

REQUEST FOR COUNCIL ACTION

SUBJECT:

Proposed amendments to Title 1, Chapters 7 and 8, 2009 City Code, dealing with Creation of Parks and Trails Department and Reorganization of Administrative Services Department.

SUMMARY:

The proposed changes create the Parks Department and Administrative Services Department, changes that were delayed by the press of pending litigation and the departure of the City Attorney.

FISCAL IMPACT:

The current budget already recognizes the Parks Department and the reorganized Administrative Services Department.

STAFF RECOMMENDATION:

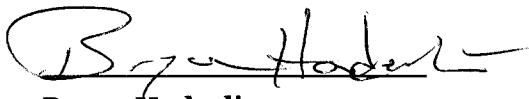
Staff recommends adoption of the proposed changes.

MOTION RECOMMENDED:

"I move that the City Council adopt and approve Ordinance 15-~~22~~²³, amending Title 1, Chapters 7 and 8 dealing with City Administration and Government, all as provided in the Ordinance attached to the Request for Council Action."

Roll Call Vote required. not required.

Recommended By



Bryce Haderlie
Interim City Manager

Reviewed by:



Robert Thorup
Deputy City Attorney

BACKGROUND DISCUSSION:

Objective

As the City recovers from the recession and works to meet regulatory requirements, an opportunity to implement no-cost efficiency measures have arisen to be able save on-going money and increase service to the residents.

History

In 2008 as the recession was beginning to take a toll on the City and in an effort to reduce expenses, it was decided to eliminate the concrete crew from the Public Works Department and to divert the \$750,000 previously allocated from the telecom tax to other general fund priorities. The results of this decision were seen through the cost savings in personnel, by putting off sidewalk work and minimizing expenses related with manhole raising/lowing and use of the previously allocated portion of the telecom funds in other areas. As a result of the reduced revenue the City saw, funding was tightened and concrete maintenance work was reduced as a priority.

In the time since those cost saving measures were implemented the need for more the attention to concrete related items has increased. In terms of the sidewalk curb ramps, regulation has required the replacement of old and outdated pedestrian ramps and to conform to ADA standards. Also, as development has begun to pick up, the need to raise and lower manholes for asphalt overlays has occurred more frequently. Along with demand to address hazardous sidewalks, several claims have been filed with the City regarding accidents associated with trips and falls on uneven sidewalk panels. With this increase in need and without the availability of the telecom funds, it has resulted in the use of a portion of the C-Road funds being spent each year on several contracts to address the concrete needs.

Recent review has determined that as the size of contracted labor increases, the value to the City and its residents has decreased. It is no longer cost effective to use contracted labor to address concrete needs.

Existing Situation

To clarify the opportunity, it is important to understand the details regarding the current situation.

Existing Expenses

In the 2014/2015 Fiscal Year, the City contracted out much of its needed concrete work.

- \$208,550.00 to raise/lower 240 manholes and 150 monuments and water valves
- \$147,887.50 to replace 74 curb ramps to bring into conformance with ADA rules
- \$55,000.00 to build or recreate concrete collars around manholes
- \$150,000 for safe sidewalks

The City currently spends \$561,437.50 out of the C-Roads funds in contracted work for concrete items. The City is also usually appropriated an additional \$150,000 from the CDBG funds for sidewalk curb ramp replacement (which didn't happen in 2014). This is all in addition to the

concrete work orders that are being addressed by the asphalt construction crews.

Existing Efforts

In the absence of a dedicated concrete crew, when concrete related work orders are requested by residents, they go onto a list for the asphalt work crews to do between asphalt projects. Currently, sidewalk issues represent the most common work order request made by residents to the Public Works Department. Typically, major asphalt projects run from the spring through the fall and usually take about two weeks per job. The work crews began spending an increasingly amount of time between asphalt projects to address several concrete work orders. This has begun to result in scheduled project delays for the asphalt crews as they address the urgent concrete needs. These crews recently received approval to work overtime to address the growing list of concrete related issues and still be able to maintain their paving schedule. Regardless of the overtime, the efficiency of the asphalt crews has been impacted by the need to postpone overlay projects to address concrete work orders. This calendar year, the requests from residents for concrete related work, whether it is heaved, cracked, or uneven sidewalks or curb and gutter panels has been much higher than in previous years.

The City is currently using budgeted money for interns and seasonal to locate and identify sidewalk deficiencies (trip hazards, heaved, broken or deteriorated panels, etc.) in the City. Additionally, curb ramps are actively being identified that do not meet current ADA standards. Currently with just under 25% of the City surveyed, we currently have:

- 375 spalled or worn sidewalk panels identified
- 3,943 trip hazards
- 1,084 curb ramps that have been identified for ADA replacement

We also have identified 89 sidewalk projects totaling 201,714 linear feet of sidewalk that is missing along the right-of-way at an estimated cost of about \$19.4 million.

Efficiency

We reviewed the contracts for the manhole raising/lowering, replacing curb ramps, and performing new sidewalk installations to determine how much work was being performed each week and at what cost it was being done. We found that the City was consistently paying about \$15,000 for a 5-person crew to perform a week's worth of concrete work, regardless of the type of concrete work being performed when under an outside contract. In other words, the City is paying \$3,000 per person, per week to perform concrete work on City projects.

If a five-person concrete crew were contracted by the City to fulfill the various contracts for ADA ramps, manhole raising/lowering, new sidewalk installations, etcetera, it would cost \$540,000 for that five-person concrete crew to work 36-weeks through a year, if done by contract at the current market rates.

Current policy states that in non-hazardous areas where a resident wishes to fix a sidewalk in front of their property, that if they provide for or pay for the materials that city crews will perform the labor to replace the sidewalk. This policy is a remnant from before 2008 when there was a concrete crew. Presently, if a resident calls to request this process, work crews are pulled from the asphalt teams to be able to work with the resident. A thorough review of the policy has begun. There are several items in the policy that aren't consistent with current practices. When

the review has been completed, it is anticipated that various changes will be presented to Council for their review.

Proposal

To be able to reduce costs and/or accomplish more work for the money being spent, it is proposed that the City re-establish the concrete crew and perform the concrete work using in-house staff.

Expenses under the Proposal

Cost estimates have been made to what it would cost for the concrete work to be performed internally. To perform the same level of work by internal staff for 36-weeks, it's estimated that it would cost \$387,514 broken down in the following:

- \$283,977 for salaries and benefits for five person crew of various skill levels (52-week, full-time)
- \$103,537 supplies, tools, and equipment annually (assuming 36-weeks for concrete work is performed)

To clarify the vehicular costs, the Equipment expenses would include a 10-wheel dump truck (\$210,000 cost) and an F-350 truck (\$51,900) that would be used by the entire crew. The F-350 would have a crew cab that would be able to seat up to four people. Typically, the F-350 would be purchased outright and the dump truck would be leased or financed to spread the payment over time. In summary, there would be a one-time expense of \$51,900 for the F-350 truck and an annual expense of about \$30,000 (if financed over seven years) for the 10-wheel dump truck. Both vehicles include the snowplow packages to be able to use them for plowing snow during winter months.

To cover some of the up-front, one-time expenses, the City expects to begin seeing an increase to the B&C Road fund allocation based upon recent changes in transportation funding by the state legislature. Additional money is expected based upon the revised gas tax calculations with another potential increase from the local option sales tax which is going before voters this November. In addition to other street maintenance needs, this additional money can help pay for some of the expenses, if necessary.

Proposed Efforts and Efficiencies

In addition to the cost savings associated with the actual crew, there is a number of intangible benefits to having the work performed with city staff. Although the labor is estimated at 36-weeks, typically concrete crews can start earlier and work later into the year, when compared to asphalt teams and can address more issues (concrete work can be done in non-freezing temperatures where asphalt work must be 50 degrees and rising). During winter months, as mentioned, both vehicles are available with salt and plow packages to be able to be used during plowing situations for the City.

Being able to rely upon a specific concrete crew, will allow the flexibility to address concrete related work orders in a timely and agile manner. It should also restore the schedule and efficiency of the asphalt crews by not having them use valuable paving time with concrete work orders. It also provides a proactive approach to resolving those sidewalk deficiency issues to minimize risk due to sidewalk accidents.

With the nature of concrete work and the need to address all manner of problems, there won't be a time that the crew couldn't be used to address the needs of the City. It is estimated that during the year they would be able to work along the following sample schedule dependent upon weather (note that these are estimates that could be adjusted based upon need and value that can be provided):

November-February: Grinding/fixing trip hazards (dry and below freezing temperatures), snow plow as necessary, and small projects as weather permits (above freezing temperatures)

March-October: curb ramp replacement (12 weeks), hazardous sidewalk repair (5 weeks), concrete collars (4 weeks), raise/lower manholes (3 weeks), construct missing sidewalks/projects on deficiency list (10 weeks)

It is the intent to use the proposed crew to the best use possible. Since, it appears that the deficiencies in ADA ramps and sidewalk deficiencies are substantial, the City may still use contracts for minor items like raising or lowering of valves, monuments, and manholes, to ensure that the most efficient process and greatest value is received by the City.

Summary

The City of West Jordan has an increasing demand for repair and construction of concrete related street elements from pedestrian ramp replacement, to the raising and lowering of manholes, sidewalk repairs, and the construction of new sidewalk. An opportunity has arisen that would reduce costs, continue safety efforts, improve asphalt crew efficiency, and add a number of other benefits by re-establishing an in-house concrete crew and by providing the work using city staff. It is recommended that staff be authorized to use existing C-Road funds to re-establish the City's concrete crew.

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

RESOLUTION NO. 15-170

A RESOLUTION AUTHORIZING STAFF TO RE-ESTABLISH A CONCRETE CREW TO PERFORM CONCRETE RELATED WORK WITHIN THE CITY

Whereas, the City Council of the City of West Jordan has reviewed the costs associated with contracting out concrete related work; and

Whereas, the City of West Jordan has determined that performing concrete related work using in-house staff provides financial and intangible value to the City and its residents; and

Whereas, the City Council desires to improve the efficiency of existing work crews assigned to labor in other concentrations; and

Whereas, the City of West Jordan can improve the level of service and address deficiencies with no additional cost;

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH:

Section 1. Staff is hereby authorized to utilize existing C-Road funds to hire a five-person concrete crew along with all appropriate tools, materials, and equipment related to performing concrete work in the City.

Section 2. This Resolution shall take effect immediately.

Adopted by the City Council of West Jordan, Utah, this 25th day of August 2015.

KIM V. ROLFE
Mayor

ATTEST:

MELANIE S. BRIGGS
City Recorder

Voting by the City Council	"AYE"	"NAY"
Jeff Haaga	_____	_____
Judy Hansen	_____	_____
Chris McConnehey	_____	_____
Chad Nichols	_____	_____
Sophie Rice	_____	_____
Ben Southworth	_____	_____
Mayor Kim V. Rolfe	_____	_____

REQUEST FOR COUNCIL ACTION

SUBJECT:

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SUMMARY:

The proposed changes create the Parks Department and Administrative Services Department, changes that were delayed by the press of pending litigation and the departure of the City Attorney.

FISCAL IMPACT:

The current budget already recognizes the Parks Department and the reorganized Administrative Services Department.

STAFF RECOMMENDATION:

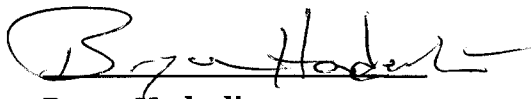
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MOTION RECOMMENDED:

"I move that the City Council adopt and approve Ordinance 15-~~22~~²³, amending Title 1, Chapters 7 and 8 dealing with City Administration and Government, all as provided in the Ordinance attached to the Request for Council Action."

Roll Call Vote required. not required.

Recommended By



Bryce Haderlie
Interim City Manager

Reviewed by:



Robert Thorup
Deputy City Attorney

Parks and Administrative Services Departments

The City Council's decision to create a parks department that is split off from the public works department, and the decision to realign the administrative services department with identifiable divisions under the Assistant City Manager all require changes to the 2009 City Code. These changes were drafted at or about the time of the actual decisions, but these changes were lost on the desk of the City Attorney because of the press of litigation demands and then the loss of the City Attorney. The proposals include changes to the public works department to strip out the functions being assigned to the new parks department.

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 15-23 [PARKS DEPARTMENT]

AN ORDINANCE AMENDING TITLE 1, "ADMINISTRATION" AND TITLE 8, "PUBLIC WORKS, PUBLIC WAYS AND PROPERTY."

WHEREAS, the City of West Jordan adopted a City Code in 2009, for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the city and its officers, employees and inhabitants, and to provide for the safety, preserve the health, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the city and its inhabitants, and to protect property in the city; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2009 City Code, and the public health and welfare, will best be reached by the adoption of the following amendments to Title 1, Chapters 7 and 8 and Title 8, Chapter 14 of the 2009 City Code.

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. Title 1, Chapter 7, Article C, Section 1 of the 2009 City Code shall hereafter read as follows:

1-7C-1: STRUCTURE OF THE EXECUTIVE/ADMINISTRATIVE BRANCH:

- A. General Structure: The executive/administrative branch of city government is structured between the city manager and the various departments, boards and commissions, offices and officers appointed by the city manager.
- B. Departments: The executive/administrative branch of city government consists of such departments and offices created by state statute, or by the city manager. Each department and office shall be administered by a director appointed by the city manager, who shall be head of that department or office, and who shall appoint and manage such subordinate officers and employees as the city manager may approve. These departments and offices shall be:
 - 1. Administrative services.
 - 2. Fire.

3. Police.
 4. Public works.
 5. Development.
 6. City attorney.
 7. Office of the city manager.
 8. Parks and Trails.
- C. City Manager Authority To Reorganize: The city manager may, with the advice and consent of the city council, create, consolidate or abolish departments, divisions and offices except those prescribed by statute.
- D. Justice Court: A separate and judicially independent division shall be known as court services and shall be comprised of justice court judges and staff. (2001 Code § 2-4-301; amd. 2009 Code; Ord. 09-13, 4-14-2009; Ord. 15-___, 08-25-2015)

Section 2. Title 1, Chapter 8, Article A, Section 3 of the 2009 City Code shall hereafter read as follows:

1-8A-3: DEPARTMENT DIVISIONS:

The department of administrative services shall consist of the following divisions:

Finance division

Information technology division

Community affairs division

Human resources division

Internal services division

as well as such department level personnel and functions as may be appropriate and necessary. The director of administrative services may, with the concurrence of the city manager, make such work assignments and assign such duties for the personnel within the department as may be deemed appropriate. (Ord. 09-13, 4-14-2009;amd. Ord. 15-23, 08-25-2015)

Section 3. Title 1, Chapter 8, Article A, Section 4 of the 2009 City Code shall be deleted and designated as Reserved.

Section 4. Title 1, Chapter 8, Article G, Section 2 of the 2009 City Code shall hereafter read as follows:

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

A. Duties: The director of public works shall:

1. Be responsible for street construction, maintenance and snow removal;
2. Regulate street signs;
3. Make recommendations on equipment purchases;
4. Supply and distribute culinary water to the public and maintain water, sanitary and storm sewer lines;
5. Ensure that residential refuse is collected and disposed of on a routine basis;
6. Administer contracts for public works projects;
7. Design city projects, conduct traffic studies, review and process subdivision development plans and inspect all public improvements;
8. Perform such other duties as are imposed by city ordinance or direction of the city manager.
9. Manage and administer the engineering function in city government.

B. Other Duties Assigned By City Manager: The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit the city manager from prescribing additional duties or responsibilities for the director of public works or assigning the designated duties and responsibilities to another director, as the city manager shall deem appropriate. (2001 Code § 2-5-502; 2009 Code § 1-8D-2; amd. Ord. 09-13, 4-14-2009; Ord. 15-23, 08-25-2015)

Section 5. Title 1, Chapter 8, Article H, Section 1 and 2 of the 2009 City Code shall hereafter read as follows:

ARTICLE H. DEPARTMENT OF PARKS AND TRAILS

1-8H-1: Department Divisions:

1-8H-2: Duties and Responsibilities of Director:

1-8H-1: DEPARTMENT DIVISIONS:

The department of parks and trails shall consist of the following functional divisions:

Public services division

Parks maintenance division

Urban forestry

Cemetery

as well as such department level personnel and functions as may be appropriate and necessary. The director of parks and trails may, with the concurrence of the city manager, make such work assignments and assign such duties for the personnel within the department as may be deemed appropriate. (Ord. 15-~~23~~, 08-25-2015)

1-8H-2: DUTIES AND RESPONSIBILITIES OF DIRECTOR:

A. Duties: The director of parks and trails shall:

1. Maintain all parks, public grounds, and cemetery grounds and other real property owned by the city;
2. Perform such services as necessary for the proper functioning of the cemetery;
3. Maintain and improve the city's urban forestry resources
4. Maintain the public walkways associated with city hall and other city facilities free from snow and ice.
5. Coordinate as needed with the events staff in the department of administrative services on special event scheduling and arrangements.

B. Other Duties Assigned By City Manager: The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit the city manager from prescribing additional duties or responsibilities for the director of public works or assigning the designated duties and responsibilities to another director, as the city manager shall deem appropriate. (Ord. 15-~~23~~, 08-25-2015)

Section 6. Title 8, Chapter 14, Sections 2, 9, 10 and 11 of the 2009 City Code shall hereafter read as follows:

8-14-2: MAINTENANCE AND OPERATION RESPONSIBILITY:

The parks and trails director or his/her designee shall be responsible for the maintenance and operation of the city cemetery. All markers, planting, improvements or other work of any nature or description must be done under his/her direction and control. No person owning burial rights in the city cemetery shall plant, grade or do any work in the cemetery except by his/her written permission. The parks and trails director shall keep a record of the death and place of burial of every person so reported to him/her. The record shall be open to inspection by the public. (2001 Code § 26-1-102; amd. 2009 Code; Ord. 15-~~23~~ 08-25-2015)

8-14-9: BURIAL OF INDIGENTS:

The city manager and the parks and trails director may authorize the burial of indigents in the city cemetery without the payment of the fees required by this chapter. (2001 Code § 26-1-110; amd. 2009 Code; Ord. 15-~~23~~ 08-25-2015)

8-14-10: REGULATIONS:

The parks and trails director may promulgate rules and regulations necessary for the operation of the city cemetery and not inconsistent with this chapter. (2001 Code § 26-1-111; amd. Ord. 15-~~23~~ 08-25-2015)

8-14-11: PROHIBITED ACTS:

- A. Animal Control: It is unlawful for any person to allow or permit animals to run at large or trespass on city cemetery grounds.
- B. Injury To Or Removal Of Property: It is unlawful for any person to injure, deface, destroy or remove from the grave or lot any monument, marker, tree, shrub, flower, ground or any other property or ornament in the city cemetery, except by written permission of the parks and trails director. For the purposes of this subsection, the person who removes such property shall be deemed not to be the owner unless he has previously obtained from the public works director written permission for such removal.
- C. Vehicles: It is unlawful for any person, except for official city maintenance personnel in the performance of their duties, to drive any vehicle over any grave or upon any nonpaved area of the city cemetery, or to drive any motor vehicle at a speed in excess of fifteen (15) miles per hour.
- D. Dogs: It is unlawful for any person to allow any dog under his/her control or ownership, other than a guide or service dog, specially trained for that purpose, accompanying a blind, visually handicapped, hearing impaired or otherwise physically disabled person, to be within the city cemetery, even if under leash.

- E. **Certificate Required:** It is unlawful for any person to inter any person in the city cemetery without first acquiring a right to be buried as evidenced by a duly issued certificate of burial right or other acceptable proof.
- F. **Disinterment:** It is unlawful for any person to disinter any human body buried in the city cemetery or in any cemetery within the limits of the city except under the direction of the city sexton. Before disinterment, the city sexton shall require a permit issued by the board of health and a written order from the owner of the burial right authorizing such removal, which order shall be filed and preserved by the city sexton. All such removals shall be recorded by the city sexton in a book kept for that purpose. (2001 Code § 26-1-113; amd. 2009 Code; Ord. 15-~~23~~, 08-25-2015)

Section 7. Additions or amendments to the 2009 City Code when passed in such form as to indicate the intention of the city council to make the same a part of the 2009 City Code shall be deemed to be incorporated in the 2009 City Code, so that reference to the 2009 City Code hereafter includes the additions and amendments.

Section 8. This Ordinance shall become immediately effective.

Passed and adopted by the City Council of the City of West Jordan, Utah this 25th day of August, 2015.

CITY OF WEST JORDAN

By: _____
 KIM V. ROLFE
 Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
 City Clerk

Voting by the City Council	“AYE”	“NAY”
Council Member Jeff Haaga	_____	_____
Council Member Judy Hansen	_____	_____
Council Member Chris McConnehey	_____	_____
Council Member Chad Nichols	_____	_____
Council Member Sophie Rice	_____	_____
Council Member Ben Southworth	_____	_____
Mayor Kim V. Rolfe	_____	_____

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2015, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]

Legislative

1-7C-1: STRUCTURE OF THE EXECUTIVE/ADMINISTRATIVE BRANCH:

- A. General Structure: The executive/administrative branch of city government is structured between the city manager and the various departments, boards and commissions, offices and officers appointed by the city manager.
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1. Administrative services.
 2. Fire.
 3. Police.
 4. Public works.
 5. Development.
 6. City attorney.
 7. Office of the city manager.
 8. Parks and Trails.
- C. City Manager Authority To Reorganize: The city manager may, with the advice and consent of the city council, create, consolidate or abolish departments, divisions and offices except those prescribed by statute.
- D. Justice Court: A separate and judicially independent division shall be known as court services and shall be comprised of justice court judges and staff. (2001 Code § 2-4-301; amd. 2009 Code; Ord. 09-13, 4-14-2009; Ord. 15-____, 08-25-2015)

- 1-8A-1: APPOINTMENT OF DIRECTOR:
- 1-8A-2: DUTIES AND RESPONSIBILITIES OF DIRECTOR:
- 1-8A-3: DEPARTMENT DIVISIONS:
- 1-8A-4: RESERVED DIRECTOR OF FINANCE:
- 1-8A-5: CITY TREASURER:

1-8A-3: DEPARTMENT DIVISIONS:

The department of administrative services shall consist of the following divisions:

Finance division

Information technology division

Community affairs division

Human resources division

Internal services division

~~finance division, the information technology division and the human resources division,~~ as well as such department level personnel and functions as may be appropriate and necessary. The director of administrative services may, with the concurrence of the city manager, make such work assignments and assign such duties for the personnel within the department as may be deemed appropriate. (Ord. 09-13, 4-14-2009; amd. Ord. 15-____, 08-25-2015)

1-8A-4: RESERVED DIRECTOR OF FINANCE:

~~Pursuant to Utah Code Annotated section 10-6-157, a qualified person shall be appointed as the director of finance to perform the duties as specified in the uniform fiscal procedures act for Utah cities, Utah Code Annotated title 10, chapter 6, or any successor provisions. (2001 Code § 2-7-204; amd. 2009 Code § 1-8G-1; Ord. 09-13, 4-14-2009; Ord. 15-____, 08-25-2015)~~

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

A. Duties: The director of public works shall:

1. Be responsible for street construction, maintenance and snow removal;
2. Regulate street signs;
3. Make recommendations on equipment purchases;
4. ~~Repair, service and maintain all equipment and vehicles owned by the city;~~
- 5 4. Supply and distribute culinary water to the public and maintain water, sanitary and storm sewer lines;
- 6 5. Ensure that residential refuse is collected and disposed of on a routine basis;

~~7. Maintain all parks and cemetery grounds and other real property owned by the city;~~

~~8. Perform such services as necessary for the proper functioning of the cemetery;~~

~~9~~ 6. Administer contracts for public works projects;

~~10~~ 7. Design city projects, conduct traffic studies, review and process subdivision development plans and inspect all public improvements;

~~11~~ 8. Perform such other duties as are imposed by city ordinance or direction of the city manager.

~~12~~ 9. Manage and administer the engineering function in city government.

- B. Other Duties Assigned By City Manager: The enumeration of the foregoing duties and responsibilities shall not be deemed to prevent or limit the city manager from prescribing additional duties or responsibilities for the director of public works or assigning the designated duties and responsibilities to another director, as the city manager shall deem appropriate. (2001 Code § 2-5-502; 2009 Code § 1-8D-2; amd. Ord. 09-13, 4-14-2009; Ord. 15-____, 08-25-2015)

ARTICLE H. DEPARTMENT OF PARKS AND TRAILS

1-8H-1: Department Divisions:

1-8H-2: Duties and Responsibilities of Director:

1-8H-1: DEPARTMENT DIVISIONS:

The department of parks and trails shall consist of the following functional divisions:

Public services division

Parks maintenance division

Urban forestry

Cemetery

as well as such department level personnel and functions as may be appropriate and necessary. The director of parks and trails may, with the concurrence of the city manager, make such work assignments and assign such duties for the personnel within the department as may be deemed appropriate. (Ord. 15-____, 08-25-2015)

1-8H-2: DUTIES AND RESPONSIBILITIES OF DIRECTOR:

A. Duties: The director of parks and trails shall:

- 1. Maintain all parks, public grounds, and cemetery grounds and other real property owned by the city;**
- 2. Perform such services as necessary for the proper functioning of the cemetery;**
- 3. Maintain and improve the city's urban forestry resources**
- 4. Maintain the public walkways associated with city hall and other city facilities free from snow and ice.**
- 5. Coordinate as needed with the events staff in the department of administrative services on special event scheduling and arrangements.**

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The ~~public works~~ parks and trails director or his/her designee shall be responsible for the maintenance and operation of the city cemetery. All markers, planting, improvements or other work of any nature or description must be done under his/her direction and control. No person owning burial rights in the city cemetery shall plant, grade or do any work in the cemetery except by his/her written permission. The ~~public works~~ parks and trails director shall keep a record of the death and place of burial of every person so reported to him/her. The record shall be open to inspection by the public. (2001 Code § 26-1-102; amd. 2009 Code; Ord. 15-___, 08-25-2015)

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The city manager and the ~~public works~~ parks and trails director may authorize the burial of indigents in the city cemetery without the payment of the fees required by this chapter. (2001 Code § 26-1-110; amd. 2009 Code; Ord. 15-___, 08-25-2015)

8-14-10: REGULATIONS:

The ~~public works~~ parks and trails director may promulgate rules and regulations necessary for the operation of the city cemetery and not inconsistent with this chapter. (2001 Code § 26-1-111; amd. Ord. 15-___, 08-25-2015)

8-14-11: PROHIBITED ACTS:

- A. Animal Control: It is unlawful for any person to allow or permit animals to run at large or trespass on city cemetery grounds.
- B. Injury To Or Removal Of Property: It is unlawful for any person to injure, deface, destroy or remove from the grave or lot any monument, marker, tree, shrub, flower, ground or any other property or ornament in the city cemetery, except by written permission of the ~~public works~~ parks and trails director. For the purposes of this subsection, the person who removes such property shall be deemed not to be the owner unless he has previously obtained from the public works director written permission for such removal.
- C. Vehicles: It is unlawful for any person, except for official city maintenance personnel in the performance of their duties, to drive any vehicle over any grave or upon any nonpaved area of the city cemetery, or to drive any motor vehicle at a speed in excess of fifteen (15) miles per hour.
- D. Dogs: It is unlawful for any person to allow any dog under his/her control or ownership, other than a guide or service dog, specially trained for that purpose, accompanying a blind, visually handicapped, hearing impaired or otherwise physically disabled person, to be within the city cemetery, even if under leash.
- E. Certificate Required: It is unlawful for any person to inter any person in the city cemetery without first acquiring a right to be buried as evidenced by a duly issued certificate of burial right or other acceptable proof.
- F. Disinterment: It is unlawful for any person to disinter any human body buried in the city cemetery or in any cemetery within the limits of the city except under the direction of the city sexton. Before disinterment, the city sexton shall require a permit issued by the board of health and a written order from the owner of the burial right authorizing such removal, which order shall be filed and preserved by the city sexton. All such removals shall be recorded by the city sexton in a book kept for that purpose. (2001 Code § 26-1-113; amd. 2009 Code, Ord. 15-____, 08-25-2015)