2-1-8: APPOINTMENT OF COMMITTEE OFFICERS:~~

103 —A. ~~Appointment Of Chair And Vice Chair: The mayor, may appoint, from among the~~
104 ~~committee members, a temporary initial chairperson at the time a committee is created.~~
105 ~~Thereafter, at one of its regular meetings in January of each year, each committee shall~~
106 ~~elect one of its own members to serve as chair and another to serve as vice chair. The chair~~
107 ~~and vice chair shall each be appointed for a one calendar year term, or until their successor~~
108 ~~is appointed, whichever comes last.~~

109 —B. ~~Appointment Of Other Officers: In like manner, other officers may be elected or~~
110 ~~temporarily appointed. (2001 Code § 2-6-105; 2009 Code § 2-1-5; amd. Ord. 10-08, 2-24-~~
111 ~~2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-~~
112 ~~2020)~~

113 ~~2-1-97: QUORUM:~~

114 A quorum is necessary for a Statutory Committee to conduct business. ~~Except as expressly~~
115 ~~provided to the contrary in this code, a~~ quorum ~~shall consist~~s of a simple majority of the
116 appointed voting members. (2001 Code § 2-6-110; 2009 Code § 2-1-10; amd. Ord. 10-08, 2-
117 24-2010; Ord. 20-38, 9-30-2020)

118 ~~2-1-108: CREATION OF EXECUTIVE BRANCH COMMITTEES:~~

119 ~~All committees are presumed to be executive branch committees unless otherwise~~
120 ~~designated by ordinance or resolution.~~ The mayor may create and/or dissolve executive
121 committees ~~to serve the city as a whole by~~ executive order. ~~Any such committees so~~
122 ~~organized shall report to, be coordinated by, and have a liaison with the city through the~~
123 ~~executive branch of city government in a manner designated by the mayor.~~ A signed
124 executive order shall accompany all the creation or dissolution ~~actions taken by the~~
125 ~~mayor of an executive committee.~~ The executive order ~~shall include language~~
126 ~~surrounding~~ establishes the scope of each committee, including, ~~but not limited to,~~ the
127 purpose for the committee, stated goals for the committee ~~to accomplish,~~ vision for growth,
128 anticipated involvement of the committee, and whether the committee is temporary.

129 (2001 Code § 2-6-111; 2009 Code § 2-1-11; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-
130 2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

131 ~~2-1-119~~: MEETINGS; TIMES, LOCATIONS:

132 ~~Statutory Committees meet as necessary. Meetings are conducted at, or anchored from,~~
133 ~~West Jordan City Hall. Notice of meetings shall be given as mandated by law~~Committees
134 ~~shall meet as needed. Meetings required by this title shall, if reasonably possible, be~~
135 ~~conducted at, or anchored from, the West Jordan City Hall, and at a date and time approved~~
136 ~~by vote of the committee, or as otherwise provided by law. (2001 Code § 2-6-112; 2009~~
137 ~~Code § 2-1-12; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020)~~

138 ~~2-1-1210~~: ~~OPEN AND PUBLIC MEETINGS ACT~~STATUTORY COMMITTEES:

139 ~~Each statutory~~Statutory committeeCommittees and support organization willshall comply
140 ~~with the Open and Public Meetings Act as contained in Utah Code 52-4-1 et. seq. and its~~
141 ~~successor provisions.:~~

142 ~~—A. Comply with all requirements of applicable Utah law with respect to open and public~~
143 ~~meetings, including posting agendas and keeping minutes of the meetings that are open to~~
144 ~~the general public as required by law;~~

145 ~~—B. Keep minutes of each of its meetings, which shall be public records; and~~

146 ~~—C. Maintain its public records and provide public access to said records in compliance~~
147 ~~with Utah law. (Ord. 20-38, 9-30-2020)~~

148 ~~2-1-13~~: TITLE 2 COMMITTEES:

149 ~~Each non-statutory title 2 executive committee and support organization shall comply with~~
150 ~~all relevant legal requirements. (Ord. 20-38, 9-30-2020)~~

151 ~~2-1-14~~: COUNCIL LIAISON:

152 ~~The city council may assign one of its members to serve as an ex officio nonvoting member~~
153 ~~of any committee or support organization; however, failure to do so or the failure of the~~
154 ~~liaison representative to attend any meeting shall not affect the validity of any otherwise~~
155 ~~lawful act of the committee. The term of an ex officio member of a committee or support~~
156 ~~organization will end at the earlier of: a) when another council member is assigned to~~
157 ~~replace that person, or b) when that person no longer holds the ex officio government~~
158 ~~position. (2001 Code § 2-6-115; 2009 Code § 2-1-15; amd. Ord. 10-08, 2-24-2010; Ord. 19-~~
159 ~~16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)~~

160 ~~2-1-1511~~: CITY ATTORNEY AND OTHER CITY STAFF SUPPORT:

161 ~~The mayor or city administrator may assign the personnel and resources needed to assist~~
162 ~~Statutory Committees and Support Organizations. The city attorney may provide advice to~~
163 ~~any Statutory Committee or Support Organization. The city administrator shall assign such~~
164 ~~personnel as he shall deem necessary to assist the committees and support organizations.~~
165 ~~The city attorney may provide advice to any committee or support organization. (2001~~

166 Code § 2-6-116; 2009 Code § 2-1-16; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019,
167 Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

168 ~~2-1-16: BUDGET, LIMITATION AND FISCAL CONTROLS:~~

169 ~~Standing committees shall comply with all budget policies, fiscal policies, and other~~
170 ~~relevant city policies. (2001 Code § 2-6-117; 2009 Code § 2-1-17; amd. Ord. 10-08, 2-24-~~
171 ~~2010 and 2001 Code § 2-6-121; 2009 Code § 2-1-21; amd. Ord. 10-08, 2-24-2010; Ord. 19-~~
172 ~~16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)~~

173 ~~2-1-17: COMPENSATION:~~

174 ~~Except as expressly provided otherwise in this title, no officer or member of any committee~~
175 ~~or support organization may receive any remuneration, pay, stipend or other consideration~~
176 ~~of monetary value from any committee or city resources attributable to or budgeted for any~~
177 ~~committee created under this title. No committee member or support organization official~~
178 ~~may vote for a contract or to obtain a service or product that would employ or financially~~
179 ~~benefit that person. (2001 Code § 2-6-118; 2009 Code § 2-1-18; amd. Ord. 10-08, 2-24-~~
180 ~~2010; Ord. 20-38, 9-30-2020)~~

181 ~~2-1-18~~12: TERMINATION OR REMOVAL:

182 ~~The mayor may remove any member of Statutory Committees and Support Organizations.~~
183 ~~The mayor may remove a member without cause, unless precluded by state law. Each~~
184 ~~committee member and support organization official serves at the pleasure of the mayor~~
185 ~~and may be terminated, without cause, by the mayor, unless a showing of cause is~~
186 ~~specifically required for terminating a given committee member or support organization~~
187 ~~official by state law. (2001 Code § 2-6-119; 2009 Code § 2-1-19; amd. Ord. 10-08, 2-24-~~
188 ~~2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-~~
189 ~~2020)~~

190 ~~2-1-13~~9: LIABILITY COVERAGE AND INDEMNIFICATION:

191 ~~Each Statutory Committee member and Support Organization official acts as a volunteer~~
192 ~~public servant. They may receive immunities, legal representation, and indemnification as~~
193 ~~outlined in the Utah Governmental Immunity Act. Each duly appointed committee member~~
194 ~~and support organization official is a volunteer public servant. Each will be entitled to such~~
195 ~~immunities, legal representation and indemnification as provided under the Utah~~
196 ~~Governmental Immunity Act, specifically including the provisions of Utah Code Annotated~~
197 ~~title 63, chapter 30b, or any successor provision. (2001 Code § 2-6-120; 2009 Code § 2-1-~~
198 ~~20; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020)~~

199 ~~2-1-20~~14: RULES, POLICY, PROCEDURE:

200 ~~Each Statutory Committee and Support Organization may adopt its own bylaws for the~~
201 ~~transaction of business. Bylaws shall comply with the requirements of law and are subject~~
202 ~~to periodic review by the mayor. Each committee and support organization may adopt rules~~
203 ~~of conduct and procedure for its own organization and for the transaction of business that~~
204 ~~are not inconsistent with the requirements of law, subject to periodic review by the mayor.~~

205 (2001 Code § 2-6-122; 2009 Code § 2-1-22; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-
206 2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

207 ~~2-1-21: MEMBER ATTENDANCE REQUIREMENTS:~~

208 ~~It is the duty of each committee member and support organization official to regularly and~~
209 ~~punctually attend all scheduled and duly noticed meetings. Failure to do so may result in~~
210 ~~removal. (2001 Code § 2-6-123; 2009 Code § 2-1-23; amd. Ord. 10-08, 2-24-2010; Ord. 19-~~
211 ~~16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)~~

212 ~~2-1-22: NO POWER TO ADMINISTER OR ENFORCE LAW:~~

213 ~~No title 2 committee or support organization has the authority, responsibility, power or~~
214 ~~jurisdiction to enforce any city ordinance or regulation, unless specifically provided by law.~~
215 ~~(2001 Code § 2-6-124; 2009 Code § 2-1-24; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-~~
216 ~~2020)~~

217 ~~2-1-23~~15: ETHICS AND CONFLICTS OF INTEREST:

218 ~~Members of Statutory Committees and Support Organizations must comply with Title 1,~~
219 ~~Chapter 11, and any other similar policies adopted by the city. Committee and support~~
220 ~~organization members shall be subject to and shall be required to comply with title 1,~~
221 ~~chapter 11 of this code, as well as any other similar policies adopted by the city. (2001 Code~~
222 ~~§ 2-6-125; 2009 Code § 2-1-25; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020)~~

223 ~~2-1-24~~16: TRAINING:

224 ~~The mayor, or their designee, will ensure that all members of Statutory Committees and~~
225 ~~Support Organizations receive yearly training. This training shall cover the rules outlined~~
226 ~~in this chapter and other important topics related to Statutory Committees and Support~~
227 ~~Organizations. The city administrator shall provide for and schedule annual training for all~~
228 ~~members of all city committees and support organizations. The purpose of the training will~~
229 ~~be to review the provisions and requirements of this chapter, and other issues and~~
230 ~~developments that are pertinent to city committees and support organizations. (Ord. 10-08,~~
231 ~~2-24-2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-~~
232 ~~30-2020)~~

233 ~~2-1-25: [RESERVED]:~~

234 ~~2-1-26~~17: SUPPORT ORGANIZATIONS:

235 ~~Support Organizations are distinct legal entities formed under state corporation or similar~~
236 ~~laws. They must follow filed articles of incorporation or articles of organization, and legally~~
237 ~~adopted bylaws or operating agreements. The city attorney, and the city council, must~~
238 ~~review and approve these governing documents. Because support organizations are~~
239 ~~separate legal entities organized under state corporation or similar laws, the governance of~~
240 ~~such entities will of legal necessity be according to filed articles of incorporation or articles~~
241 ~~of organization, and according to legally adopted bylaws or operating agreements. All such~~
242 ~~governing documents must comport and not conflict with this chapter, and shall be~~

243 ~~reviewed and approved by the city attorney and approved by the city council.~~ (Ord. 10-08,
244 2-24-2010; amd. Ord. 20-38, 9-30-2020)

245

246 CHAPTER 2
247 PLANNING COMMISSION

248 SECTION:

249 2-2-1: Planning Commission Established

250 2-2-2: Appointment and Term

251 2-2-3: Powers and Duties

252 2-2-1: PLANNING COMMISSION ESTABLISHED:

253 The West Jordan Planning Commission is a Statutory Committee established pursuant to
254 the Utah Municipal Land Use, Development, and Management Act, or its successor
255 provisions. This chapter, and chapter 1, outline the organization and governance of the
256 planning commission~~The West Jordan Planning Commission is a Statutory Commission and~~
257 ~~is established pursuant to the Utah Municipal Land Use, Development, and Management~~
258 ~~Act, or its successor provisions, and is organized and governed as provided in this chapter~~
259 ~~and in chapter 1.~~

260 2-2-2: APPOINTMENT AND TERM:

261 A. The mayor shall appoint, with the advice and consent of the city council, seven ~~(7)~~
262 qualified persons to be regular members of the planning commission, ~~each to serve a~~
263 ~~three (3) year term.~~

264 B. Planning commission members may serve a maximum of two consecutive terms of
265 any length~~No appointed member shall serve more than two (2) consecutive terms on~~
266 ~~the planning commission. Provided that, appointment to a position created by any~~
267 ~~vacancy shall not be included in the determination of any person's eligibility to serve~~
268 ~~two (2) consecutive full terms.~~

269 C. The compensation schedule adopted by the city council in the annual budget sets
270 compensation for the planning commission members~~Each member of the planning~~
271 ~~commission shall be compensated according to the compensation schedule adopted~~
272 ~~by the city council, in the annual budget or as otherwise adopted.~~

273 D. All planning commission members shall comply with the training requirements set
274 forth in Utah Code 10-9a-302(b) and its successor provisions. Newly appointed
275 members must comply with the training requirements set forth in Utah Code 10-9a-
276 302(c) and its successor provisions.

277 ~~€~~ (2001 Code § 2-6-1401; amd. Ord. 20-38, 9-30-2020)

278 2-2-3: POWERS AND DUTIES:

279 The planning commission shall have the powers and duties set forth in the Utah Municipal
280 Land Use Development and Management Act, or its successor provisions, and city law.
281 These powers and duties include:

282 A. ~~Provide recommendations to the city council for the general plan and amendments to~~
283 ~~the general plan.~~ Adopt General Plan: After holding required public hearings, preparing and
284 recommending a general plan and amendments to it to the city council.

285 B. ~~Zoning Ordinance And Other Land Use Regulations: Recommending~~ Provide
286 recommendations to the city council on zoning ordinances and maps and amendments
287 thereto, as well as other land use regulations, ~~as appropriate.~~

288 C. Administer ~~Land Use: Administering~~ the provisions of title 13 and the other land use
289 titles of this code, or its successor, as provided by law.

290 D. ~~Advise City Council: Recommending~~ Provide recommendations to the city council on
291 subdivision ordinances, regulations and amendments thereto, ~~as appropriate. Also,~~
292 ~~advise~~ Advise the city council on land use, real property transactions, street closure and
293 other matters, as ~~the city council may direct or request~~ necessary.

294 E. ~~Review Plats And Development Proposals: Approving~~ or denying subdivision plats,
295 commercial development site plans, and other developments, ~~in accordance with~~
296 ~~the~~ pursuant to city development standards ~~established by the city~~ or otherwise provided
297 by law.

298 F. ~~Conditional Use Permits: Hearing or~~ and ~~deciding~~ any matters that the city council by
299 ~~ordinance designates~~ designated by ordinance, including ~~recommendations to approving~~
300 ~~or~~ denying conditional use permits, ~~in accordance with the provisions of applicable law.~~

301 ~~G. Administer Oaths; Witnesses: The chairperson or, in the absence of the chairperson,~~
302 ~~the acting chairperson may administer oaths and compel the attendance of witnesses, as~~
303 ~~authorized by law and in Utah Code Annotated section 10-9a-302, or any successor~~
304 ~~provision.~~

305 HG. Miscellaneous Functions: The Planning Commission may exercise any other powers
306 necessary to perform its functions in accordance with city or state law, or those lawfully
307 delegated to it ~~Exercising any other powers that are necessary to enable it to perform its~~
308 ~~functions in accordance with the provisions of city or state law, or which are lawfully~~
309 ~~delegated to it by the city council. (2001 Code § 2-6-1402; Ord. 19-16, 4-10-2019, Effective~~
310 ~~at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)~~ on may adopt policies and
311 procedures for its own organization, the transaction of business and for conducting its
312 meetings. (2001 Code § 2-6-1409)

313

314 CHAPTER 3
315 BOARD OF ADJUSTMENT

316 SECTION:

317 2-3-1: Board of Adjustment Established

318 2-3-2: Appointment and Term

319 2-3-3: Powers and Duties

320 2-3-4: Savings Clause

321 2-3-1: BOARD OF ADJUSTMENT ESTABLISHED:

322 The ~~Board~~board of ~~Adjustment~~adjustment is a land use appeal authority and Statutory
323 Committee created pursuant to the authority provided in the Utah Municipal Land Use
324 Development and Management Act (~~Utah Code Annotated sections 10-9a-701 et seq., or its~~
325 ~~successor provisions~~), and other applicable state and city law. This chapter and chapter 1
326 outline the organization and governance of the board of adjustment~~It is organized and~~
327 ~~governed as provided in this chapter and in chapter 1.~~

328 2-3-2: APPOINTMENT AND TERM

329 A. The mayor shall appoint, with the advice and consent of the city council, five ~~(5)~~
330 qualified persons to be regular members of the board of adjustment, and one additional
331 qualified person to be an alternate member, ~~each for a three (3) year term.~~

332 B. Board of adjustment members may serve a maximum of two consecutive terms of any
333 length~~Term limits for members of the board of adjustment prohibit a member from serving~~
334 ~~for more than two (2) consecutive three (3) year terms.~~

335 C. The compensation schedule adopted by the city council in the annual budget will set
336 compensation for the board of adjustment members.~~Each member of the board of~~
337 ~~adjustment shall be compensated according to the compensation schedule adopted by the~~
338 ~~city council, in the annual budget or as otherwise adopted;.~~

339 2-3-3: POWERS AND DUTIES:

340 The board of adjustment shall have those powers and duties as set forth in the ~~Utah~~
341 Municipal Land Use Development and Management Act, or any successor provision, and
342 city law. These powers and duties include, ~~but are not limited to:~~

343 A. ~~Administrative Decision Appeals:~~ Hearing and decideing petitions for appeals of
344 administrative decisions regarding the application or enforcement of ~~Title~~title 13 of this
345 code.

346 B. ~~Variances:~~ Hearing and decideing requests for variances from the terms of Title 13 of
347 this code, as described in Title 13, Chapter 7, Article ~~H-G~~ of this code, or any successor
348 provision.

349 C. ~~Nonconforming Uses:~~ Obtaining verification or makeing determinations regarding the
350 legality of a claimed nonconforming use or nonconforming building.

351 ~~—D. Administer Oaths; Witnesses: The chairperson or, in the absence of the chairperson,~~
352 ~~the acting chairperson, may administer oaths and compel the attendance of witnesses, as~~

353 authorized in Utah Code Annotated section 10-9a-701 et seq., or any successor provision,
354 or other applicable provisions of law.

355 D. Three members of the board of adjustment must concur to make any decision,
356 including the reversal of any order, requirement, decision, or determination made by an
357 administrative official or agency, or to rule in favor of an appellant.The concurring vote of a
358 majority of the convened board of adjustment is necessary to make any decision, including
359 a ruling to reverse any order, requirement, decision or determination of any administrative
360 official or agency, or to decide in favor of an appellant.

361 E. The board of adjustment's decisions become effective at the meeting where the
362 decision is made, unless the decision or the board's bylaws specify a different
363 time.Decisions of the board of adjustment become effective at the meeting in which the
364 decision is made, unless a different time is designated in the decision or in the board's rules
365 of procedure.

366 G.F. Notice of all meetings or hearings shall be sent to each member no later than seven
367 calendar days before the proposed meeting. Each member of the board of adjustment shall
368 have access to all information, materials, briefs, and resources pertaining to each case. All
369 members of the board of adjustment shall have access to the same city resources necessary
370 in order to discharge their duties.Notice of all meetings or hearings shall be sent to each
371 member of the Board of Adjustment no later than seven (7) calendar days prior to the
372 proposed meeting. Each member of the Board of Adjustments shall have access to all
373 information, materials, briefs, and resources pertaining to each case. All members of the
374 Board of Adjustment shall have access to the same City resources necessary in order to
375 discharge their duties.

376 H.G. The board of adjustment shall make all decisions in writing and must issue them no
377 later than 14 days after the hearing.All decisions made by the Board of Adjustment shall be
378 made in writing and shall be issued no later than fourteen (14) days after the hearing.
379 (2001 Code § 2-6-1501; and Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6,
380 2020; Ord. 20-38, 9-30-2020)

381 2-3-5: SAVINGS CLAUSE:

382 This chapter does not affect any proceeding, or a board of adjustment member term length
383 commenced prior to April 1, 2024.

384 CHAPTER 4

385 OTHER STATUTORY COMMITTEES AND HEARING OFFICERS

386 SECTION:

387 2-4-1: Ethics Commission

388 2-4-2: Employee Discipline Hearing Officer

389 2-4-3: Administrative Law Judge

390 2-4-4: Board ~~O~~of Building Appeals

391 2-4-1: ETHICS COMMISSION:

392 State law allows each city to form their own ethics commission. The City of West Jordan
393 has elected to not have its own ethics commission, and instead will utilize the Political
394 Subdivisions Ethics Review Commission as established in Utah Code title 63A, chapter 15,
395 part 2. The ethics commission is statutorily allowed by state law (Utah Code Annotated
396 section 10-3-1311). The City of West Jordan has elected to not have its own ethics
397 commission, and instead will utilize the Political Subdivisions Ethics Review Commission as
398 established in Title 63A, Chapter 15, Part 2 of the Utah State Code.

399 2-4-2: EMPLOYEE DISCIPLINE HEARING OFFICER:

400 The city has created an Employee Discipline Hearing Officer pursuant to State law. The
401 function, powers, and duties of the employee discipline hearing officer are set forth in title
402 1, chapter 12 of this code.

403 ~~The Employee Discipline Hearing Officer is statutorily allowed by State law. The function~~
404 ~~and powers and duties of the employee discipline hearing officer are set forth in title 1,~~
405 ~~chapter 12 of this code. (Ord. 20-38, 9-30-2020)~~

406 2-4-3: ADMINISTRATIVE LAW JUDGE:

407 The city has an Administrative Law Judge as allowed by state law. The function and powers
408 and duties of the administrative law judge are set forth in title 16 of this code.

409 ~~The Administrative Law Judge is statutorily allowed by state law. The function and powers~~
410 ~~and duties of the administrative law judge are set forth in title 16 (administrative code~~
411 ~~enforcement hearing program) of this code. (Ord. 20-38, 9-30-2020)~~

412 2-4-4: BOARD OF BUILDING APPEALS:

413 ~~A. The Board of Building Appeals is statutorily allowed by state law and the provisions~~
414 ~~of the International Building Code adopted by the state legislature. The function and~~
415 ~~powers and duties of the board of building appeals are set forth in title 10, chapter 3 of this~~
416 ~~code. (Ord. 20-38, 9-30-2020)~~

417 A. The Board of Building Appeals is allowed by state law and the provisions of the
418 International Building Code. The procedures for the board of building appeals are
419 set forth in title 10, chapter 3 of this code. (Ord. 20-38, 9-30-2020)

420 B. The board of building appeals hears and decides appeals of orders, decisions or
421 determinations made by a building official.

422 C. The board of building appeals shall consist of five members, appointed by the
423 mayor, with the advice and consent of the city council. Board members shall be
424 knowledgeable in general construction practices and procedures in customary use
425 in the city. City employees are prohibited from serving on the board. Members of the
426 board are compensated in accordance with the comprehensive fee schedule.

427 D. The Board shall adopt reasonable rules and regulations, consistent with this section,
428 for the conduct of its business. It shall render all decisions and findings in writing to

429 the appellant and the building official. Copies of all rules and regulations adopted by
430 the Board shall be available to the public.

431

432 CHAPTER 5

433 REPEALED

434

435 CHAPTER 6

436 CITY SUPPORT OF UNRELATED CHARITABLE OR EDUCATIONAL ENTITIES

437 SECTION:

438 2-6-1: Relationship To City

439 2-6-2: Applications

440 2-6-3: Requirements

441 2-6-1: RELATIONSHIP TO CITY:

442 The city may provide both monetary and non-monetary assistance to individuals and
443 entities for the safety, health, prosperity, moral well-being, peace, order, comfort, and
444 convenience of city residents. The city will not become employees, representatives, or
445 agents of any city-supported individual or entity solely by virtue of the city providing
446 assistance. (Ord. 10-08, 2-24-2010; amd. Ord. 20-38, 9-30-2020; Ord. 23-02, 2-22-2023)

447 2-6-2: ~~PROPOSALSAPPLICATIONS:~~

448 Individuals and entities may request both monetary and non-monetary city assistance by
449 completing an application obtained from the council office. Interested parties can direct
450 any questions about the application process or requirements for receiving assistance to the
451 council office~~Individuals and entities may request monetary and non-monetary city~~
452 ~~assistance by completing an application obtained from the council office director located at~~
453 ~~the City Hall. Any questions regarding the application process or requirements to receive~~
454 ~~assistance should be directed toward the council office director.~~ (Ord. 10-08, 2-24-2010;
455 amd. Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-
456 2020; Ord. 23-02, 2-22-2023)

457 2-6-3: REQUIREMENTS:

458 All individuals and entities receiving city support shall agree to the following requirements:

459 A. The requesting individual or entity shall permit the ~~city~~city, or an auditor hired by the
460 city, to inspect the individual or entity's system of accounts and other accounting systems
461 and protocols to ensure accuracy and proper safeguarding of public funds.

462 B. The requesting individual or entity shall provide yearly financial reports in a form ~~and~~
463 ~~frequency~~ acceptable by the city council.

464 C. The requesting individual or entity shall explain how the requested assistance will
465 further advance city goals or plans and track the actual advancement of city goals or plans
466 using the requested city assistance. The requestor must also ensure that they use any city
467 assistance only for the purposes stated in the application and the authorizing
468 resolution.~~The requesting individual or entity shall explain how the requested assistance~~
469 ~~will further advance city goals or plans, and shall track the actual advancement of city goals~~
470 ~~or plans through the use of the requested city assistance. Any city assistance shall be used~~
471 ~~only for the purposes stated in the application and the authorizing resolution.~~

472 D. The requesting individual or entity shall affirm that they have the training and
473 experience needed to manage the proposed activities effectively and efficiently.~~The~~
474 ~~requesting individual or entity shall have the training and experience needed to effectively~~
475 ~~and efficiently manage the proposed activities.~~ (Ord. 10-08, 2-24-2010; amd. Ord. 19-53,
476 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 23-02, 2-
477 22-2023)

1 EXECUTIVE BRANCH COMMITTEES

2 2-1-1: SCOPE AND PURPOSE:

3 This title governs city boards, commissions, agencies, and support organizations. This title
4 does not govern City Council Committees established under title 1, chapter 6. Any
5 reference to “law” will include city ordinances. (2001 Code § 2-6-101; amd. Ord. 10-08, 2-
6 24-2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-
7 2020; Ord. 20-47, 12-16-2020)

8 2-1-2: DEFINITIONS:

9 As used in this chapter:

- 10 1. “Statutory Committee” means a body required or allowed by state law. The mayor
11 appoints or reappoints members with the advice and consent of the city council.
- 12 2. “Executive Committee” or just “Committee” means a body not required by state law.
13 The mayor appoints or reappoints members without the advice and consent of the
14 city council.
- 15 3. “Support Organization” means a city-controlled tax-exempt entity formed to assist
16 the city. The entity raises private funds for the city’s public purposes.

17 (2001 Code § 2-6-103; amd. Ord. 10-08, 2-24-2010; Ord. 19- 53, 12-11-2019, Effective at 12 noon
18 on January 6, 2020; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-
19 30-2020)

20 2-1-3: APPOINTMENT OF COMMITTEE MEMBERS:

21 The mayor may appoint, or reappoint, members to an Executive Committee or Statutory
22 Committee. The mayor shall provide the city council with the prior experience and
23 background information on members whose appointment, or reappointment, requires
24 advice and consent. (2001 Code § 2-6-102; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-
25 2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

26 2-1-4: TERMS:

- 27 A. Statutory Committee Member Terms: Statutory Committee terms are three years, or
28 as otherwise provided by law. The mayor may adjust the initial terms for members of
29 newly created committees to stagger term expirations and ensure continuity within
30 the committee. The term of each committee member shall expire: 1) on December 31
31 of the last year of the expiring term; or 2) the date the committee member ceases to
32 reside within the city.
- 33 B. Support Organizations: Support organizations are separate legal entities, determining
34 the terms and holding elections for trustees/directors/managers as outlined in their
35 organizational documents and Utah law.
- 36 C. Executive Committee member terms may be set by executive order.

37 D. The city council may waive the term limit for any Statutory Committee member by
38 passing a reappointment resolution that specifically waives Subsection A. The mayor
39 must also recommend the waiver.

40 2-1-5: VACANCIES:

41 A. The mayor shall fill vacancies on committees mentioned in this title for the remaining
42 term of the original appointment. The mayor will only fill vacancies on Statutory
43 Committees after receiving advice and consent..

44 B. Vacancies on Support Organizations are handled according to the bylaws or operating
45 agreement of the entity. (2001 Code § 2-6-106; 2009 Code § 2-1-6; amd. Ord. 10-08, 2-24-
46 2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-
47 2020)

48 2-1-6: QUALIFICATIONS; RESIDENCY REQUIREMENTS:

49 Statutory Committee members must meet the following qualifications:

50 A. Have their primary residence within the city; and

51 B. Be a registered voter.

52 The mayor may set specific qualifications for Executive Committee members.

53 (2001 Code § 2-6-107; 2009 Code § 2-1-7; amd. Ord. 10-08, 2-24-2010; Ord. 10-12, 4-28-
54 2010; Ord. 11-04, 2-9-2011; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6,
55 2020; Ord. 20-38, 9-30-2020)

56 2-1-7: QUORUM:

57 A quorum is necessary for a Statutory Committee to conduct business. A quorum consists
58 of a simple majority of the appointed voting members. (2001 Code § 2-6-110; 2009 Code §
59 2-1-10; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020)

60 2-1-8: CREATION OF EXECUTIVE BRANCH COMMITTEES:

61 The mayor may create and dissolve executive committees by executive order. A signed
62 executive order shall accompany the creation or dissolution of an executive committee.
63 The executive order establishes the scope of each committee, including, the purpose for the
64 committee, stated goals for the committee, vision for growth, anticipated involvement of
65 the committee, and whether the committee is temporary. (2001 Code § 2-6-111; 2009
66 Code § 2-1-11; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on
67 January 6, 2020; Ord. 20-38, 9-30-2020)

68 2-1-9: MEETINGS; TIMES, LOCATIONS:

69 Statutory Committees meet as necessary. Meetings are conducted at, or anchored from,
70 West Jordan City Hall. Notice of meetings shall be given as mandated by law. (2001 Code §
71 2-6-112; 2009 Code § 2-1-12; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020)

72 2-1-10: OPEN AND PUBLIC MEETINGS ACT:

73 Statutory Committees shall comply with the Open and Public Meetings Act as contained in
74 Utah Code 52-4-1 et. seq. and its successor provisions.

75 2-1-11: CITY ATTORNEY AND OTHER CITY STAFF SUPPORT:

76 The mayor or city administrator may assign the personnel and resources needed to assist
77 Statutory Committees and Support Organizations. The city attorney may provide advice to
78 any Statutory Committee or Support Organization. (2001 Code § 2-6-116; 2009 Code § 2-1-
79 16; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6,
80 2020; Ord. 20-38, 9-30-2020)

81 2-1-12: TERMINATION OR REMOVAL:

82 The mayor may remove any member of Statutory Committees and Support Organizations.
83 The mayor may remove a member without cause, unless precluded by state law.. (2001
84 Code § 2-6-119; 2009 Code § 2-1-19; amd. Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019,
85 Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

86 2-1-13: LIABILITY COVERAGE AND INDEMNIFICATION:

87 Each Statutory Committee member and Support Organization official acts as a volunteer
88 public servant. They may receive immunities, legal representation, and indemnification as
89 outlined in the Utah Governmental Immunity Act. (2001 Code § 2-6-120; 2009 Code § 2-1-
90 20; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020)

91 2-1-14: RULES, POLICY, PROCEDURE:

92 Each Statutory Committee and Support Organization may adopt its own bylaws for the
93 transaction of business. Bylaws shall comply with the requirements of law and are subject
94 to periodic review by the mayor. (2001 Code § 2-6-122; 2009 Code § 2-1-22; amd. Ord. 10-
95 08, 2-24-2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38,
96 9-30-2020)

97 2-1-15: ETHICS AND CONFLICTS OF INTEREST:

98 Members of Statutory Committees and Support Organizations must comply with Title 1,
99 Chapter 11, and any other similar policies adopted by the city. (2001 Code § 2-6-125; 2009
100 Code § 2-1-25; amd. Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020)

101 2-1-16: TRAINING:

102 The mayor, or their designee, will ensure that all members of Statutory Committees and
103 Support Organizations receive yearly training. This training shall cover the rules outlined
104 in this chapter and other important topics related to Statutory Committees and Support
105 Organizations. (Ord. 10-08, 2-24-2010; Ord. 19-16, 4-10-2019, Effective at 12 noon on
106 January 6, 2020; Ord. 20-38, 9-30-2020)

107 2-1-17: SUPPORT ORGANIZATIONS:

108 Support Organizations are distinct legal entities formed under state corporation or similar
109 laws. They must follow filed articles of incorporation or articles of organization, and legally

110 adopted bylaws or operating agreements. The city attorney, and the city council, must
111 review and approve these governing documents. (Ord. 10-08, 2-24-2010; amd. Ord. 20-38,
112 9-30-2020)

113

114 CHAPTER 2
115 PLANNING COMMISSION

116 SECTION:

117 2-2-1: Planning Commission Established

118 2-2-2: Appointment and Term

119 2-2-3: Powers and Duties

120 2-2-1: PLANNING COMMISSION ESTABLISHED:

121 The West Jordan Planning Commission is a Statutory Committee established pursuant to
122 the Utah Municipal Land Use, Development, and Management Act, or its successor
123 provisions. This chapter, and chapter 1, outline the organization and governance of the
124 planning commission.

125 2-2-2: APPOINTMENT AND TERM:

126 A. The mayor shall appoint, with the advice and consent of the city council, seven
127 qualified persons to be regular members of the planning commission.

128 B. Planning commission members may serve a maximum of two consecutive terms of
129 any length.

130 C. The compensation schedule adopted by the city council in the annual budget sets
131 compensation for the planning commission members.

132 D. All planning commission members shall comply with the training requirements set
133 forth in Utah Code 10-9a-302(b) and its successor provisions. Newly appointed
134 members must comply with the training requirements set forth in Utah Code 10-9a-
135 302(c) and its successor provisions.

136 (2001 Code § 2-6-1401; amd. Ord. 20-38, 9-30-2020)

137 2-2-3: POWERS AND DUTIES:

138 The planning commission shall have the powers and duties set forth in the Utah Municipal
139 Land Use Development and Management Act, or its successor provisions, and city law.
140 These powers and duties include:

141 A. Provide recommendations to the city council for the general plan and amendments to
142 the general plan..

143 B. Provide recommendations to the city council on zoning ordinances and maps and
144 amendments thereto, as well as other land use regulations.

145 C. Administer the provisions of title 13 and the other land use titles of this code, or its
146 successor, as provided by law.

147 D. Provide recommendations to the city council on subdivision ordinances, regulations
148 and amendments thereto. Advise the city council on land use, real property transactions,
149 street closure and other matters, as necessary.

150 E. Approve or denying subdivision plats, commercial development site plans, and other
151 developments, pursuant to city development standards or otherwise provided by law.

152 F. Hear and decide any matters designated by ordinance, including approving or
153 denying conditional use permits.

154 G. The Planning Commission may exercise any other powers necessary to perform its
155 functions in accordance with city or state law, or those lawfully delegated to it. (2001 Code
156 § 2-6-1402; Ord. 19-16, 4-10-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-
157 30-2020)

158

159 CHAPTER 3
160 BOARD OF ADJUSTMENT

161 SECTION:

162 2-3-1: Board of Adjustment Established

163 2-3-2: Appointment and Term

164 2-3-3: Powers and Duties

165 2-3-4: Savings Clause

166 2-3-1: BOARD OF ADJUSTMENT ESTABLISHED:

167 The board of adjustment is a land use appeal authority and Statutory Committee created
168 pursuant to the authority provided in the Utah Municipal Land Use Development and
169 Management Act, and other applicable state and city law. This chapter and chapter 1
170 outline the organization and governance of the board of adjustment.

171 2-3-2: APPOINTMENT AND TERM

172 A. The mayor shall appoint, with the advice and consent of the city council, five qualified
173 persons to be regular members of the board of adjustment, and one additional qualified
174 person to be an alternate member.

175 B. Board of adjustment members may serve a maximum of two consecutive terms of any
176 length.

177 C. The compensation schedule adopted by the city council in the annual budget will set
178 compensation for the board of adjustment members..

179 2-3-3: POWERS AND DUTIES:

180 The board of adjustment shall have those powers and duties as set forth in the Municipal
181 Land Use Development and Management Act, or any successor provision, and city law.
182 These powers and duties include:

183 A. Hear and decide petitions for appeals of administrative decisions regarding the
184 application or enforcement of title 13 of this code.

185 B. Hear and decide requests for variances from the terms of Title 13 of this code, as
186 described in Title 13, Chapter 7, Article G of this code, or any successor provision.

187 C. Obtain verification or make determinations regarding the legality of a claimed
188 nonconforming use or nonconforming building.

189 D. Three members of the board of adjustment must concur to make any decision,
190 including the reversal of any order, requirement, decision, or determination made by an
191 administrative official or agency, or to rule in favor of an appellant.

192 E. The board of adjustment's decisions become effective at the meeting where the
193 decision is made, unless the decision or the board's bylaws specify a different time.

194 F. Notice of all meetings or hearings shall be sent to each member no later than seven
195 calendar days before the proposed meeting. Each member of the board of adjustment shall
196 have access to all information, materials, briefs, and resources pertaining to each case. All
197 members of the board of adjustment shall have access to the same city resources necessary
198 in order to discharge their duties.

199 G. The board of adjustment shall make all decisions in writing and must issue them no
200 later than 14 days after the hearing. (2001 Code § 2-6-1501; and Ord. 19-53, 12-11-2019,
201 Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020)

202 2-3-5: SAVINGS CLAUSE:

203 This chapter does not affect any proceeding, or a board of adjustment member term length
204 commenced prior to April 1, 2024.

205 CHAPTER 4

206 OTHER STATUTORY COMMITTEES AND HEARING OFFICERS

207 SECTION:

208 2-4-1: Ethics Commission

209 2-4-2: Employee Discipline Hearing Officer

210 2-4-3: Administrative Law Judge

211 2-4-4: Board of Building Appeals

212 2-4-1: ETHICS COMMISSION:

213 State law allows each city to form their own ethics commission. The City of West Jordan
214 has elected to not have its own ethics commission, and instead will utilize the Political
215 Subdivisions Ethics Review Commission as established in Utah Code title 63A, chapter 15,
216 part 2.

217 2-4-2: EMPLOYEE DISCIPLINE HEARING OFFICER:

218 The city has created an Employee Discipline Hearing Officer pursuant to State law. The
219 function, powers, and duties of the employee discipline hearing officer are set forth in title
220 1, chapter 12 of this code.

221 (Ord. 20-38, 9-30-2020)

222 2-4-3: ADMINISTRATIVE LAW JUDGE:

223 The city has an Administrative Law Judge as allowed by state law. The function and powers
224 and duties of the administrative law judge are set forth in title 16 of this code.

225 (Ord. 20-38, 9-30-2020)

226 2-4-4: BOARD OF BUILDING APPEALS:

227 A. The Board of Building Appeals is allowed by state law and the provisions of the
228 International Building Code. The procedures for the board of building appeals are set forth
229 in title 10, chapter 3 of this code. (Ord. 20-38, 9-30-2020)

230 B. The board of building appeals hears and decides appeals of orders, decisions or
231 determinations made by a building official.

232 C. The board of building appeals shall consist of five members, appointed by the
233 mayor, with the advice and consent of the city council. Board members shall be
234 knowledgeable in general construction practices and procedures in customary use in the
235 city. City employees are prohibited from serving on the board. Members of the board are
236 compensated in accordance with the comprehensive fee schedule.

237 D. The Board shall adopt reasonable rules and regulations, consistent with this section,
238 for the conduct of its business. It shall render all decisions and findings in writing to the
239 appellant and the building official. Copies of all rules and regulations adopted by the Board
240 shall be available to the public.

241

242 CHAPTER 5

243 REPEALED

244

245 CHAPTER 6

246 CITY SUPPORT OF UNRELATED CHARITABLE OR EDUCATIONAL ENTITIES

247 SECTION:

248 2-6-1: Relationship To City

249 2-6-2: Applications

250 2-6-3: Requirements

251 2-6-1: RELATIONSHIP TO CITY:

252 The city may provide both monetary and non-monetary assistance to individuals and
253 entities for the safety, health, prosperity, moral well-being, peace, order, comfort, and
254 convenience of city residents. The city will not become employees, representatives, or
255 agents of any city-supported individual or entity solely by virtue of the city providing
256 assistance. (Ord. 10-08, 2-24-2010; amd. Ord. 20-38, 9-30-2020; Ord. 23-02, 2-22-2023)

257 2-6-2: APPLICATIONS:

258 Individuals and entities may request both monetary and non-monetary city assistance by
259 completing an application obtained from the council office. Interested parties can direct
260 any questions about the application process or requirements for receiving assistance to the
261 council office. (Ord. 10-08, 2-24-2010; amd. Ord. 19-53, 12-11-2019, Effective at 12 noon
262 on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 23-02, 2-22-2023)

263 2-6-3: REQUIREMENTS:

264 All individuals and entities receiving city support shall agree to the following requirements:

265 A. The requesting individual or entity shall permit the city, or an auditor hired by the
266 city, to inspect the individual or entity's system of accounts and other accounting systems
267 and protocols to ensure accuracy and proper safeguarding of public funds.

268 B. The requesting individual or entity shall provide yearly financial reports in a form
269 acceptable by the city council.

270 C. The requesting individual or entity shall explain how the requested assistance will
271 further advance city goals or plans and track the actual advancement of city goals or plans
272 using the requested city assistance. The requestor must also ensure that they use any city
273 assistance only for the purposes stated in the application and the authorizing resolution.

274 D. The requesting individual or entity shall affirm that they have the training and
275 experience needed to manage the proposed activities effectively and efficiently. (Ord. 10-
276 08, 2-24-2010; amd. Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord.
277 20-38, 9-30-2020; Ord. 23-02, 2-22-2023)



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 04/10/2024

Presenter: Alan Anderson

Deadline of item :

Applicant:

Department Sponsor: Council Office

Agenda Type: BUSINESS ITEMS

Presentation Time: 10 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-04 amending Title 1, Chapter 8 – Municipal Administration, including Departments

2. EXECUTIVE SUMMARY

The proposed text amendment is included in this packet, with summarized changes (not including minor grammatical changes) included below:

- Pages 1-4 – Deleted
- Page 5 – Administrative Organization introduction written, most lines and items on pages 5 and 6 deleted.
- Page 6 (bottom) – Legal Department purpose and responsibilities summarized, most following lines and items on pages 7-9 deleted.
- Page 8 – Community Development purpose and responsibilities summarized, most following lines on pages 8 and 9, and several on page 10 deleted.
- Page 10 – Fire Department purpose and responsibilities summarized, most following lines and items on page 11 deleted.
- Page 11 – Police Department purpose and responsibilities summarized, most following lines and items on page 12 deleted.
- Page 12 – Public Works Department purpose and responsibilities summarized, most following lines and items on page 13 deleted.
- Page 13 – Administrative Services Department purpose and responsibilities summarized, most following lines and items on pages 14, 15 and 16 deleted.
- Page 16 (bottom)– Public Utilities Department purpose and responsibilities summarized.
- Page 17 – Public Services Department purpose and responsibilities summarized.
- Page 17 – Special Functions, Positions, and Departments section with various grammatical adjustments and omissions.
- Page 17 – Special Functions, Positions, and Divisions listed and explained, many lines and items on pages 19 and 20 deleted.

3. TIME SENSITIVITY / URGENCY

There is no deadline

4. FISCAL NOTE

Adopting this ordinance has no fiscal impact. Any budget impact in operation of departments would occur through the regular budget process which requires council approval.

5. PLANNING COMMISSION RECOMMENDATION

N/A

6. STAFF ANALYSIS

Council staff provided an analysis with background in the attached Council Staff Report

7. MOTION RECOMMENDED

I move to approve Ordinance 24-04 amending Title 1, Chapter 8 Municipal Administration, including Departments

8. MAYOR RECOMMENDATION

The mayor supports adopting Ordinance 24-04

9. PACKET ATTACHMENT(S)

10. OTHER INFORMATION

West Jordan City Council Meeting

Council Staff Review



Item Name: Municipal Administration, Including Departments
Department: Office of the City Council
Action Needed: Adopt/Not Adopt Ordinance

EXECUTIVE SUMMARY

Council is being asked to approve Ordinance No. 24-04 as it relates to Title 1, Chapter 8, Municipal Administration, including Departments.

RECOMMENDATION

Council staff recommends that council approve Ordinance No. 24-04, amending Title 1, Chapter 8, Municipal Administration, including Departments.

TIMELINE

City Council Meeting on January 10, 2024

This item was initially proposed to the council via a City Council meeting on January 10, 2024, but was referred back to a Committee of the Whole meeting, scheduled for February 21, 2024.

Committee of the Whole Meetings

February 21 and March 27, 2024

Council continued to deliberate and discuss potential changes to the chapter, which are ultimately reflected in this proposal.

COUNCIL OFFICE ANALYSIS

The proposed text amendment is included in this packet, with summarized changes (not including minor grammatical changes) included below:

- Pages 1-4 – Deleted
- Page 5 – Administrative Organization introduction written, most lines and items on pages 5 and 6 deleted.
- Page 6 (bottom) – Legal Department purpose and responsibilities summarized, most following lines and items on pages 7-9 deleted.
- Page 8 – Community Development purpose and responsibilities summarized, most following lines on pages 8 and 9, and several on page 10 deleted.
- Page 10 – Fire Department purpose and responsibilities summarized, most following lines and items on page 11 deleted.
- Page 11 – Police Department purpose and responsibilities summarized, most following lines and items on page 12 deleted.
- Page 12 – Public Works Department purpose and responsibilities summarized, most following lines and items on page 13 deleted.

West Jordan City Council Meeting

Council Staff Review



- Page 13 – Administrative Services Department purpose and responsibilities summarized, most following lines and items on pages 14, 15 and 16 deleted.
- Page 16 (bottom)– Public Utilities Department purpose and responsibilities summarized.
- Page 17 – Public Services Department purpose and responsibilities summarized.
- Page 17 – Special Functions, Positions, and Departments section with various grammatical adjustments and omissions.
- Page 17 – Special Functions, Positions, and Divisions listed and explained, many lines and items on pages 19 and 20 deleted.

2
3 **ORDINANCE NO. 24-04**

4
5 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE,**
6 **TITLE 1 CHAPTER 8 REGARDING MUNICIPAL ADMINISTRATION,**
7 **INCLUDING DEPARTMENTS**

8
9 WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in
10 2009; and

11 WHEREAS, the City Council of the City (“City Council”) desires to amend a certain section of the
12 City Code, regarding and related to municipal administration including departments (“proposed City Code
13 amendments”); and

14 WHEREAS, the City Council held a public meeting on April 10, 2024, regarding the proposed City
15 Code amendments; and

16 WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and
17 welfare of the residents of the City to adopt the following proposed City Code amendments.

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

20 **Section 1. Amendment of Code Provisions.** City Code Title 1 Chapter 8 is amended to read as
21 shown on Attachment 1 to this Ordinance.

22
23 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court of
24 competent jurisdiction, the remainder shall not be affected thereby.

25 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting or
26 publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly
27 overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance
28 within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

29
30 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
31 _____ DAY OF _____ 2024.

32
33 CITY OF WEST JORDAN

34
35
36 By: _____
37 Zach Jacob
38 Council Chair

39 ATTEST:

40
41
42 _____
43 Cindy M. Quick, MMC
44 Council Office Clerk

45
46 (continued on the next page)

97
98
CERTIFICATE OF PUBLICATION

99
100 I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a
101 short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____
102 day of _____ 2024. The fully executed copy of the ordinance is retained in the Office
103 of the City Recorder pursuant to Utah Code Annotated, 10-3-711.
104

105
106 _____
107 Tangee Sloan, CMC
108 City Recorder
109
110

111
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120 *(Attachment on the following page)*
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Attachment 1

[Attachment to ORDINANCE NO. 24-04

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
TITLE 1 CHAPTER 8**

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

~~—A. General Structure: The executive branch of city government consists of the office of the mayor and the various departments, committees, boards, commissions, offices, and officers appointed by the mayor.~~

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

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

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

~~—3. Each department, independent division, or other division shall have the duties, functions, and responsibilities assigned by the mayor and city administration.~~

~~—C. Mayor's Authority To Reorganize: The mayor may, subject to budget constraints, state statute, and this code, recommend the council create, consolidate, rearrange, or abolish departments. The mayor may also take action consistent with sections 1-8-8H2 and 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 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. (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; Ord. 20-34, 9-9-2020)~~

~~1-8-2: DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS:~~

~~—A. General Duties: Each department head shall perform all duties required of the office by State law, this Code, other ordinances of the City, and such other duties not in conflict with law as may be required by the mayor, through the city administrator.~~

~~—B. Specific Duties: The department heads, subject to the direction and control of the city administrator, under the direction of, and with the consent of, the mayor, shall:~~

~~—1. Be immediately responsible to the city administrator for the effective administration of their respective departments and all activities assigned to their departments.~~

~~—2. With the approval of the city administrator, develop and maintain up-to-date policies, procedures, and instructions for carrying out departmental operations in conformity with law and other city policies and in the most efficient and effective manner possible.~~

~~—3. Have power, when authorized by the city administrator, to appoint and remove, subject to personnel rules and regulations, all subordinates under him/her.~~

~~—4. Exercise authority over all subordinates.~~

~~—5. Be responsible for the proper maintenance, care and inventory of all city property and equipment used in his department.~~

~~—6. Designate, with the approval of the city administrator, an acting department head to perform such duties as are assigned during his/her absence or inability to act.~~

~~—7. Provide for the education and training of subordinates.~~

~~—8. Timely prepare and submit to the mayor and city administrator a tentative departmental budget, such that the mayor may fulfill the duties identified in section 1-7-4F.~~

~~—9. Be responsible to keep expenditures of the department within the budget approved by the city council.~~

~~—10. Deliver all records, documents and property of every description, belonging to the position or to the city, to his/her successor in office or to the city administrator.~~

~~—C. Inherent Authority: Each department head shall have such authority as is necessary to enable him/her to carry out the duties and responsibilities assigned to him by this section or by direction of the city administrator. The designation of a duty or responsibility shall constitute such authority as is necessary to effect the duty or responsibility so imposed, subject to budget constraints, procurement policies, contract review and approvals, and other requirements of city code and state statute.~~

~~—D. Service Delivery Obligation: Each department shall furnish, upon the direction of the city administrator, any other department such service, labor and materials as may be requisitioned by the head of such department and as its own facilities permit, through the same procedure and subject to the same audit and control as other expenditures are incurred.~~

~~—E. Office Hours; Fund Deposit/Expenditures: All departments within the city shall:~~

~~—1. Be open during regular business hours as defined by the mayor, and with any special work schedules to have the consent of the city administrator.~~

~~—2. Make a daily deposit with the city treasurer of any public monies.~~

~~—3. Pay out monies belonging to the city only in the manner prescribed by law, ordinance and City policy. (2001 Code § 2-4-302; amd. 2009 Code; §1-7C-2, Ord. 19-37, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

~~1-8-3: OATH OF OFFICE:~~

~~—A. Obligation to Take Oath: Prior to assuming their official duties, the mayor, along with the city administrator, assistant city administrator(s), statutory officers, and department heads as set forth in this article, shall each take and subscribe the oath of office designated in this section. No official act of any municipal officer shall be invalid for failure to take the oath of office.~~

~~—B. Oath: The oath of office shall be:~~

~~—I, _____, do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States and the constitution of the State of Utah and the laws and ordinances of the City of West Jordan, and that I will discharge the duties of my office with fidelity.~~

~~—C. Filing: The subscribed oath of all officers shall be filed with the city recorder. (2001 Code § 2-4-303; amd. 2009 Code; § 1-7C-3, Ord. 19-37, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

~~1-8-4: FIDELITY BONDS OR INSURANCE:~~

~~(Rep. by Ord. 20-44, 12-2-2020)~~

~~1-8-5: DURATION AND TERM OF OFFICE OF APPOINTED EMPLOYEES:~~

~~—A. Appointed Officers: Subject to any employment contracts, the city administrator, assistant city administrator(s), department heads, statutory officers, and all other employees identified in Utah Code section 10-3-1105 as exempt from the merit protection identified in Utah Code section 10-3-1106 or their successor provisions, shall be at-will employees and may be discharged with or without cause by the mayor. The mayor may designate other positions as at-will, under Utah Code section 10-3-1105, without the advice and consent of the city council. All appointed officers and employees of the city, other than the at-will employees identified above and part-time, seasonal, temporary, and probationary employees, shall hold their employment without limitation of time, being subject to discharge or dismissal only as provided by state law, ordinance, or policy. Unless specifically identified otherwise, division heads and deputy division heads are not at-will employees.~~

~~—B. Judges: The tenure and separation from employment of justice court judges is outlined in state law.~~

~~—C. Job Description Required: The job description of each officer and employee shall identify if the employment is an at-will or merit position covered by appeal rights however, failure to do so shall not bar the City asserting that the position is at-will. (2001 Code § 2-4-305; amd. 2009 Code; Ord. 10-10, 3-10-2010; § 1-7C-5, Ord. 19-37, 11-13-2019, Effective at 12 noon on January 6, 2020; Ord. 20-23, 7-29-2020)~~

1-8-6: DISCHARGE OR TRANSFER:

~~An employee to which Utah Code Annotated section 10-3-1105 applies may not be discharged, suspended without pay, or involuntarily transferred to a position with less remuneration: (a) because of the employee's politics or religious beliefs; or (b) incident to, or through changes, either in the mayor, the city council, or department heads. (2001 Code § 2-4-306; amd. 2009 Code; Ord. 10-10, 3-10-2010; § 1-7C-6, Ord. 19-37, 11-13-2019, Effective at 12 noon on January 6, 2020; Ord. 20-23, 7-29-2020)~~

1-8-7: APPOINTED AT-WILL EMPLOYEES SEPARATION AND SEVERANCE:

~~—A. Separation Payment: If an appointed at-will employee signs a severance acknowledgment drafted and approved by the mayor upon initial appointment or within forty five (45) days of the effective date of this section and is involuntarily separated for any reason other than malfeasance or conviction of a crime of moral turpitude, the employee is entitled to a separation payment of:~~

~~— 1. Any payments available to all employees as provided for in the West Jordan employee handbook; and~~

~~— 2. Four (4) weeks of salary and benefits at the same rate and contribution level that existed before the appointed at-will employee's involuntary separation, unless a greater length of time for salary and benefits is set forth in an express written contract.~~

~~—B. Payment Method: The separation payment described in subsection A of this section may be paid in a lump sum or over a three-month period at the sole discretion of the mayor.~~

~~—C. Existing Contracts: Nothing in this section shall supersede the terms of written employment contracts with appointed at-will employees that existed before the effective date of this section.~~

~~—D. Employment Contract with Severance Clause: With regards to appointed at-will employees, and subject to budget constraints, the mayor may approve an employment contract with a severance clause that does not exceed three (3) months of salary and benefits. The severance clause may exceed three (3) months of salary and benefits with council approval. (Ord. 18-13, 5-9-2018; § 1-7C-7, Ord. 19-37, 11-13-2019, Effective at 12 noon on January 6, 2020)~~

1-8-81: EXECUTIVE BRANCH ORGANIZATION DEPARTMENTS ESTABLISHED:

The city's administrative organization consists of departments, offices, divisions, and bureaus. Each department has duties, functions, and responsibilities established herein and as assigned by the mayor. Each department may be organized by the mayor to carry out its functions.The executive branch of the city is organized as follows:

~~—A. Office Of The Mayor:~~

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

~~— 2. City Administrator:~~

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

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

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

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

~~— e. Except as the mayor may otherwise direct, and except as otherwise provided in this section, the city administrator may exercise the powers identified in section 1-8-8A3, including the approving and signing of contracts.~~

~~— 3. Powers And Duties Of City Administrator: The city administrator's powers and duties shall include, but are not limited to:~~

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

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

~~— 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:
 - ~~— (1) Executing the powers listed above for the city administrator if specifically delegated by the city administrator;~~
 - ~~— (2) Fulfilling assignments to serve as a department head and/or to supervise one or more departments or independent divisions without advice and consent of the city council; and~~
 - ~~— (3) Substituting as acting city administrator in the absence of the city administrator.~~~~

BA. Legal Department: The functions of the legal department are as follows:

1. Oversee all legal matters pertaining to the city;

2. Serve as chief legal advisor to the mayor and the city council. The executive and legislative branches of government shall enjoy equal and independent access to the services of the office of the city attorney with reference to their respective functions and duties;

3. Oversee all civil litigation in which the city is a party; and

Prosecute violations of city ordinances and state law.The function of the legal

department shall be to carry out the duties, as applicable, of the city attorney.

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

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

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

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

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

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

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

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

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

— g.— Administering the legal department and supervising employees assigned to the legal department.

— h.— Performing such other duties imposed by city ordinance or assigned by city 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.~~

CB. Community Development: The functions of the community development department are as follows:

1. Land use planning;
2. Building and housing permits; and
3. Assist in capital asset management.

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

- ~~— b. Review and process subdivision development plans and inspect all public improvements;~~
- ~~— c. Monitor, evaluate, and administer city imposed impact fees;~~
- ~~— d. Provide technical support and assist in the development of various utility and impact fee rates, including those for culinary water, wastewater and stormwater;~~
- ~~— e. Develop standard city construction specifications;~~
- ~~— f. Monitor and develop specifications and evaluate the city transportation grid and traffic issues and conduct traffic studies;~~
- ~~— g. In cooperation with the other divisions in the community development department, review and inspect private development and construction;~~
- ~~— h. Develop and maintain a geographical information system for the city;~~
- ~~— i. Perform other functions and duties assigned by the community development director; and~~
- ~~— j. 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.~~

DC. Fire Department: The fire department seeks to prevent and suppress fires and other life threatening or property endangering situations, through measures including, but not limited to:

1. The development and administration of public education and fire prevention programs;
2. Enforce laws pertaining to fire prevention, including fire and safety inspections of buildings and proposed building plans;
3. Fire rescue and emergency medical and other emergency services;
4. Post investigation of fires for possible arson; and
5. Provide technical support and assist in the development of various applicable rates and impact fees.

~~— The function of the fire department shall be to carry out the duties, as applicable, of the fire chief.~~

- ~~— 1. Appointment Of Fire Chief: The mayor shall appoint a qualified person to be chief of the city fire department with the advice and consent of the city council.~~
- ~~— 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;~~
 - ~~— b. Supervising and controlling the function of the fire department;~~
 - ~~— c. 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;~~
 - ~~— 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.~~

ED. Police Department: The police department enforces the laws within the City of West Jordan. The designated functions are as follows:

1. Preserve the public peace;
2. Suppress criminal activity;
3. Detect and arrest criminal offenders;
4. Protect the rights of persons and property;
5. Regulate and controlling motorized and pedestrian traffic;
6. Provide and maintain police records; and
7. Provide technical support and assist in the development of various applicable rates and impact feesThe 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.~~

FE. Public Works Department: The public works department ensures that the city maintains the necessary infrastructure for residents and businesses. The designated functions are as follows:

1. Perform street construction, maintenance, and snow removal;
2. Maintain street signs;
3. Transportation engineering;
4. Provide technical support and assist in the development of various applicable rates and impact fees;
5. Ensure that residential refuse is collected and disposed of on a routine basis;
6. Administer contracts for public works projects; and
7. Design and develop applicable city projects and infrastructure master plans.

~~**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: The mayor shall appoint a qualified person to be the director of public works with the advice and consent of the city council.**~~

~~— 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:~~

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

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

~~— c. Maintaining street signs;~~

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

~~— e. Administering contracts for public works projects;~~

~~— f. Designing city projects and developing city infrastructure master plans;~~

~~— g. Managing and administering the capital projects engineering function;~~

~~— h. With the concurrence of city administration, establishing within the public works 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. Perform 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 public works director or assigning the designated duties and responsibilities to another department or division, as city administration shall deem appropriate.~~

GE. Administrative Services Department:

1. The function of the administrative services department shall beserves as the finance department for the city. The designated functions are as follows:

a. Perform all accounting functions for the city;

b. Prepare the city's annual budget and fee schedule, and prepare any necessary budget or fee schedule adjustments;

c. Supervise and administer the procurement of goods and services for the city;

d. Administer the city's payroll; and

e. Provide technical support and assist in the development of various applicable rates and impact fees.

2. City Treasurer: The position of city treasurer is housed and supervised by the Administrative Services Department. The city treasurer functions are:

- a. The timely collection and disposition of city revenues;
- b. Keep an accurate and detailed account of all matters within the treasurer's charge as provided in the uniform fiscal procedures act or any successor statutes; and
- c. Perform all other duties required by law.

~~to carry out the duties, as applicable, of the administrative services director.~~

~~—1. Appointment Of Administrative Services Director: The mayor shall appoint a qualified person to be the administrative services director with the advice and consent of the city council.~~

~~—2. Functions And Duties Of The Administrative Services Director: Subject to the supervision and direction of city administration the administrative services director's duties shall include, but are not limited to:~~

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

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

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

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

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

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

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

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

~~— l. Collecting all special taxes and assessments, as provided by law and ordinance. All money received by the city treasurer on any special assessment shall~~

~~be applied to the payment of the improvement for which the assessment was made. The money shall be used for the payment of interest and principal on bonds or other indebtedness issues in settlement thereof, and shall be used for no other purpose whatsoever, except as otherwise provided in Utah Code Annotated section 10-6-131;~~

~~— m. If the city is without funds on deposit in one of its appropriate bank accounts with which to pay any lawfully approved claim, the administrative services director shall draw and sign a warrant upon the city treasurer for payment of the claim, the warrant to be tendered to the payee named on the warrant. The city treasurer shall pay all warrants in the order 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;~~

~~— n. Making a regular settlement with the administrative services director 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, 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 and one to be retained by him, and once each month he shall balance accounts with the administrative services director, which monthly settlement shall show the balance to the credit of the several funds for which the city treasurer is responsible;~~

~~— o. Making a detailed report to the administrative services director 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;~~

~~— p. Receiving cash as required and provide such other general central services as required; and~~

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

~~— r. Performing all such duties as may be prescribed by statute, ordinance, or city administration or the administrative services director that are consistent with law.~~

G. Public Utilities Department: The functions of the public utilities department are as follows:

1. Review and process subdivision and private development plans and inspect all public utility improvements;
2. Provide technical support and assist in the development of various utility and impact fee rates, including those for culinary water, wastewater and stormwater;

3. Develop standard city utility construction specifications;
4. Supply and distribute culinary water to the public and maintain culinary water, sanitary sewer, and storm water lines, including coordinating and developing storm water reports and compliance measures for the city pollution discharge elimination system (UPDES) permit, dealing with the city overall administration of compliance efforts;
5. Administer contracts for public utilities (culinary water, sanitary sewer, and storm water) projects; and
6. Design and develop applicable city projects and infrastructure master plans.

H. Public Services Department: The functions of the public services department are as follows:

1. Manage and maintain city parks, trails, cemeteries, and urban forestry;
2. Administer contracts for public services projects;
3. Design and developing applicable city infrastructure master plans; and
4. Provide technical support and assist in the development of various applicable rates and impact fees.

HI. Special Functions, Positions, And ~~Departments~~Divisions:

1. ~~List Of~~ Special Functions, Positions, And ~~and Positions~~Divisions: The following special functions and positions may (and in some instances, shall) exist in the executive branch are created and may be funded by the city council in the annual budget. The city council is not required to fund all listed special functions, positions, and divisions. :

- a. City ~~R~~ecorder's office;
- b. ~~Processing passports~~Passport processing;
- c. Economic development/redevelopment;
- d. Information technology;
- e. GIS (geographical information systems);
- f. Human resources and employee benefits;
- g. Risk management;
- h. Emergency management/preparation;
- i. Public information/communications, including social media;
- jj. Special events;
- kk. Staff support for committees;
- l. Cemeteries;

- ~~— m. Parks and trails;~~
 - ~~— n. Urban forestry;~~
 - ~~o. Performing Public arts;~~
 - ~~p. Facilities management;~~
 - ~~q. Fleet management;~~
 - ~~r. Code enforcement;~~
 - ~~s. Business licensing and regulation and rental licensing;~~
 - ~~t. Grants, including community development block grants;~~
 - ~~u. Animal control;~~
 - ~~v. Parking enforcement;~~
 - ~~w. Crossing guards;~~
 - ~~x. Victim advocates (victim assistance);~~
 - ~~y. Real property administration;~~
 - ~~z. Contract/lease administration;~~
 - ~~x. City electrician;~~
 - ~~y. City Engineer;~~
 - ~~z. Streetlights;~~
 - ~~aa. Street walls and Streetscapes; and~~
 - ~~bb. Recreation.~~
- and

~~— aa. Other miscellaneous functions and positions.~~

2. Placement Of Special Functions, ~~And~~ Positions, And Divisions: ~~During a budget year, city administration~~The mayor may change the ~~organizational~~ placement of any ~~currently funded~~ special function, ~~division~~ position, or ~~position~~ division within or among ~~departments or independent divisions~~ without the need for council approval, as long as notice is provided to the council proving thatand the change is fully funded by the current budget. ~~A special function, division, 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. In a department identified in the city code;

- b. In a special department;
- c. As, or as part of, an independent division;
- d. In the mayor's office; or
- e. In some combination thereof.

3. Creation Of Special Departments: ~~Within budget constraints and consistent with subsections 1-8-1C and 1-8-1D, city administration~~The mayor may recommend special departments by rearranging currently funded divisions ~~from departments identified in the city code, independent divisions, and/or any, departments,~~ special functions, or positions. Each special department shall ~~have at least two (2) divisions or functions and shall be~~ identified in the organizational chart of the annual city budget. Council approval is required to create a new special department.

~~—4. Appointment Of City Recorder: The mayor, with the advice and consent of the city 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 recorders 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. Receive the record of all city council proceedings from council staff, and perform such other duties of a like nature as may be required by city administration.~~

~~—c. Work with appropriate officials and employees to ensure the recording, filing, and indexing of; and make available for public inspection and safekeeping; 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. 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.~~

~~—l. Perform such other duties assigned by city administration.~~

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

~~—n. Certify the ordinance or resolution setting the tax levy to the county auditor on or before the date specified in state code.~~

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

~~—p. Prepare, attest, and report on the vital statistics of the city. (Ord. 20-34, 9-9-2020; amd. Ord. 21-04, 2-10-2021)~~

1-8-1: DEPARTMENTS ESTABLISHED:

The city's administrative organization consists of departments, offices, divisions, and bureaus. Each department has duties, functions, and responsibilities established herein and as assigned by the mayor. Each department may be organized by the mayor to carry out its functions.:

A. Legal Department: The functions of the legal department are as follows:

1. Oversee all legal matters pertaining to the city;
2. Serve as chief legal advisor to the mayor and the city council. The executive and legislative branches of government shall enjoy equal and independent access to the services of the office of the city attorney with reference to their respective functions and duties;
3. Oversee all civil litigation in which the city is a party; and
Prosecute violations of city ordinances and state law.

B. Community Development: The functions of the community development department are as follows:

1. Land use planning;
2. Building and housing permits; and
3. Assist in capital asset management.

C. Fire Department: The fire department seeks to prevent and suppress fires and other life threatening or property endangering situations, through measures including, but not limited to:

1. The development and administration of public education and fire prevention programs;
2. Enforce laws pertaining to fire prevention, including fire and safety inspections of buildings and proposed building plans;
3. Fire rescue and emergency medical and other emergency services;
4. Post investigation of fires for possible arson; and
5. Provide technical support and assist in the development of various applicable rates and impact fees.

D. Police Department: The police department enforces the laws within the City of West Jordan. The designated functions are as follows:

1. Preserve the public peace;
2. Suppress criminal activity;
3. Detect and arrest criminal offenders;
4. Protect the rights of persons and property;
5. Regulate and controlling motorized and pedestrian traffic;
6. Provide and maintain police records; and

7. Provide technical support and assist in the development of various applicable rates and impact fees.

E. Public Works Department: The public works department ensures that the city maintains the necessary infrastructure for residents and businesses. The designated functions are as follows:

1. Perform street construction, maintenance, and snow removal;
2. Maintain street signs;
3. Transportation engineering;
4. Provide technical support and assist in the development of various applicable rates and impact fees;
5. Ensure that residential refuse is collected and disposed of on a routine basis;
6. Administer contracts for public works projects; and
7. Design and develop applicable city projects and infrastructure master plans.

F. Administrative Services Department:

1. The administrative services department serves as the finance department for the city. The designated functions are as follows:
 - a. Perform all accounting functions for the city;
 - b. Prepare the city's annual budget and fee schedule, and prepare any necessary budget or fee schedule adjustments;
 - c. Supervise and administer the procurement of goods and services for the city;
 - d. Administer the city's payroll; and
 - e. Provide technical support and assist in the development of various applicable rates and impact fees.
2. City Treasurer: The position of city treasurer is housed and supervised by the Administrative Services Department. The city treasurer functions are:
 - a. The timely collection and disposition of city revenues;
 - b. Keep an accurate and detailed account of all matters within the treasurer's charge as provided in the uniform fiscal procedures act or any successor statutes; and
 - c. Perform all other duties required by law.

G. Public Utilities Department: The functions of the public utilities department are as follows:

1. Review and process subdivision and private development plans and inspect all public utility improvements;
2. Provide technical support and assist in the development of various utility and impact fee rates, including those for culinary water, wastewater and stormwater;
3. Develop standard city utility construction specifications;
4. Supply and distribute culinary water to the public and maintain culinary water, sanitary sewer, and storm water lines, including coordinating and developing storm

water reports and compliance measures for the city pollution discharge elimination system (UPDES) permit, dealing with the city overall administration of compliance efforts;

5. Administer contracts for public utilities (culinary water, sanitary sewer, and storm water) projects; and
6. Design and develop applicable city projects and infrastructure master plans.

H. Public Services Department: The functions of the public services department are as follows:

1. Manage and maintain city parks, trails, cemeteries, and urban forestry;
2. Administer contracts for public services projects;
3. Design and developing applicable city infrastructure master plans; and
4. Provide technical support and assist in the development of various applicable rates and impact fees.

I. Special Functions, Positions, And Divisions:

1. List of Special Functions, Positions, and Divisions: The following special functions and positions are created and may be funded by the city council in the annual budget. The city council is not required to fund all listed special functions, positions, and divisions.

- a. City Recorder;
- b. Passport processing;
- c. Economic development/redevelopment;
- d. Information technology;
- e. GIS (geographical information systems);
- f. Human resources and employee benefits;
- g. Risk management;
- h. Emergency management/preparation;
- i. Public information/communications, including social media;
- j. Special events;
- k. Staff support for committees;
- l. Public arts;
- m. Facilities management;
- n. Fleet management;
- o. Code enforcement;

- p. Business licensing and regulation and rental licensing;
- q. Grants, including community development block grants;
- r. Animal control;
- s. Parking enforcement;
- t. Crossing guards;
- u. Victim advocates (victim assistance);
- v. Real property administration;
- w. Contract/lease administration;
- x. City electrician;
- y. City Engineer;
- z. Streetlights;
- aa. Street walls and Streetscapes; and
- bb. Recreation.

2. Placement Of Special Functions, Positions, And Divisions: The mayor may change the placement of any special function, position, or division without the need for council approval, as long as notice is provided to the council and the change is fully funded by the current budget. City administration may organizationally place any given special function or position:

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

3. Creation Of Special Departments: The mayor may recommend special departments by rearranging currently funded divisions , departments, special functions, or positions. Each special department shall be identified in the organizational chart of the annual city budget. Council approval is required to create a new special department.



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 04/10/2024

Presenter: Alan Anderson

Deadline of item :

Applicant:

Department Sponsor: Council Office

Agenda Type: BUSINESS ITEMS

Presentation Time: 15 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 24-10 amending Title 6, Chapter 3, Article E Ownership and Maintenance of Fowl

2. EXECUTIVE SUMMARY

Council is being asked to amend West Jordan City Code Section 6-3E to list prohibited fowl and include ducks in non-nuisance spaces.

During the Committee of the Whole meeting on November 8, 2023, Council Members discussed an amendment to the definition of fowl to specify prohibited fowl such as geese, turkeys, peafowl, and roosters as well as expanding the definition of permitted fowl. Council consensus was to revise the definition to include permitted fowl in residential zones.

Staff has worked with Mr. Eatchel with Animal Control regarding size limits, different breeds, and for number of permitted fowl. Further input from Mr. Davenport, director of Public Utilities, was received to comply with EPA standards related to E. coli contamination of the city waterways and the EPA discharge permit. This proposed ordinance would allow domestic fowl in all residential areas in the city including near existing creeks, canals, and the Jordan River hence the necessary language to protect waterways in the city as required by the EPA.

3. FISCAL NOTE

There may be an increase in fee collections based on permits issued for domesticated fowl.

4. STAFF ANALYSIS

The attached code was prepared by the City Attorney's office working with Councilmember Green's original proposal. Many of the ideas provided by Councilmember Green's proposal have been incorporated in the draft code attached to this packet.

5. MOTION RECOMMENDED

Approve/deny Ordinance No. 24-10 amending Title 6 Chapter 3E Ownership and Maintenance of Fowl

West Jordan City Council Meeting

Council Staff Review



Item Name: Ownership and Maintenance of Fowl
Department: Office of the City Council
Action Needed: Adopt/Not Adopt Ordinance

EXECUTIVE SUMMARY

Council is being asked to amend West Jordan City Code Section 6-3E as it relates to ownership and maintenance of fowl.

RECOMMENDATION

Council staff recommends that council approve Ordinance No. 24-10, amending Title 6, Chapter 3, Article E Ownership and Maintenance of Fowl.

TIMELINE

Committee of the Whole meeting on November 8, 2023

Council Members discussed an amendment to the definition of fowl to specify prohibited fowl such as geese, turkeys, peafowl, and roosters as well as expanding the definition of permitted fowl. Council consensus was to revise the definition to include permitted fowl in residential zones.

The proposed ordinance adjustments are largely a result of the discussion from this meeting.

COUNCIL OFFICE ANALYSIS

Summary of proposed changes are found on the RCA page, which, for this item, was also drafted by the council office.

Fowl-owning residents of West Jordan, as described in the ordinance, who also live alongside or near waterways in the city, may be subject to Wastewater Discharge Permit requirements.

The Utah Department of Environmental Quality specifies: "Facilities that produce, treat, dispose of, or otherwise discharge waste water from a point source (such as a pipe, ditch, or channel) into a water of the State (such as a lake or river) may need permits [in order to do so] - [Utah Pollutant Discharge Elimination System](#) (Utah Administrative Code R317-8).

Additional information and requirements can be found online:

<https://deq.utah.gov/permits/permit-guide/wastewater-discharge-permits-permit-guide>

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 24-10

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE, TITLE 6,
CHAPTER 3, ARTICLE E. REGARDING THE OWNERSHIP AND
MAINTENANCE OF FOWL**

WHEREAS, the City of West Jordan (“City”) adopted the West Jordan City Code (“City Code”) in 2009; and

WHEREAS, the City Council of the City (“City Council”) desires to amend certain sections of the City Code, regarding the Ownership and Maintenance of fowl; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following City Code amendments.

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

- Section 1.** Amendment of Code Provisions. City Code Title, 6, Chapter 3, Article E is amended to read as shown in Attachments 1 and 2.
- Section 2.** Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all other sections, parts, and provisions shall be severable.
- Section 3.** Effective Date. This Ordinance shall become effective after posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS _____
DAY OF _____ 2024.

CITY OF WEST JORDAN

By: _____
Zach Jacob
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

(continued on following pages)

Voting by the City Council

“YES”

“NO”

Council Chair Zach Jacob

Council Vice Chair Chad Lamb

Council Member Bob Bedore

Council Member Pamela Bloom

Council Member Kelvin Green

Council Member Kent Shelton

Council Member Kayleen Whitelock

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.

Mayor’s Action: _____ Approve _____ Veto

By: _____
Mayor Dirk Burton Date

ATTEST:

Tangee Sloan, CMC
City Recorder

STATEMENT OF APPROVAL OR PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 24-10

_____ The Mayor vetoed Ordinance No. 24-10 _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

_____ Ordinance No. 24-10 _____ became effective by operation of law without the Mayor’s approval or disapproval.

Tangee Sloan, CMC
City Recorder

(see the following pages)

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notices Website on the _____ day of _____ 2024. The fully executed copy of the Ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, CMC
City Recorder

(Attachments on the following pages)

Attachments to

[ORDINANCE NO. 24-10

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE, TITLE 6, CHAPTER 3,
ARTICLE E. REGARDING THE OWNERSHIP AND MAINTENANCE OF FOWL]**

(see the following pages)

1 **6-3E-1: ~~Ownership And Maintenance Of Fowl~~General Limitations On Fowl Ownership**

2 **6-3E-2: Ownership And Maintenance Of Pigeons**

3 **6-3E-3: Ownership And Maintenance Of Chickens**

4 **6-3E-4: Ownership And Maintenance Of Other Domesticated Fowl**

5 **6-3E-~~45~~: Fowl Keeping Permit**

6 **6-3E-6-3E-56: Inspection**

7 **6-3E-~~67~~: Violations And Penalty**

8
9 **6-3E-1: OWNERSHIP AND MAINTENANCE OF FOWLGENERAL LIMITATIONS ON**
10 **FOWL OWNERSHIP:**

11 A. —A.— The keeping, breeding, maintenance, and/or flying of fowl within the city is
12 permitted in any residential zone only to the extent allowed by this titlechapter.

13 1. Residential zones include those listed in Section 13-5B-1 and 13-5C-1, but
14 do not include the R-R zone.

15 2. Fowl may only be kept on properties containing a single-family detached
16 dwelling unit, duplex, or twin home, although vacant properties directly
17 adjacent to a lot or parcel containing a single-family detached dwelling unit
18 under the same ownership may be used for the keeping of fowl.

19 B. All animal food storage and feeding areas shall be completely secured from
20 insects, rodents, and other vermin per Salt Lake Valley County health department
21 general sanitation standards. (Ord. 10-05, 1-27-2010)

22 C. All coops, pens, or buildings where fowl are housed shall be whitewashed or
23 sprayed with standard disinfectant at least three times yearly, once in each of the
24 months of March, July, and October.

25 1. All droppings shall be cleaned out at least once every two weeks.

26 2. All coops, pens, runways and surroundings shall be kept and maintained in a
27 clean and sanitary condition.

28
29 **6-3E-2: OWNERSHIP AND MAINTENANCE OF PIGEONS:**

30 The keeping, breeding, maintenance and/or flying of pigeons is permitted within the city
31 only as provided below:

32 A. No person shall keep, maintainmaintain, or harbor pigeons unless the pigeons are
33 kept and maintained in a pigeon loft as provided in this articlesection. The loft shall be of
34 such sufficient size and design, and constructed of such materials, thatallowing it can to
35 be maintained in a clean and sanitary condition.

36 B. The pigeon loft shall be of a size sufficient to house the number of pigeons
37 contemplated. There shall be a minimum of two square feet of loft space for each

38 ~~mature pigeon~~In no case shall there be more than one pigeon for two (2) square feet of
39 floor space in any pigeon loft for each mature pigeon kept therein.

40 C. The construction and location of the pigeon loft shall not conflict with the
41 requirements of any building code or zoning code of the city. The pigeon loft shall not be
42 located within forty feet (40') of any residential structure or dwelling, including the lot
43 owner or any adjoining lot.

44 D. All feed for ~~said~~ pigeons shall be stored in ~~such~~ containers ~~as~~ to protect against
45 intrusion by rodents and other vermin.

46 E. The loft shall be maintained in a sanitary condition and in compliance with all
47 applicable health regulations of the city and the Salt Lake County health department.

48 F. All pigeons shall be confined to the loft, except for limited periods necessary for
49 exercise, training and competition; and at no time shall pigeons be allowed to perch or
50 linger on the buildings or property of others.

51 G. All pigeons shall be fed within the confines of the loft.

52 H. The ownership of more than one hundred (100) pigeons, including squab, is
53 unlawful.

54 I. No one shall release pigeons to fly for exercise, training or competition which have
55 been fed within the previous four (4) hours.

56 J. Pigeons shall be banded and registered with one of the national pigeon
57 associations ~~/ or~~ registries. (2001 Code § 14-5-101; amd. 2009 Code § 6-3E-1; Ord. 10-
58 05, 1-27-2010)

59 **6-3E-3: OWNERSHIP AND MAINTENANCE OF CHICKENS:**

60 The keeping and maintenance of chickens is permitted within the city only as provided
61 below:

62 A. Not Household Pets: Chickens kept as provided in this ~~title chapter~~ shall not be
63 ~~deemed as considered~~ household pets.

64 B. Keeping Contrary To ~~Title Chapter~~ Prohibited: It shall be unlawful for any person
65 to keep any chicken in a manner contrary to the provisions of this ~~title chapter~~. ~~Any such~~
66 ~~violation shall be a class B misdemeanor.~~

67 C. Keeping For Familial Gain: Chickens may be kept on a non-nuisance basis strictly
68 for familial gain from the production and consumption of eggs only and there shall be no
69 sale or income resulting from the keeping of chickens.

70 D. Number; Location Of Enclosure: Up to five (5) egg laying hens and up to five (5)
71 chicks may be kept on a ~~residential~~ lot.

72 ~~— 1. Chickens may only be kept on properties containing a single family detached~~
73 ~~dwelling unit, duplex or twin home, although vacant properties directly adjacent to a lot~~
74 ~~or parcel containing a single family detached dwelling unit under the same ownership~~
75 ~~may be used for the keeping of chickens.~~

76 ~~21~~. There shall be no roosters or crowing hens.

77 ~~32~~. All enclosures, pens and coops shall be located in the rear yard of the main
78 dwelling or in an interior side yard provided all of the requirements of this ~~title-chapter~~
79 are met.

80 ~~43~~. Enclosures, pens, and coops shall not be located in a corner side yard unless
81 the side yard ~~shall be~~ completely fenced using ~~site-sight~~-obscuring fencing or
82 vegetative screening, so as to prevent sight of ~~such the~~ areas from the street or
83 neighboring properties to the greatest degree possible.

84 ~~54~~. All enclosures, pens and coops shall be located at least twenty feet ~~(20')~~ from
85 the nearest primary structure ~~or~~ habitable dwelling on adjoining properties and at least
86 five feet ~~(5')~~ from the property line, provided that a portable wheeled coop may encroach
87 temporarily and from time to time on the five foot ~~(5')~~ separation from the property line.
88 During ~~the any~~ time a heating device is employed in the pen or coop ~~during cold~~
89 ~~weather~~, ~~such the~~ pen or coop must be separated and at least ten feet ~~(10')~~ from any
90 structure containing a habitable dwelling on the same property.

91 ~~65~~. Dead birds and unused eggs shall be removed within ~~twenty four~~twenty-four
92 ~~(24)~~ hours or less and shall be properly discarded.

93 6. Chickens may not wander to neighboring properties. Chickens which are
94 located off the premises of the Fowl Keeping Permit holder may be seized by Animal
95 Services.

96 E. Structures And Coops:

97 1. To keep chickens, a coop is required.

98 2. The coop shall be constructed ~~such that it~~ provides adequate shelter and
99 space for chickens to roost with at least one and one-half ~~(1.5)~~-square feet provided per
100 chicken. If chickens are not allowed to roam outside the coop, the coop shall have a
101 minimum floor area of six (6) square feet per chicken. (Ord. 10-05, 1-27-2010)

102 **6-3E-4: OWNERSHIP AND MAINTENANCE OF OTHER DOMESTICATED FOWL:**
103 The keeping and maintenance of other domesticated fowl is permitted within the city
104 only as provided below:

105 A. For the purposes of this chapter, the definition of "domesticated fowl" is meant to
106 cover all fowl varieties not otherwise specifically provided for herein. Domesticated fowl
107 does not include geese, turkeys, peafowl, ostriches, emus, or swans. The keeping of
108 any domesticated fowl over 20 pounds is prohibited.

109 B. Not Household Pets: domesticated fowl kept as provided in this chapter shall not
110 be considered household pets.

111 C. Keeping Contrary To Chapter Prohibited: It shall be unlawful for any person to
112 keep any domesticated fowl in a manner contrary to the provisions of this chapter.

113 D. Keeping For Familial Gain: Domesticated fowl may be kept on a non-nuisance
114 basis for familial gain. There shall be no sale or income resulting from the keeping of
115 domesticated fowl or the sale of their eggs, feathers, down, or carcass.

116 E. Number; Location Of Enclosure: Up to three domesticated fowl may be kept on a
117 residential lot.

118 1. All enclosures and pens shall be located in the rear yard of the main dwelling or
119 in an interior side yard provided all of the requirements of this chapter are met.

120 2. Enclosures and pens shall not be located in a corner side yard unless the side
121 yard ~~shall be~~ completely fenced using sight-obscuring fencing or vegetative screening,
122 so as to prevent sight of ~~such~~the areas from the street or neighboring properties to the
123 greatest degree possible.

124 3. All enclosures and pens shall be located at least twenty feet from the nearest
125 primary structure or habitable dwelling on adjoining properties and at least five feet from
126 the property line. During ~~the~~any time a heating device is employed in the pen ~~during~~
127 cold weather, ~~such~~the pen must be separated and at least ten feet from any structure
128 containing a habitable dwelling on the same property.

129 4. Dead birds and unused eggs shall be removed within twenty-four hours or less
130 and shall be properly discarded.

131 5. Domesticated fowl may not wander to neighboring properties. Domesticated
132 fowl which are located off the premises of the Fowl Keeping Permit holder may be
133 seized by Animal Services.

134 E. Structures And Pens:

135 1. To keep domesticated fowl, a pen is required.

136 2. The pen shall be constructed ~~such that it~~to provide adequate shelter and space
137 for domesticated fowl to nest with at least one and one-half square feet provided per
138 animal. If domesticated fowl are not allowed to roam outside the pen, the pen shall have
139 a minimum floor area of six square feet per animal.

140
141 **6-3E-45: FOWL KEEPING PERMIT:**

142 A. Permit Required: Any person who desires to keep chickens, ~~or~~ pigeons, ~~or~~
143 ~~domesticated fowl~~ as authorized by this ~~title chapter~~ shall make application to the
144 ~~division of animal control~~ City of West Jordan for a fowl keeping permit. These permits
145 are temporary uses only and attach to the resident applicant, as specified in the
146 application, and not to the property. There can be no "grandfathering" or legal
147 nonconforming use property rights arising from fowl keeping permits.

148 B. Applications: Applications for a fowl keeping permit shall be made in writing ~~to the~~
149 ~~division of animal control~~. The application shall include the following information:

150 1. The name of the person desiring the permit.

- 151 2. Location of the proposed fowl keeping facilities.
- 152 3. Basic plans and specifications of the proposed fowl keeping activities, showing
153 size and dimensions of the facilities.
- 154 4. The distance between the location of the proposed facilities and the nearest
155 residential structure on all adjoining lots.
- 156 5. The registrant-applicant shall acknowledge the rules set forth in this title-chapter
157 and shall, as a condition of filing for the permit, agree to comply with such-the rules.
- 158 6. The ~~application shall bear the~~ signature of the registrantapplicant.

159 C. Permit Issuance: Upon receipt and review of a complete application and receipt of
160 the required fee, the ~~division of animal control or designecity shall may~~ issue a fowl
161 keeping permit. ~~The permit shall be issued on a calendar year basis and may be~~
162 ~~renewed annually. Such-Any~~ permit shall not be transferable to another person by the
163 holder.

164 D. Fee: The fee for the fowl keeping permit shall be ~~assessed on a one calendar~~
165 ~~year basis and shall be~~ in the amount established by the city council in its-the uniform
166 fee schedule. The fowl keeping permit will be valid for one year from the date of
167 issuance. The fee for a permit issued during a one year billing cycle shall be prorated as
168 of the date of the application. (2001 Code § 14-5-102; amd. 2009 Code § 6-3E-2; Ord.
169 10-05, 1-27-2010; Ord. 15-22, 8-25-2015)

170 **6-3E-56: INSPECTION:**

171 All inspections, entries, examinations and surveys shall be done in a reasonable
172 manner based upon cause. If the property owner or person responsible for the property
173 refuses to allow entrance onto the property, the police officer or inspector may obtain
174 and execute a search warrant. (2001 Code § 14-5-103; amd. 2009 Code § 6-3E-3; Ord.
175 10-05, 1-27-2010)

176 **6-3E-67: VIOLATIONS AND PENALTY:**

177 When the animal control-services officer or police officer finds a violation of this article to
178 have occurred, the officer shall give written notice thereof to the owner. If said-any
179 violation is not remedied within ten ~~(10)~~ days, the animal control-services officer may
180 issue a citation to appear in Municipal Court to answer the charges stated thereon. Any
181 owner found violating any of the provisions of this article-chapter may be prosecuted
182 administratively as provided in title 16 of this Code, and/or as an infraction-Class B
183 misdemeanor. Three ~~(3)~~ proven violations within eighteen ~~(18)~~ months shall result in the
184 revocation of the fowl keeping permit. (2001 Code § 14-5-104; amd. 2009 Code § 6-3E-
185 4; Ord. 10-05, 1-27-2010; Ord. 12-10, 4-25-2012, eff. 7-1-2012; Ord. 19-07, 2-13-2019)

186

- 1 **6-3E-1: General Limitations On Fowl Ownership**
- 2 **6-3E-2: Ownership And Maintenance Of Pigeons**
- 3 **6-3E-3: Ownership And Maintenance Of Chickens**
- 4 **6-3E-4: Ownership And Maintenance Of Other Domesticated Fowl**
- 5 **6-3E-5: Fowl Keeping Permit**
- 6 **6-3E-6: Inspection**
- 7 **6-3E-7: Violations And Penalty**

8

9 **6-3E-1: GENERAL LIMITATIONS ON FOWL OWNERSHIP:**

10 A. The keeping, breeding, maintenance, and flying of fowl within the city is permitted
11 in a residential zone only to the extent allowed by this chapter.

- 12 1. Residential zones include those listed in Section 13-5B-1 and 13-5C-1, but do
13 not include the R-R zone.
- 14 2. Fowl may only be kept on properties containing a single-family detached dwelling
15 unit, duplex, or twin home, although vacant properties directly adjacent to a lot or
16 parcel containing a single-family detached dwelling unit under the same
17 ownership may be used for the keeping of fowl.

18 B. All animal food storage and feeding areas shall be completely secured from
19 insects, rodents, and other vermin per Salt Lake County health department general
20 sanitation standards. (Ord. 10-05, 1-27-2010)

21 C. All coops, pens, or buildings where fowl are housed shall be whitewashed or
22 sprayed with standard disinfectant at least three times yearly, once in each of the
23 months of March, July, and October.

- 24 1. All droppings shall be cleaned out at least once every two weeks.
- 25 2. All coops, pens, runways and surroundings shall be kept and maintained in a
26 clean and sanitary condition.

27

28 **6-3E-2: OWNERSHIP AND MAINTENANCE OF PIGEONS:**

29 The keeping, breeding, maintenance and/or flying of pigeons is permitted within the city
30 only as provided below:

31 A. No person shall keep, maintain, or harbor pigeons unless the pigeons are kept
32 and maintained in a pigeon loft as provided in this section. The loft shall be of sufficient
33 size and design and constructed of materials allowing it to be maintained in a clean and
34 sanitary condition.

35 B. The pigeon loft shall be of a size sufficient to house the number of pigeons
36 contemplated. There shall be a minimum of two square feet of loft space for each
37 mature pigeon.

38 C. The construction and location of the pigeon loft shall not conflict with the
39 requirements of any building code or zoning code of the city. The pigeon loft shall not be
40 located within forty feet of any residential structure or dwelling, including the lot owner or
41 any adjoining lot.

42 D. All feed for pigeons shall be stored in containers to protect against intrusion by
43 rodents and other vermin.

44 E. The loft shall be maintained in a sanitary condition and in compliance with all
45 applicable health regulations of the city and the Salt Lake County health department.

46 F. All pigeons shall be confined to the loft, except for limited periods necessary for
47 exercise, training and competition; and at no time shall pigeons be allowed to perch or
48 linger on the buildings or property of others.

49 G. All pigeons shall be fed within the confines of the loft.

50 H. The ownership of more than one hundred pigeons, including squab, is unlawful.

51 I. No one shall release pigeons to fly for exercise, training or competition which have
52 been fed within the previous four hours.

53 J. Pigeons shall be banded and registered with one of the national pigeon
54 associations or registries. (2001 Code § 14-5-101; amd. 2009 Code § 6-3E-1; Ord. 10-
55 05, 1-27-2010)

56 **6-3E-3: OWNERSHIP AND MAINTENANCE OF CHICKENS:**

57 The keeping and maintenance of chickens is permitted within the city only as provided
58 below:

59 A. Not Household Pets: Chickens kept as provided in this chapter shall not be
60 considered household pets.

61 B. Keeping Contrary To Chapter Prohibited: It shall be unlawful for any person to
62 keep any chicken in a manner contrary to the provisions of this chapter.

63 C. Keeping For Familial Gain: Chickens may be kept on a non-nuisance basis strictly
64 for familial gain from the production and consumption of eggs only and there shall be no
65 sale or income resulting from the keeping of chickens.

66 D. Number; Location Of Enclosure: Up to five egg laying hens and up to five chicks
67 may be kept on a lot.

68 1. There shall be no roosters or crowing hens.

69 2. All enclosures, pens and coops shall be located in the rear yard of the main
70 dwelling or in an interior side yard provided all of the requirements of this chapter are
71 met.

72 3. Enclosures, pens, and coops shall not be located in a corner side yard unless
73 the side yard is completely fenced using sight-obscuring fencing or vegetative
74 screening, so as to prevent sight of the areas from the street or neighboring properties
75 to the greatest degree possible.

76 4. All enclosures, pens and coops shall be located at least twenty feet from the
77 nearest primary structure or habitable dwelling on adjoining properties and at least five
78 feet from the property line, provided that a portable wheeled coop may encroach
79 temporarily and from time to time on the five foot separation from the property line.
80 During any time a heating device is employed in the pen or coop, the pen or coop must
81 be separated and at least ten feet from any structure containing a habitable dwelling on
82 the same property.

83 5. Dead birds and unused eggs shall be removed within twenty-four hours or less
84 and shall be properly discarded.

85 6. Chickens may not wander to neighboring properties. Chickens which are
86 located off the premises of the Fowl Keeping Permit holder may be seized by Animal
87 Services.

88 E. Structures And Coops:

89 1. To keep chickens, a coop is required.

90 2. The coop shall be constructed to provide adequate shelter and space for
91 chickens to roost with at least one and one-half square feet provided per chicken. If
92 chickens are not allowed to roam outside the coop, the coop shall have a minimum floor
93 area of six (6) square feet per chicken. (Ord. 10-05, 1-27-2010)

94 **6-3E-4: OWNERSHIP AND MAINTENANCE OF OTHER DOMESTICATED FOWL:**

95 The keeping and maintenance of other domesticated fowl is permitted within the city
96 only as provided below:

97 A. For the purposes of this chapter, the definition of “domesticated fowl” is meant to
98 cover all fowl varieties not otherwise specifically provided for herein. Domesticated fowl
99 does not include geese, turkeys, peafowl, ostriches, emus, or swans. The keeping of
100 any domesticated fowl over 20 pounds is prohibited.

101 B. Not Household Pets: domesticated fowl kept as provided in this chapter shall not
102 be considered household pets.

103 C. Keeping Contrary To Chapter Prohibited: It shall be unlawful for any person to
104 keep any domesticated fowl in a manner contrary to the provisions of this chapter.

105 D. Keeping For Familial Gain: Domesticated fowl may be kept on a non-nuisance
106 basis for familial gain. There shall be no sale or income resulting from the keeping of
107 domesticated fowl or the sale of their eggs, feathers, down, or carcass.

108 E. Number; Location Of Enclosure: Up to three domesticated fowl may be kept on a
109 residential lot.

110 1. All enclosures and pens shall be located in the rear yard of the main dwelling or
111 in an interior side yard provided all of the requirements of this chapter are met.

112 2. Enclosures and pens shall not be located in a corner side yard unless the side
113 yard is completely fenced using sight-obscuring fencing or vegetative screening, so as

114 to prevent sight of the areas from the street or neighboring properties to the greatest
115 degree possible.

116 3. All enclosures and pens shall be located at least twenty feet from the nearest
117 primary structure or habitable dwelling on adjoining properties and at least five feet from
118 the property line. During any time a heating device is employed in the pen, the pen must
119 be separated and at least ten feet from any structure containing a habitable dwelling on
120 the same property.

121 4. Dead birds and unused eggs shall be removed within twenty-four hours or less
122 and shall be properly discarded.

123 5. Domesticated fowl may not wander to neighboring properties. Domesticated
124 fowl which are located off the premises of the Fowl Keeping Permit holder may be
125 seized by Animal Services.

126 E. Structures And Pens:

127 1. To keep domesticated fowl, a pen is required.

128 2. The pen shall be constructed to provide adequate shelter and space for
129 domesticated fowl to nest with at least one and one-half square feet provided per
130 animal. If domesticated fowl are not allowed to roam outside the pen, the pen shall have
131 a minimum floor area of six square feet per animal.

132 **6-3E-5: FOWL KEEPING PERMIT:**

133 A. Permit Required: Any person who desires to keep chickens, pigeons, or
134 domesticated fowl as authorized by this chapter shall make application to the City of
135 West Jordan for a fowl keeping permit. These permits are temporary uses only and
136 attach to the resident applicant, as specified in the application, and not to the property.
137 There can be no "grandfathering" or legal nonconforming use property rights arising
138 from fowl keeping permits.

139 B. Applications: Applications for a fowl keeping permit shall be made in writing. The
140 application shall include the following information:

141 1. The name of the person desiring the permit.

142 2. Location of the proposed fowl keeping facilities.

143 3. Basic plans and specifications of the proposed fowl keeping activities, showing
144 size and dimensions of the facilities.

145 4. The distance between the location of the proposed facilities and the nearest
146 residential structure on all adjoining lots.

147 5. The applicant shall acknowledge the rules set forth in this chapter and shall, as
148 a condition of filing for the permit, agree to comply with the rules.

149 6. The signature of the applicant.

150 C. Permit Issuance: Upon receipt and review of a complete application and receipt of
151 the required fee, the city may issue a fowl keeping permit. A permit shall not be
152 transferable to another person by the holder.

153 D. Fee: The fee for the fowl keeping permit shall be in the amount established in the
154 uniform fee schedule. The fowl keeping permit will be valid for one year from the date of
155 issuance.(2001 Code § 14-5-102; amd. 2009 Code § 6-3E-2; Ord. 10-05, 1-27-2010;
156 Ord. 15-22, 8-25-2015)

157 **6-3E-6: INSPECTION:**

158 All inspections, entries, examinations and surveys shall be done in a reasonable
159 manner based upon cause. If the property owner or person responsible for the property
160 refuses to allow entrance onto the property, the police officer or inspector may obtain
161 and execute a search warrant. (2001 Code § 14-5-103; amd. 2009 Code § 6-3E-3; Ord.
162 10-05, 1-27-2010)

163 **6-3E-7: VIOLATIONS AND PENALTY:**

164 When the animal services officer or police officer finds a violation of this article to have
165 occurred, the officer shall give written notice thereof to the owner. If any violation is not
166 remedied within ten days, the animal services officer may issue a citation to appear in
167 Municipal Court to answer the charges stated thereon. Any owner found violating any of
168 the provisions of this chapter may be prosecuted administratively as provided in title 16
169 of this Code, or as an infraction. Three proven violations within eighteen months shall
170 result in the revocation of the fowl keeping permit. (2001 Code § 14-5-104; amd. 2009
171 Code § 6-3E-4; Ord. 10-05, 1-27-2010; Ord. 12-10, 4-25-2012, eff. 7-1-2012; Ord. 19-
172 07, 2-13-2019)



**MINUTES OF THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
Wednesday, March 20, 2024 – 6:00 PM
Waiting Formal Approval
8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088**

WORK SESSION 6:00 pm

1. CALL TO ORDER

COUNCIL: Chair Zach Jacob, Vice Chair Chad Lamb, Council Member Bob Bedore, Council Member Kelvin Green, Council Member Kent Shelton, Council Member Kayleen Whitelock

STAFF: Assistant City Attorney Chase Ames, Council Office Director Alan Anderson, Senior Assistant City Attorney Patrick Boice, Mayor Dirk Burton, Public Works Director Brian Clegg, Assistant City Administrator Jamie Davidson, Public Works Operations Manager Jason Duffin, Policy Analyst & Public Liaison Warren Hallmark, Code Enforcement Officer Brock Hudson, Assistant Planner Megan Jensen, Senior Planner Tayler Jensen, Judge Ronald Kunz, Community Development Director Scott Langford, City Administrator Korban Lee, Fire Chief Derek Maxfield, Council Office Clerk Cindy Quick, Deputy Police Chief Jeremy Robertson, Police Chief Ken Wallentine

Chair Jacob called the meeting to order at 6:00 pm and noted that Council Member Bloom was absent.

2. DISCUSSION TOPICS

a. Discussion of policy related to West Jordan City Code Title 7 Motor Vehicles & Traffic regarding reclassifying parking violations from a criminal offense to a civil violation

Council Member Green proposed removing the criminal aspect of parking violations to prioritize civil processes over involving police officers. He pointed out discrepancies between the city ordinance, which hadn't been updated since 2001, and changes in the State code from 2016. He and Council Member Whitelock reviewed the code together.

He sought Council Member approval to update the current ordinance to align with state code, suggesting requiring parking within 12 inches of the curb instead of 18 inches, which mirrored state code provisions.

Discussion regarding specific provisions such as bus zones, whether or not to prohibit parking for more than 72 hours, and how to administer the issuing of tickets, with Council Member Green highlighting proposed changes. Mayor Burton questioned the necessity of including certain details in city code if they were already addressed in state code. Council Members discussed various proposed amendments, including parking restrictions during snow removal months and regulations on parking RVs and trailers on public streets.

Concerns were raised about the potential impact on enforcement and staffing requirements. Council Members debated the effectiveness of transitioning parking violations to civil matters and potential implications for residents.

Council Members expressed mixed opinions on various provisions, with some advocating for further consideration and clarification before making a decision. The discussion concluded with plans to revisit the proposal after additional review and assessment of potential impacts.

Council Member Whitelock asked to move Item 2d forward for discussion. With no objection Chair Jacob moved Item 2d forward.

d. Discussion regarding possible amendments to West Jordan City Code Section 8-5-2 regarding the costs of sidewalk, curb, and gutter maintenance, repair, and replacement in the city.

Public Works Director Brian Clegg explained that the proposed amendment aimed to shift sidewalk repair fees from residents to the city in an effort to expedite repairs. Currently, residents are often unwilling to cover repair costs, resulting in delays. He highlighted cases where tree roots caused sidewalk damage and outlined the process for addressing such issues, including trimming roots and, if necessary, removing trees with resident permission. Mr. Clegg emphasized the need for efficient repairs to address safety hazards and mentioned funding from B & C road funds for this purpose.

Council Member Whitelock inquired about potential abuse of the system, to which Mr. Clegg clarified that residents would still be responsible for damage caused by heavy objects on sidewalks. He assured that funding was allocated for repairs without additional budgetary demands for now, however they may need a small increase over time.

Mr. Clegg also mentioned plans to offer reimbursement to residents hiring contractors for repairs, up to a certain amount. The Council expressed support for the amendment, with Council Member Green suggesting collaboration with Chase for further input. Additionally, Mr. Clegg pointed out that the city also offered residents a tree waiver to replace removed trees in their yards.

b. Discussion of proposed Title 13 amendments, specifically 13-2-3: Definitions.

Assistant Planner Megan Jensen highlighted the lack of defined regulations for the storage of commercial vehicles in the City Code, which has posed enforcement challenges. Civil Prosecutor Paul Dodd elaborated on a previous case that the city lost due to ambiguous definitions, emphasizing the need for clarity in the code to facilitate enforcement efforts. He expressed concern with lack of consensus in previous attempts to address the issue.

Council Member Green raised concerns that the proposed definition might make various activities illegal, citing examples of residents with work vehicles or trailers that could be

affected. He emphasized the importance of considering the broader implications of the definition on residents' daily activities.

Chair Jacob suggested focusing on defining the storage or parking of commercial vehicles rather than construction or earthmoving equipment. He proposed a weight limit or size requirement to address concerns about large vehicles in residential areas.

The discussion also touched on issues such as height restrictions, the number of vehicles allowed, and the distinction between personal and commercial use. Council Members expressed differing opinions on how to approach the matter, with some advocating for a holistic policy and others prioritizing individual property rights.

Public Works Director Brian Clegg shared examples of cases involving heavy equipment storage and emphasized the need for clear definitions to guide enforcement actions.

In an effort to reach a consensus, Council Member Green suggested temporarily striking certain sections of the code while further reviewing and refining the definitions.

City Administrator Korban Lee recognized the challenge of navigating differing opinions of seven Council Members on the issue. In an effort to gather more insight and reach a consensus, he proposed providing a survey to gauge the opinions of the council members on various aspects of the regulation, which received support from the Council.

c. *Discussion of Station Area Plan – 5600 West Old Bingham Highway*

Senior Planner Tayler Jensen presented plans for the 5600 West Old Bingham Highway Station Area Plan. He highlighted key insights, seeking input from the Council. He outlined the strengths, weaknesses, opportunities, and threats for the station area and asked for ideas on potential amenities or developments in the area.

Council Members expressed various ideas, including the desire for unique attractions such as a Prohibition Bar or an amusement park. They discussed the importance of creating a vibrant and unique space that would attract visitors, potentially incorporating elements like a container park or entertainment and retail establishments.

In terms of process, Council Members expressed support for embracing a bold vision and changing land use to maximize the potential of the area. They discussed the possibility of online engagement through platforms like SurveyMonkey and emphasized the importance of communication and involvement throughout the planning process.

The discussion also touched on the future of the Trax lot, with plans to rezone the area and potentially incorporate it into the second phase of the Mountain View Corridor. Council Members emphasized the importance of involving stakeholders such as UTA, business partners, and Jordan School District in the planning process.

Overall, Council Members expressed a desire to stay involved and informed throughout the development process, emphasizing the importance of communication and collaboration with stakeholders to ensure the success of the project.

4. ADJOURN

Seeing no further business Chair Jacob adjourned the meeting.

The meeting adjourned at 8:59 pm

I certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on March 20, 2024. This document constitutes the official minutes for the West Jordan Committee of the Whole meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this ____ day of ____ 2024

DRAFT



REQUEST FOR COUNCIL ACTION

Action: Provide information to Council

Meeting Date Requested : 04/10/2024

Presenter: Tayler Jensen

Deadline of item : N/A

Applicant: Robbie Thomson, Utah Land Company

Department Sponsor: Community Development

Agenda Type: Upcoming Business

Presentation Time: 0

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Taylor Farms; 7218 South Temple Drive (1300 West); Rezone; Robbie Thomson/Utah Land Company (applicant)[Tayler Jensen/Brian Moore/Angelica Haro/Mike Jensen #32010 Parcels # 21-27-276-021-0000], 21-27-276-022-0000]

2. EXECUTIVE SUMMARY

Approval of a Rezone of approximately nine and three quarter (9.75) acres from *Agriculture 5 Acre Minimum Lots (A-5)* to *Single Family Residential 8,000 Square Foot Minimum Lots (R-1-8)*. Taylor Farms is located at 7218 South Temple Drive.

3. TIME SENSITIVITY / URGENCY

N/A

4. FISCAL NOTE

n/a

5. PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommend approval of the rezone of 9.75 acres from Agriculture 5 Acre minimum lots (A-5) to Single Family Residential 8,000 square foot minimum lots (R-1-8) to the West Jordan City Council, subject to all requirements of approval by a vote of 7-0 on March 19th, 2024

6. STAFF ANALYSIS

I. BACKGROUND:

The General Plan Defines *Low Density Residential* as:

“Development providing for low-intensity single-family detached residential uses typically found in suburban and traditional neighborhoods. 3.1 to 5.0 Dwelling Units per acre”

Brookside Animal Clinic currently operates as a legal-nonconforming use on the site, as the lot size (2 Acres) is under the 5-acre minimum of the zone, and the use: *“Veterinary Service”* is not a permitted use in the A-5 zone, but the use was legally permitted when it began operation. Under Utah State Code 10-9a-511 Legal Non-conforming uses and non-complying structures ” may be continued by the present or future property owner”

Rezone: The applicant is proposing to rezone the entire 9.75-acre parcel from *Agriculture 5 Acre Minimum lots (A-5)* to *Single Family Residential 8,000 Square Foot Minimum Lots (R-1-8)*. The

applicant is not proposing a subdivision at this time but has provided a concept plan, which shows that the property can be developed in accordance with the standards of the R-1-8 zone

II. GENERAL INFORMATION & ANALYSIS:

This property is located at approximately 7218 South Temple Drive (1300 West). The bulk of the property (7.75 acres) is vacant/undeveloped pastureland. The remaining 2-acres is the site of the *Brookside Animal Clinic* a Veterinary Service along with a pole barn and pasture.

The future land use designation for the entire property is *Low-Density Residential*, the proposed rezone to R-1-8 is appropriate within this Future Land Use Designation.

	Future Land Use	Zoning	Existing Conditions
North	Low-Density Residential	R-1-8A	Sunburst Village Residential Development
South	Low-Density Residential	R-1-8C	Jordan Downs & Erickson Estates, Residential Developments
West	Medium-Density Residential & Low-Density Residential	R-2 R-1-8C	Crystal Ridge & Erickson Estates Residential Developments
East	Medium-Density Residential	R-3-8(ZC) R-1-4(PS)	Milky Hollow & Canterbury Junction Residential Developments

The applicant is proposing to rezone the entire property to *Single-Family Residential 8,000 Square Foot Minimum Lot Sizes (R-1-8)*. The R-1-8 zone is appropriate within the *Low-Density Residential* future land use designation.

III. FINDINGS OF FACT:

Zoning Map Amendment

Section 13-7D-6(A): Zoning Map Amendment:

Amendments to the zoning map may be recommended for approval by the Planning Commission to the City Council only if affirmative determinations are made regarding each of the following criteria:

Finding 1: The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City’s General Plan.

Staff Analysis: The proposed amendment is consistent with the current vision of the General Plan which designates this property as *Low-Density Residential*. The R-1-8 is a zone that has been identified as appropriate within this land use designation. While only conceptual, the map shows 34 total lots for an overall project density of 3.79 DU/AC which falls well within the 3.1 to 5.0 DU/AC anticipated density range of the General Plan.

The 2023 West Jordan General Plan incorporates “Guiding Principles” instead of goals, the following Guiding Principles have been identified as significant for this project:

- A. Land Use – Land use decisions should be guided by the General Plan to protect existing land uses and minimize impacts to existing neighborhoods.
 - a. The proposed rezone complies with the adopted General Plan, including proposed zoning, and project density
- B. Housing – Encourage a balanced variety of housing types that meet the needs of all life stages with a mix of opportunities for today and the future.
 - a. The proposed rezone will provide additional property zoned for Single-Family Residential, promoting the development of additional properties that will promote an appropriate balance of housing, as defined by West Jordan Municipal Ordinance.

Staff Opinion: It is the opinion of staff that the proposed rezone is consistent with the purposes, goals, objectives, and policies of the adopted General Plan and Future Land Use Map.

Finding 2: The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Staff Analysis: The proposed development will match the zoning of properties located to the North and South of the subject property, both of which are zoned R-1-8 while remaining less dense than projects located to the East and West (Zoned R-2, R-3-8, and R-1-4)

Staff Opinion: The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Finding 3: The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.

Staff Analysis: The proposed amendment will connect into existing road stubs at 1470 West and Liesel Street, increasing connectivity in the area which benefits active transportation, and pedestrians. The connection of roadways also serves health and safety by potentially opening up quicker emergency response times, and providing additional ingress and egress.

Staff Opinion: The proposed amendment furthers the public health, safety, and general welfare of the citizens of the city.

Finding 4: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Staff Analysis: The proposed amendment is consistent with current Future Land Use Designations and public service master plans, meaning the city should have no difficulties servicing the development. This proposal has been reviewed by public services, public utilities, public works, and the fire service.

Staff Opinion: the proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change.

Finding 5: The proposed amendment is consistent with the provisions of any applicable overlay zoning

districts which may impose additional standards.

Staff Analysis: The proposed amendment is not subject to any applicable overlay zoning districts.

Staff Opinion: The proposed amendment is not subject to any applicable overlay zoning districts.

7. MOTION RECOMMENDED

8. MAYOR RECOMMENDATION

9. PACKET ATTACHMENT(S)

Exhibit A: Ordinance No. 24-xx

Exhibit B: Conceptual Plan

Exhibit C: West Jordan Future Land Use Map

Exhibit D: Current Zoning Map

Exhibit E: Proposed Zoning Map

10. OTHER INFORMATION

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Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
DAY OF _____ 2024.

CITY OF WEST JORDAN

By: _____
Zach Jacob
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council	"YES"	"NO"
Council Chair Zach Jacob	<input type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Chad Lamb	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kelvin Green	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Pamela Bloom	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kent Shelton	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Bob Bedore	<input type="checkbox"/>	<input type="checkbox"/>

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.

Mayor's Action: _____ Approve _____ Veto

By: _____
Mayor Dirk Burton Date

ATTEST (see next page):

135
136
137 **Attachment 1 to**
138 **ORDINANCE NO. 24-18**

139 **AN ORDINANCE FOR APPROXIMATELY 9.75 ACRES OF PROPERTIES LOCATED AT**
140 **APPROXIMATELY 7220 SOUTH 1300 WEST,**
141 **IDENTIFIED AS TAYLOR FARMS PROJECT; AND**

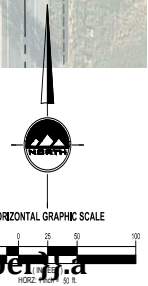
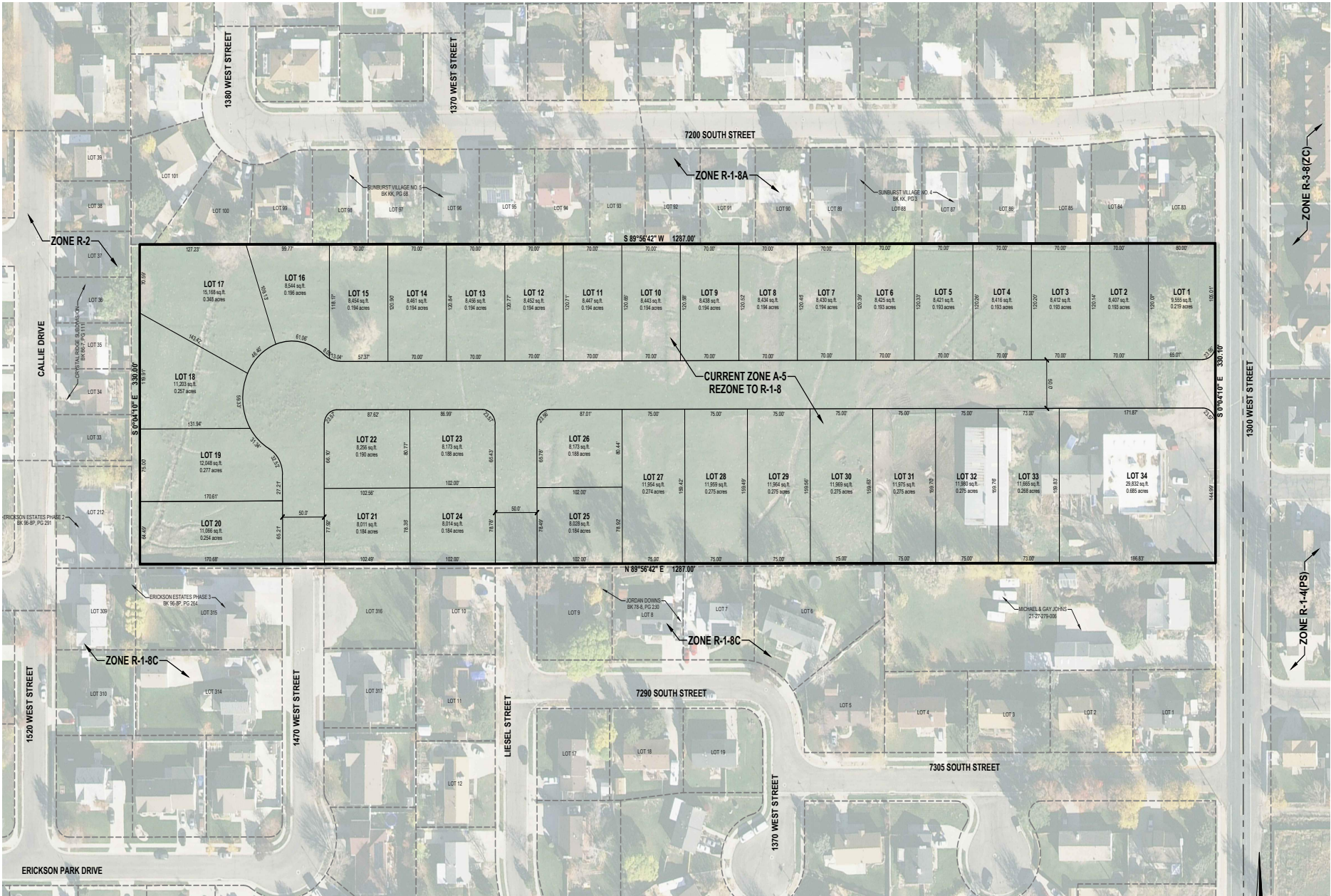
142 **AMENDING THE ZONING MAP FOR TAYLOR FARMS PROJECT**

143 **Parcel Numbers 21-27-276-021 and 21-27-276-022**

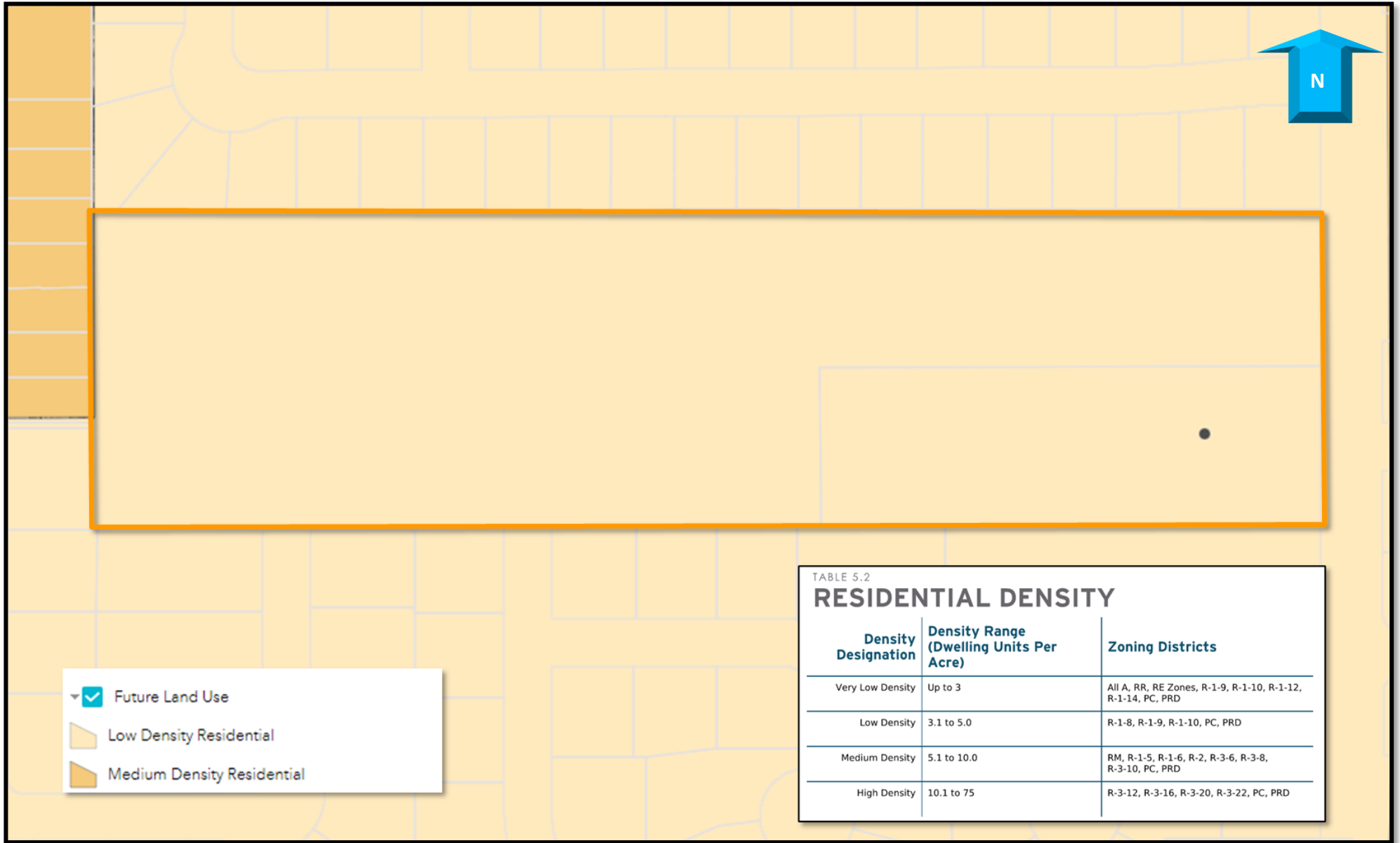
144
145 ***LEGAL DESCRIPTION:***
146

TAYLORS SUBDIVISION
7218 SOUTH TEMPLE DRIVE
WEST JORDAN CITY, UTAH

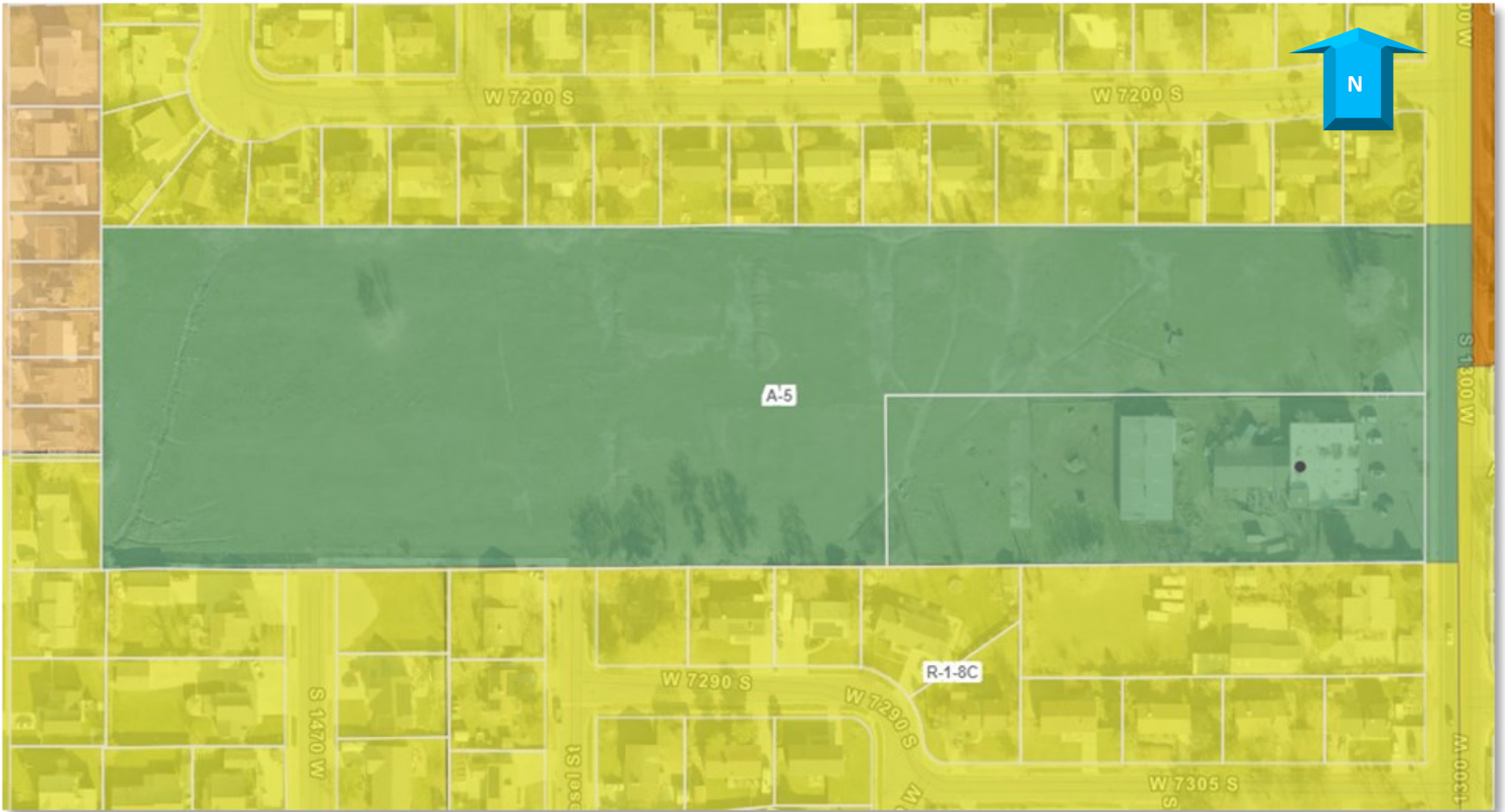
ZONING PLAN
MAP ADJUSTMENT
CONCEPT EXHIBIT



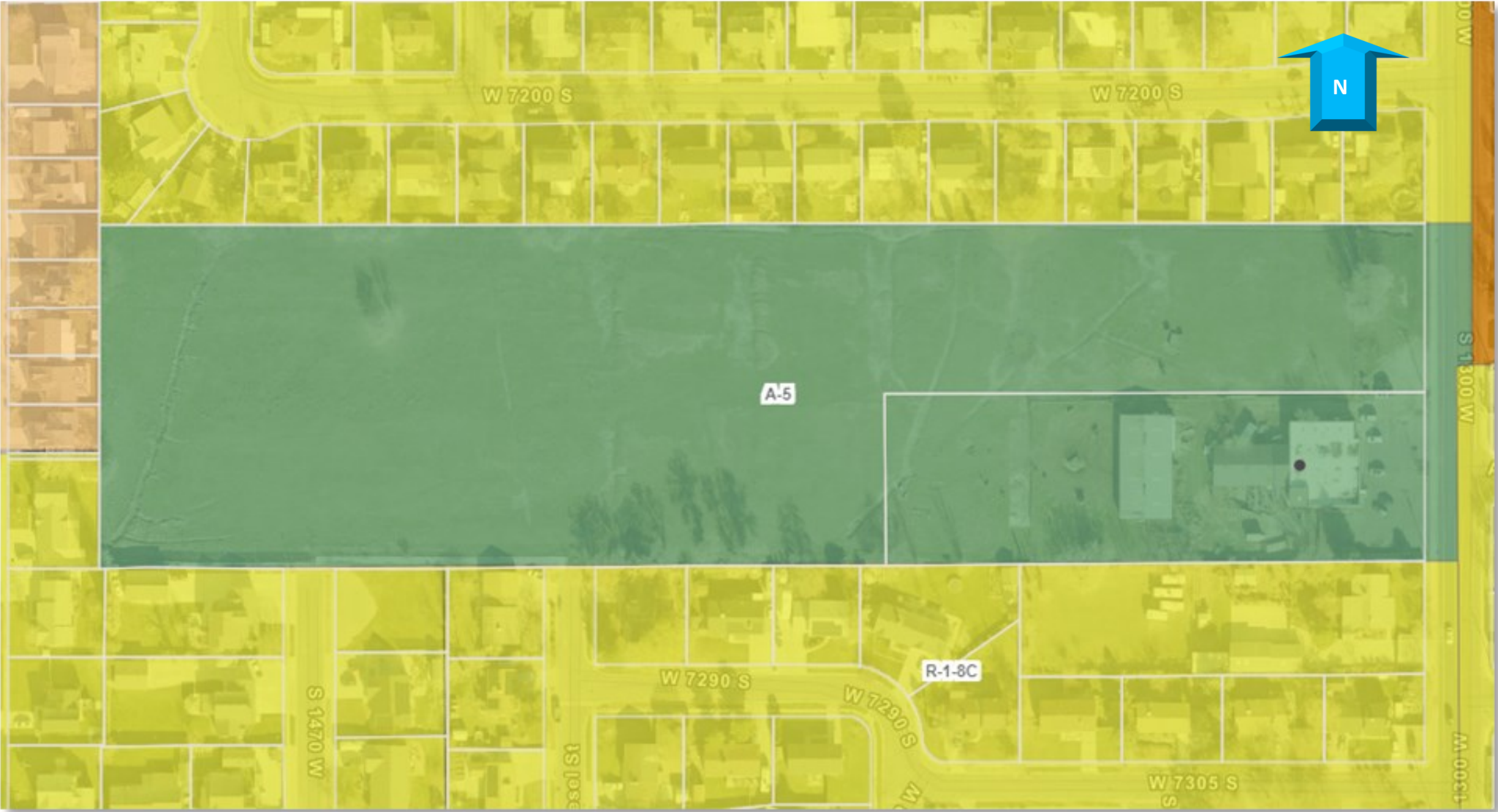
section number 1111



Attachment C—West Jordan Future Land Use Map



Attachment D—Current Zoning Map



Attachment E—Proposed Zoning Map