

Ordinance 2024-025

**AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH;
AMENDING TITLE 1 CHAPTER 11 “GOVERNMENT STRUCTURE” UPDATING
THE ORDINANCE TO REFLECT PREVIOUSLY ADOPTED CHANGES IN VARIOUS
DEPARTMENTS INCLUDING SEPARATE PARKS DEPARTMENT AND
RECREATION DEPARTMENT, INCLUDING THE POSITION OF FINANCE
DIRECTOR; MAKING OTHER TECHNICAL CHANGES AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the legislative body has previously adopted ordinances regulating the organizational structure and various departments of the City; and

WHEREAS, the City is authorized by Utah Code § 10-8-84 to “pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants. . .”; and

WHEREAS, the legislative body desires to update the municipal code to reflect changes that have occurred in certain departments’ duties and responsibilities; and

WHEREAS, the City Council has determined that it is in the best interests of the citizens or Pleasant Grove to codify these changes; and

WHEREAS, the City Council finds it necessary to update its ordinance to accommodate for changing circumstances and changing state regulations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah, as follows:

SECTION 1: Title 1 Chapter 11 “Government Structure” shall be amended as follows:

CHAPTER 11
GOVERNMENT STRUCTURE

SECTION:

1-11-1: City Administrator

1-11-2: City Organization Specified

1-11-3: Organizational Chart

1-11-4: Departments And Directors

1-11-4-1: Public Safety Department

1-11-4-2: Community Development Department

~~1-11-4-3: Parks and Recreation Department~~

1-11-4-3: Parks Department

1-11-4-4 Recreation Department

1-11-4-~~4~~5: Library And Arts Department

1-11-4-~~5~~6: Legal Department

1-11-4-~~6~~7: Engineering Department

1-11-4-~~7~~8: Public Works Department

1-11-5: Authority And Duties Of Other Officers

1-11-5-1: City Recorder

1-11-5-2: City Treasurer

1-11-5-3: Finance Director

1-11-5-~~3~~4: Justice Of The Peace

1-11-1: CITY ADMINISTRATOR:

A. Appointment: The mayor, with the advice and consent of the city council, may appoint a city administrator to exercise the duties prescribed herein which are consistent with state law. The city administrator shall be appointed on the basis of ability and prior experience in the field of public administration, together with such other qualifications as may be prescribed. The city administrator may be removed by the mayor with the advice and consent of the city council. Except as the mayor may otherwise direct, and except as otherwise provided in this section, the city administrator may exercise the administrative powers of the city, including the signing of contracts. (Ord. 2002-5, 2-5-2002; amd. 2003 Code)

B. Powers And Duties: The city administrator's powers and duties may include, but are not limited to, the following, insofar as the mayor directs in each case:

1. Supervising the administration and enforcement of all laws, this code, and other ordinances of the city as they affect the city departments;
2. Executing the policies affecting the city departments that are adopted by the city council;
3. Recommending to the mayor the hiring, discipline or termination of department directors appointed by the mayor;
4. Conducting performance evaluations and recommending pay adjustments for department directors as prescribed by this code, other city ordinances or policy;
5. Coordinating all divisions of the city through the offices of the department directors;
6. Holding periodic staff meetings with the directors and other officers and officials;

7. Authorizing the issuance of such administrative rules and regulations, and establishing general administrative procedures which are not in conflict with the laws of the state, this code or other city ordinances;

8. Attending all official city council meetings;

9. Establishing policies and procedures for the city's procurement process;

10. Chairing various coordinating committees that consider multi-departmental issues;

11. Coordinating the writing and administration of government grants;

12. Functioning as a director of any of the other departments of the city, if assigned by the mayor with the advice and consent of the city council; and

13. Performing such other duties as may be prescribed by the mayor or city council as permitted by law, by this code, or by other city ordinance. (Ord. 2002-5, 2-5-2002)

1-11-2: CITY ORGANIZATION SPECIFIED:

A. Departments And Department Heads: The organization of the City shall consist of eight nine (9) departments and their respective department heads, as follows:

1. Public Safety Department, with a Police Chief and a Fire Chief;

2. Community Development Department, with a Community Development Director;

3. Legal Department, with a City Attorney;

4. Finance Department, with a Finance Director;

5. Engineering Department, with a City Engineer;

~~6. Parks and Recreation Department, with a Parks and Recreation Director;~~

6. Parks Department, with a Parks Director

7. Recreation Department, with a Recreation Director

~~7. 8.~~ Library and Arts Department, with a Library and Arts Director; and

~~8. 9.~~ Public Works Department, with a Public Works Director.

B. Organization Included Within Established Departments: All organizational elements of the City, including commissions, boards, councils, agencies, offices and committees, along with contract, temporary, part time and full-time employees and volunteers, will be included within one of these nine (9) departments. (Ord. 2014-32, 8-19-2014)

1-11-3: ORGANIZATIONAL CHART:

The City Council may adopt by resolution an organizational chart setting forth the division of authority and providing for the administration of the various departments, commissions, boards and committees of the City. (Ord. 2002-5, 2-5-2002)

1-11-4: DEPARTMENTS AND DIRECTORS:

1-11-4-1: PUBLIC SAFETY DEPARTMENT:

This department administers all of the divisions and commissions related to the health, safety and welfare of the citizens of the City, including the Police Department, Fire Department, ambulance and first response services and emergency planning services.

A. Chiefs Appointed: The Police Chief and Fire Chief are appointed positions.

B. Functions Of Chief: The functions of each respective Chief are as follows:

1. Performs managerial duties and plans, organizes, coordinates and supervises all phases of their respective departments including police protection, fire protection, emergency planning and preparation, ambulance and first response.

2. Coordinates administrative matters with directors of other departments.

3. Organizes and provides support for periodic coordination of a public safety meeting.

4. Recommends strategic direction for the Department of Public Safety to the Mayor, City Council and City Administrator.

5. Participates on and provides administrative and technical support to the Disaster Preparedness Committee.

6. Attends and provides support for City Council meetings and work sessions as required.

C. Organization Chart: The elements of this department and those other City organizations to which this department shall give support shall be as outlined on the City organization chart. (Ord. 2014-3, 1-7-2014)

1-11-4-2: COMMUNITY DEVELOPMENT DEPARTMENT:

The role of the Community Development Department is to support the legislative process in the orderly maintenance and development of residential, commercial and industrial uses within the City in compliance with the General Plan and zoning ordinances.

A. Director Appointed: The Director is an appointed position. (Ord. 2014-3, 1-7-2014)

B. Functions Of Director: The Director's functions are as follows:

1. Performs managerial duties and plans, organizes, coordinates and supervises community development, zoning, inspection, land use, and all phases of implementing the City General Plan.
2. Coordinates administrative efforts with Directors of other departments.
3. Recommends strategic direction for the department to the Mayor, City Council and City Administrator.
4. Participates with and provides administrative and technical support to the Planning Commission, Hearings Officer, Design Review Board, ~~Neighborhood Advisory Board~~ and Downtown Advisory Board.
5. Attends and provides support for City Council meetings and work sessions as required. (Ord. 2017-29, 5-16-2017)

C. Organization Chart: The elements of this department and those other City organizations to which this department shall give support shall be as outlined on the City organization chart.

D. Responsibilities Of Director: The Community Development Director shall be responsible for the following:

1. Planning Department: The City Planner is responsible for data gathering, evaluation, analysis of development plans, and projection of future patterns of development within the community on a comprehensive basis.
2. Zoning And Code Enforcement: The Community Development Director and assigned staff coordinate zoning and Code enforcement activities with the Police Department, and assist in interpreting the City zoning ordinances when interpretation is necessary. Coordination with the Police Department includes the enforcement of the following City codes: zoning (title 10 of this Code); weeds (title 4, chapter 4 of this Code); and business licenses and regulations (title 3 of this Code).
3. Building Department: The chief building official is responsible for enforcement of all applicable codes for residential, commercial and industrial structures within the City.
4. Construction Inspection Department: The construction inspector is responsible for assuring compliance with the approved plans and specifications for all subdivisions, commercial site improvements, industrial site improvements and public works projects. (Ord. 2014-3, 1-7-2014)

~~1-11-4-3: PARKS AND RECREATION DEPARTMENT:~~

1-11-4-3: PARKS DEPARTMENT

The role of the Parks ~~Recreation~~ Department is to provide various activities and venues which create the opportunity for wholesome physical, mental, recreational, and educational opportunities for the citizens of the City.

A. Responsibilities Of Director: The Parks ~~and Recreation Department~~ Director shall be responsible for the following departments:

1. Parks Division: The Parks Division is responsible for providing safe and enjoyable areas for members of the community to use in recreation and enjoyment of the outdoors, and to make City owned properties aesthetically pleasing.

2. Cemetery Division: The Cemetery Division is responsible for providing services pertaining to burials, recordkeeping, planning and maintaining the cemetery grounds in a manner that is safe and aesthetically pleasing.

~~—3. Pleasant Grove City Recreation: The Recreation Department shall provide programs, services and facilities that enrich the lives of community residents.~~

~~—4. Veterans Memorial Pool: Veterans Memorial Pool is responsible for providing a safe and enjoyable aquatic environment for the members of the community.~~

5. Senior Citizen Center: The Senior Citizen Center serves the individual needs of the City's senior population without discrimination, targeting the areas of nutrition and social interaction.

6. Facilities Division: The Facilities Division is responsible for maintaining City owned building and amenities. Creating a safe environment to work, recreate and enjoy the outdoors.

7. Custodial Division: The Custodial Division is responsible for providing cleaning services for City owned facilities. Creating clean and safe facilities for employees, patrons, and citizens.

B. Director Appointed: The director is an appointed position.

C. Functions Of Director: The director's functions are as follows:

1. Performs managerial duties and plans, organizes, coordinates and supervises all work and activities in relation to parks, recreation ~~activities utilizing City Parks, aquatics, cemetery, city celebrations and special events.~~

2. Coordinates administrative efforts with directors of other departments.

3. Recommends strategic direction for the department to the mayor, city council and city administrator.

4. Attends and provides support for city council meetings and work sessions as required.

5. Participates with and provides administrative and technical support to the Pleasant Grove beautification and shade tree advisory commission. ~~and recreation advisory committee.~~

D. Organization Chart: The elements of this department and those other city organizations to which this department shall give support shall be as outlined on the city organization chart. (Ord. 2014-3, 1-7-2014)

1-11-4-4: RECREATION DEPARTMENT

The role of the Recreation Department is to enrich the lives of our community by providing exceptional recreation programs and leisure activities that meet their diverse needs. We are committed to creating lasting memories for individuals and families alike through fun,

innovative, and engaging experiences that promote physical fitness, social interaction, and personal growth.

A. Functions Of Director: The director's functions are as follows:

1. Performs managerial duties and plans, organizes, coordinates and supervises all work and activities in relation to Veterans Memorial Pool and programs, services, and facilities that enrich the lives of community members.

2. Coordinates administrative efforts with directors of other departments.

3. Recommends strategic direction for the department to the mayor, city council and city administrator.

4. Attends and provides support for city council meetings and work sessions as required.

1-11-4-~~4~~5: LIBRARY AND ARTS DEPARTMENT:

The role of this department is to provide various activities, special events, facilities and venues which create the opportunity for wholesome, educational and cultural opportunities for the citizens of the city.

A. Functions Of Director: The library and arts department director's functions shall be as follows:

1. Performs managerial duties and plans, organizes, coordinates and supervises all work and activities in relation to the city library, arts commission, historical commission, city celebrations and special events.

2. Coordinates administrative efforts with directors of other departments.

3. Recommends strategic direction for the department to the mayor, city council and city administrator.

4. Attends and provides support for city council meetings and work sessions as required.

B. Responsibilities Of Director: The library and arts director is an appointed position and will be responsible for the following facilities, activities, boards and commissions:

1. Pleasant Grove City Library: The library shall provide all residents of the city with equal and adequate access to informational resources, and shall provide diverse, accessible materials, services and programs for the education, information, enrichment and entertainment of all citizens of the community.

2. Arts Commission: The library and arts director shall provide supervision and support to ~~the Utah Children's Choir~~, PG Players, ~~Center Stage~~, concerts in the park, PG orchestra, Arts Commission and visual arts activities.

3. Historical Commission: Historical commission.

4. City Events: Memorial Day, Strawberry Days, Heritage Festival, Veterans Day, tree lighting, and Christmas holiday activities.

C. Organization Chart: The elements of this department and those other city organizations to which this department shall give support shall be as outlined on the city organization chart. (Ord. 2014-32, 8-19-2014)

1-11-4-~~5-6~~: LEGAL DEPARTMENT:

The city attorney is responsible for the criminal prosecution of infraction and misdemeanor violations of local, county, and state laws that occur within the city boundaries, coordinates city's participation in defense of civil lawsuits, resolves conflicts, drafts ordinances and agreements, interacts with citizens, provides legal advice and counsel to the mayor, city council and department heads, and assists all other departments in fulfilling their responsibilities.

A. Appointed Position: The city attorney is an appointed position.

B. Licensed In Utah: The city attorney must be a graduate of an accredited law school, and licensed to practice law in the state of Utah.

C. Organization Chart: The elements of this department and those other city organizations to which this department shall give support shall be as outlined on the city organization chart. (Ord. 2014-3, 1-7-2014)

1-11-4-~~6-7~~: ENGINEERING DEPARTMENT:

The city engineer is responsible for evaluation and approval of development plans for subdivisions, commercial and industrial projects, and public improvements, such as transportation systems and drainage systems. The city engineer also serves as the construction engineer when the inspection department does not have a construction engineer.

A. Appointed Position: The city engineer is an appointed position.

B. Registered: The city engineer must be a registered professional engineer under title 58, chapter 22, professional engineers and professional land surveyors licensing act of the Utah code.

1. Member of the design review board.

2. Member of the design review committee.

C. Organization Chart: The elements of this department and those other city organizations to which this department shall give support shall be as outlined on the city organization chart. (Ord. 2014-3, 1-7-2014)

1-11-4-~~7~~8: PUBLIC WORKS DEPARTMENT:

The public works department is responsible for overseeing and managing the city utilities including the culinary water system, pressurized irrigation water system, storm drain, sewer, and streets.

A. Director Appointed: The director is an appointed position.

B. Functions Of Director: The director's functions are as follows:

1. Responsible for daily planning, organizing, and ensuring execution of staff projects and activities involving the maintenance of city vehicles, storm drains, streets and water and sewer infrastructure.

2. Coordinates administrative efforts with directors of other departments.

3. Recommends strategic direction for the department to the mayor, city council and city administrator.

4. Plans and administers the department budget.

5. Attends and provides support for city council meetings and work sessions as required.

C. Responsibilities Of Director: The public works director will be responsible for the following facilities, activities, boards and commissions:

~~—1. Member of the neighborhood advisory committee.~~

~~—2. Member of the design review board.~~

~~—3. Member of the design review committee.~~

~~4~~1. Member of the Pleasant Grove metropolitan water board.

~~5~~2. Responsible for pump stations, water tanks, streets, and all of the attendant infrastructure that makes up the municipal utility system.

D. Water And Sewer Department: The duties of this department include: operate and maintain the infrastructure and systems for the culinary and secondary water systems and sanitary sewer system.

Water, sewer and culinary departments have one superintendent who reports to the public works director.

E. Streets And Storm Drain Department: The duties of this department include: operate and maintain the road system; inspect, operate, and maintain the storm drain system and oversee the development projects that include city infrastructure; and all replacement of existing infrastructure and installation of expansions to the system. This department has one superintendent that reports to the public works director.

F. Organization Chart: The elements of this department and those other city organizations to which this department shall give support shall be as outlined on the city organization chart. (Ord. 2014-32, 8-19-2014)

1-11-5: AUTHORITY AND DUTIES OF OTHER OFFICERS:

1-11-5-1: CITY RECORDER:

A. Appointment 1 : The mayor, with the advice and consent of the city council, shall appoint a qualified person to the office of city recorder, who shall have such powers and perform such duties as are now or may hereafter be provided by law, this code or other ordinance.

B. Duties Specified: The duties of the city recorder are as follows:

1. The city recorder shall keep the corporate seal, attest and seal all legal documents as required by law or this code, and countersign and maintain a properly indexed record of all contracts entered into by the city.

2. The city recorder or deputy shall attend the meetings of the city council and keep the record of the proceedings thereof in a book or books to be kept for that purpose and shall further keep a separate book for minutes of the proceedings of the city council, which records shall at all times be open to public inspection.

3. The city recorder's office shall be kept at the place of meeting of the city council or at some other place convenient thereto, as the council may direct. Copies of all papers filed in the city recorder's office and transcripts from all records of the city council, certified by the city recorder under the corporate seal, shall be evidence in all courts as if the originals thereof were produced.

4. The city recorder or deputy shall record, in the order of date passed, all ordinances, orders and resolutions passed by the city council in a book or books to be kept for that purpose.

5. The city recorder shall prepare for publication all ordinance titles and notices as assigned or required by law or by this code and shall cause them to be published or posted as required by law or this code.

6. The city recorder shall keep records containing the names of all persons elected or appointed to any office in the city; the dates of their elections or appointments; the terms of office; the dates of deaths, resignations or removals of any such officer; and the names of persons appointed to fill any vacancies so created.

7. The city recorder shall, under the direction of the administration, maintain a records access and management program as set forth under state law or this code.

8. The city recorder, as the election officer, shall administer municipal elections as authorized by Utah Code Annotated title 20A et seq., as amended.

9. The city recorder shall pay into the treasury all monies belonging to the city coming into the recorder's hands by virtue of the recorder's office and shall deliver to his or her successor in office the corporate seal, together with all books, papers, records and other property in the recorder's possession belonging to the city.

10. The city recorder shall keep a list of all property coming into his or her possession from the predecessor in office, and by purchase during his or her term, and shall deliver the list, together with the property, to the successor in office.

11. The city recorder shall certify the ordinance or resolution setting the tax levy to the county auditor before June 15 of each year.

12. After the legislative body accepts an annexation petition, the city recorder shall certify the legal sufficiency of the petition to the legislative body within thirty (30) days after the annexation petition is accepted.

C. Warrants: In the event the city is without funds on deposit in one of its appropriate bank accounts with which to pay any lawfully approved claim, the city recorder shall draw and sign a warrant upon the city treasurer for payment of the claim, the warrant to be tendered to the payee named thereon.

~~D. Payment Of Claims:~~

~~1. The city recorder or designee shall maintain the general books for each fund of the city and all subsidiary records relating thereto, including a list of the outstanding bonds, their purpose, amount, terms, and date and place payable.~~

~~2. The city recorder or designee shall keep accounts with all receiving and disbursing officers of the city, shall preaudit all claims and demands against the city before they are allowed, and shall prepare the necessary checks in payment. Such checks shall include an appropriate certification pursuant to Utah Code Annotation section 11-1-1, as amended, examples of which shall be presented in the uniform accounting manual for Utah cities. The city recorder shall also certify on the voucher or check copy, as appropriate, that:~~

~~a. The claim has been preaudited and documented;~~

~~b. The claim has been approved in one of the following ways:~~

~~(1) Purchase order directly approved by the city council or its delegate;~~

~~(2) Claim directly approved by the City Council; or~~

~~(3) Claim approved by the Financial Officer; and~~

~~c. The claim is within the lawful debt limit of the City; and~~

~~d. The claim does not overexpend the appropriate departmental budget established by the City Council. (Ord. 2002-5, 2-5-2002)~~

E. Recording Of Ordinances:

1. The City Recorder shall keep and file a copy of each ordinance hereafter passed by order of the City Council and shall maintain copies of City ordinances showing all amendments and additions, and copies of those ordinances repealed; the City Recorder shall further place a copy of each such amendment, addition or repealed ordinance in the proper section of the copies of City ordinances provided to the Mayor and Council members. As portions of this Code are

replaced and/or deleted by legislative action, it shall be the responsibility of the City Recorder to delete that portion from the current Code.

2. It shall be the duty of the City Recorder to send a copy of all ordinances, amendments, additions and repeals to the Chairperson of the following permanent committees: the Planning Commission, and to each of the heads of the City departments identified in section 1-11-2 of this chapter. (Ord. 2017-29, 5-16-2017)

~~—F. Financial Statements: The City Recorder or designee shall cause to be prepared and presented to the City Council the following financial statements:~~

~~—1. At the end of each month, a summary of cash receipts and disbursements by fund or appropriate groups of funds, showing in total the beginning cash and invested balances, the receipts and disbursements separately for the period, and cash and invested balances in each fund or group of funds at the end of the period.~~

~~—2. At the end of such periods as the City Council may direct, but not less often than once each quarter, a statement of revenues and expenditures and comparison with the budget of the General Fund, including a comparison of actual expenditures for the period with the allotments pertaining thereto.~~

~~—3. A monthly statement of income and expense of each utility fund, reflecting operations to date in the current year and a comparison thereof with operating results for the same period during the preceding year.~~

~~—4. At the end of such periods as the City Council may require, a condensed statement of receipts and disbursements and comparison with the cash budget of each utility fund, including a comparison of actual disbursements for the period with allotments pertaining thereto.~~

~~—5. Such statements of operations in other special funds or reports on financial condition, at such times as the City Council may require.~~

~~—G. Annual Financial Report: Within one hundred eighty (180) days after the close of each fiscal year, the City Recorder or designee shall present to the City Council an annual financial report prepared in conformity with generally accepted accounting principles, as prescribed in the Uniform Accounting Manual for Utah Cities. This requirement may be satisfied by presentation of the audit report furnished by the independent auditor, if the financial statements included are appropriately prepared and reviewed with the City Council. Copies of the annual financial report or the audit report furnished by the independent auditor shall be filed with the State auditor and shall be filed as a public document in the Office of the City Recorder.~~

~~—H. Notice Of Audit Availability: Within ten (10) days following the receipt of the audit report furnished by the independent auditor, the City Recorder shall prepare and publish a notice to the public that the audit of the City has been completed and a copy thereof may be inspected at the Office of the City Recorder.~~

~~—I. Ex Officio Auditor: The City Recorder is also the ex-officio City Auditor and performs the duties of that office.~~

~~—J. F. Appeals Board: When an appeal is taken by a terminated employee, the employee files a written notice of appeal with the City Recorder within ten (10) days after the employment action. Upon the filing of the appeal, the City Recorder is to refer a copy of the appeal to the Appeal Board. (See Utah Code Annotated section 10-3-1106, as amended.)~~

~~—K. Budget Duties:~~

~~—1. When a tentative budget is adopted by the governing body, all supporting schedules and data shall be a public record and shall be available for inspection in the office of the city recorder for a period of at least ten (10) days prior to the adoption of a final budget. (See Utah Code Annotated section 10-6-112, as amended.)~~

~~—2. Upon final budget adoption, a certified copy of the adopted budget is filed in the office of the city recorder and shall be available to the public for inspection during regular business hours. (Ord. 2002-5, 2-5-2002; amd. Ord. 2021-14, 5-4-2021)~~

Notes

1. See also subsection 1-10-2A of this title.

1-11-5-2 FINANCE DIRECTOR

A. Payment Of Claims:

1. The Finance Director or designee shall maintain the general books for each fund of the city and all subsidiary records relating thereto, including a list of the outstanding bonds, their purpose, amount, terms, and date and place payable.

2. The Finance Director or designee shall keep accounts with all receiving and disbursing officers of the city, shall preaudit all claims and demands against the city before they are allowed, and shall prepare the necessary checks in payment. Such checks shall include an appropriate certification pursuant to Utah Code Annotation section 11-1-1, as amended, examples of which shall be presented in the uniform accounting manual for Utah cities. The city recorder shall also certify on the voucher or check copy, as appropriate, that:

a. The claim has been preaudited and documented;

b. The claim has been approved in one of the following ways;

(1) Purchase order directly approved by the city council or its delegate;

(2) Claim directly approved by the City Council; or

(3) Claim approved by the Financial Officer; and

c. The claim is within the lawful debt limit of the City; and

d. The claim does not overexpend the appropriate departmental budget established by the City Council.

B. Financial Statements: The Finance Director or designee shall cause to be prepared and presented to the City Council the following financial statements:

1. At the end of each month, a summary of cash receipts and disbursements by fund or appropriate groups of funds, showing in total the beginning cash and invested balances, the receipts and disbursements separately for the period, and cash and invested balances in each fund or group of funds at the end of the period.

2. At the end of such periods as the City Council may direct, but not less often than once each quarter, a statement of revenues and expenditures and comparison with the budget of the General Fund, including a comparison of actual expenditures for the period with the allotments pertaining thereto.

3. A monthly statement of income and expense of each utility fund, reflecting operations to date in the current year and a comparison thereof with operating results for the same period during the preceding year.

4. At the end of such periods as the City Council may require, a condensed statement of receipts and disbursements and comparison with the cash budget of each utility fund, including a comparison of actual disbursements for the period with allotments pertaining thereto.

5. Such statements of operations in other special funds or reports on financial condition, at such times as the City Council may require.

C. Annual Financial Report: Within one hundred eighty (180) days after the close of each fiscal year, the Finance Director or designee shall present to the City Council an annual financial report prepared in conformity with generally accepted accounting principles, as prescribed in the Uniform Accounting Manual for Utah Cities. This requirement may be satisfied by presentation of the audit report furnished by the independent auditor, if the financial statements included are appropriately prepared and reviewed with the City Council. Copies of the annual financial report or the audit report furnished by the independent auditor shall be filed with the State auditor and shall be filed as a public document in the Office of the City Recorder.

D. Notice Of Audit Availability: Within ten (10) days following the receipt of the audit report furnished by the independent auditor, the Finance Director shall prepare and publish a notice to the public that the audit of the City has been completed and a copy thereof may be inspected at the Office of the City Recorder.

E. Ex Officio Auditor: The City Recorder is also the ex officio City Auditor and performs the duties of that office.

F. Budget Duties:

1. When a tentative budget is adopted by the governing body, all supporting schedules and data shall be a public record and shall be available for inspection in the office of the city recorder for a period of at least ten (10) days prior to the adoption of a final budget. (See Utah Code Annotated section 10-6-112, as amended.)

2. Upon final budget adoption, a certified copy of the adopted budget is filed in the office of the city recorder and shall be available to the public for inspection during regular business hours.

~~1-11-5-2~~ 1-11-5-3: CITY TREASURER:

A. Duties: The city treasurer shall be custodian of all money, bonds or other securities belonging to the city. The city treasurer shall receive all money payable to the city, including all taxes, licenses and fines, and shall keep an accurate detailed account thereof in the manner provided in this chapter or as the city council may from time to time direct by ordinance or resolution. The city treasurer shall collect all special taxes and assessments as provided by law and ordinance.

B. Signing Checks: The city treasurer or such other person as the city council may designate by resolution shall sign all checks. Prior to affixing the signatures, the city treasurer or such other person shall determine that sufficient funds are on deposit in the appropriate bank account of the city to honor such check. The city treasurer shall make provision for payment of all warrants issued before signing any subsequently issued checks.

C. Warrants: The city treasurer shall pay all warrants in the order in which presented and as money becomes available for payment thereof in the appropriate funds of the city. The city treasurer shall note upon the back of each warrant presented to him the date of presentation and the date of payment.

D. Receipts: The city treasurer shall give or cause to be given to every person paying money to the treasury a receipt or other evidence of payment therefor, specifying the date of payment and upon what account paid, and shall file the duplicate of such receipt or other evidence of payment in the office of the city recorder.

E. Care Or Misuse Of Funds: The city treasurer shall keep all money belonging to the city separate and distinct from his or her own money and shall promptly make deposit thereof in the appropriate bank accounts of the city. Whenever it shall appear to the city council that the city treasurer is making profit out of public money or is using the same for any purpose not authorized by law, such treasurer or officer shall be suspended from office. Upon a conviction for such offense, the office shall become vacant.

F. Financial Reports: The city treasurer or designee shall report to the city council at such times as may be prescribed by it, giving a full and detailed account of receipts and expenditures since the last report, along with an account of the condition of the treasury. The city treasurer shall also keep a registry of all warrants redeemed and paid, and the person to whom paid, specifying also the time of payment. All such warrants shall be examined by the city council at the time of making such report.

G. Special Assessments: 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. Such money shall be used for the payment of interest and principal on bonds or other indebtedness issued in settlement thereof and shall be used for no other purpose whatsoever except as otherwise provided by law. (Ord. 2002-5, 2-5-2002)

1-11-5-3 ~~4~~: ~~JUSTICE OF THE PEACE:~~ JUSTICE COURT

~~—A. Appointment: A justice of the peace shall be appointed to terms of four (4) years beginning the first Monday in February 1988, which appointment shall be made by the mayor, subject to confirmation by the city council. The justice of the peace may be removed from office in the same manner as established by state law for the removal of county justices.~~

~~—B. Vacancy; Disqualification:~~

~~—1. If a vacancy occurs in the office of the justice of the peace, the mayor shall, with the consent of the city council, fill the vacancy by appointment for the unexpired term. The person appointed shall qualify in the same manner as a municipal justice and has and shall exercise all the authority of the municipal justice.~~

~~—2. If a municipal justice is unable or disqualified to perform the duties of his office, or is absent, the mayor shall appoint another justice of the peace residing within the county to act as the temporary municipal justice of the peace. The temporarily appointed justice has and shall discharge the duties of the municipal justice, but only during the disability or absence of the municipal justice.~~

~~—C. Duties: The justice of the peace shall perform the duties required of him by law and by the provisions of this code and shall have all powers conferred upon him by the state.~~

~~—D. Report: The justice of the peace shall report to the city council from time to time, as it shall direct, the number of cases brought before him on behalf of the city, the amount of fines levied, the amount collected and such other pertinent facts as may be required by the city council. The justice of the peace, or designee, shall pay all fines, fees, forfeitures or any other sums collected by the justice of the peace to the city treasurer within seven (7) days of receipt. (Ord. 2002-5, 2-5-2002)~~

A. Creation of Justice Court: There is hereby established a court within the city known as the Pleasant Grove City Justice Court which court shall not be a court of record, hereinafter referred to as the "Justice Court." Based on the number of citations and cases filed monthly with the Justice Court, the Pleasant Grove Justice Court is designated as a Class III justice court.

B. Certification of Justice Court. Pursuant to Utah Code §§ 78A-7-102 to -103, the Utah Judicial Council certified the creation of the Pleasant Grove Justice Court in 1988 and re-certified every four years as provided by state law.

C. Compliance with Minimum Requirements. The City shall comply with and meet the minimum requirements set forth by the Judicial Council for the creation and certification of the Justice Court in accordance with Utah Code §78A-7-103.

D. Territorial Jurisdiction. The territorial jurisdiction of the Justice Court extends to the corporate limits of the City.

The territorial jurisdiction of the Justice court functioning as a magistrate may extend beyond the boundaries of the City limits as provided in Utah Code § 78A-2-220 and to the extent necessary to carry out magisterial functions under Utah Code § 77-7-23.

- E. Jurisdiction. The Justice Court has jurisdiction over Class B and C misdemeanors, violations of ordinances, and infractions committed within its territorial jurisdiction, except those offenses over which the juvenile court has exclusive jurisdiction.

The Justice Court has jurisdiction over traffic misdemeanors and infractions committed by persons 16 or 17 years of age that occur within the territorial jurisdiction of the Justice Court pursuant to and subject to provisions set forth in Utah Code § 78A-7-106.

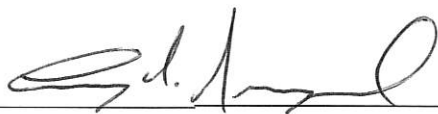
The Justice Court has jurisdiction of small claims cases under Small Claims Courts, Utah Code Chapter 78A-8, if the defendant resides in or the debt arose within the territorial jurisdiction of the Justice Court.

- F. Remittal of Fines, Fees, and Forfeitures. All fines and forfeitures collected by the Justice Court shall be remitted in accordance with the provisions of Utah Code § 78A-7-120 and the State Money Management Act.
- G. Appeals. Any appeal of a judgment rendered in the Justice Court may be made to the district court by filing a notice of appeal in accordance with and subject to applicable statutes. The appeal to the district court is a trial de novo as provided by law.

SECTION 2: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phases of his Ordinance.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and shall be posted or published as required by law.

SECTION 4: APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 15th day of October, 2024.



Guy L. Fugal, Mayor

ATTEST:



Wendy Thorpe
City Recorder

(SEAL)



Motion: Council Member Jensen

Second: Council Member LeMone

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Guy L. Fugal	<u>X</u>	_____	_____	_____
Dianna Andersen	<u>X</u>	_____	_____	_____
Steve Rogers	<u>X</u>	_____	_____	_____
Eric Jensen	<u>X</u>	_____	_____	_____
Cyd LeMone	<u>X</u>	_____	_____	_____
Todd Williams	<u>X</u>	_____	_____	_____

CERTIFICATE OF POSTING ORDINANCE
Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that a summary of the foregoing Ordinance No. 2024-025 was posted on the State (<http://pmn.utah.gov>) website on this 21 day of October, 2024.

Dated this 21st day of October, 2024.

Wendy Thorpe
Wendy Thorpe, CMC, City Recorder