

ORDINANCE NO. 34-2024

AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING SECTIONS IN THE CITY CODE REGARDING ADDING AN APPOINTED POSITION OF FINANCE DIRECTOR; MAKING CERTAIN AND NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO AFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.

Section 1. Recitals:

WHEREAS, West Haven City (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the city may revise, codify, and compile from time to time and to publish in book, pamphlet or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

WHEREAS, the City Council finds that at times it is necessary to formalize what is being done in practice when it comes to positions and duties within the City organization; and,

WHEREAS, the City has had a person overseeing accounting functions in the City, including filing reports, preparing the monthly financial statements, and preparing the year-end financial statements; and

WHEREAS, the City Council wishes to formalize these duties into a finance director position that is appointed by the Mayor with the advice and consent of the City Council just like the City Treasurer; and

WHEREAS, the Utah State Code §10-6-157 allows for the City Council to create a director of finance position by ordinance to perform the financial duties and responsibilities of the city recorder; and

WHEREAS, the City Council finds that certain changes to the City Code regarding creating a finance director position should be made; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health, and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, UTAH that:

1. West Haven Code §31.35 and §31.36 shall be amended. The new language is in red and attached as Attachment “A” to this Ordinance.

The foregoing Recitals are fully incorporated herein.

Section 2. Repealer of Conflicting Enactments:

All orders, ordinances, and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with the provisions of this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 3. Prior Ordinances and Resolutions:

The body and substance of any prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative, or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative, or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

Section 5 - Date of Effect:

BE IT FURTHER ORDAINED this Ordinance will become effective on the 6th day of November 2024 and after publication or posting as required by law.

DATED this 6th day of November 2024.

WEST HAVEN, a municipal corporation

by: _____
Mayor Rob Vanderwood

Attested and Recorded

Emily Green, City Recorder

Mayor Rob Vanderwood	Yes _____	No _____
Councilmember Carrie Call	Yes _____	No _____
Councilmember Kim Dixon	Yes _____	No _____
Councilmember Nina Morse	Yes _____	No _____
Councilmember Ryan Saunders	Yes _____	No _____
Councilmember Ryan Swapp	Yes _____	No _____

RECORDER'S CERTIFICATION

STATE OF UTAH)
 : ss.
County of Weber)

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. ____-2024, entitled “AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING SECTIONS IN THE CITY CODE REGARDING ADDING THE APPOINTED POSITION OF FINANCE DIRECTOR; MAKING CERTAIN AND NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO AFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES,”** adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on November 6, 2024 which appears of record in my office, with the date of posting or publication being November ____, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 6th day of November 2024.

Emily Green
City Recorder

ATTACHMENT “A”

ORDINANCE NO. 34-2024
AMENDED LANGUAGE FOR WEST HAVEN CODE §31.35 AND §31.36

DRAFT

RECORDER, FINANCE DIRECTOR, AND TREASURER

§ 31.35 APPOINTMENT.

On, or before, the first Monday in February following a municipal election, the Mayor, with the advice and consent of the City Council, shall appoint a qualified person to the offices of City Treasurer, **Finance Director**, and City Recorder.

§ 31.36 TERMS OF OFFICE.

The terms of office of the City Recorder, **Finance Director**, and City Treasurer shall be until the municipal election following their appointment, unless they are removed sooner by the Mayor with the concurrence of a majority of the members of the City Council. All other appointive officers shall serve at will until a successor is appointed and qualified, or as otherwise set out in this code.

DRAFT