

Proposition Information Pamphlet
Referendum for City of Saratoga Springs Ordinance 29-39 (05-20-25)

This pamphlet contains information to assist voters with making a decision on the referendum petition.

Included in this pamphlet are the following:

- Copy of the application for the proposed referendum
- Argument prepared by the sponsors of the proposed referendum
- Copies of the initial fiscal impact statement and legal impact statement

Application for an Initiative or Referendum

PLEASE NOTE: A copy of the proposed law must be attached to this application along with a statement indicating whether or not signature gatherers will be paid for their services.

Please type or print

Application must be completed by five sponsors

Sponsor Statement

I, Jim Miller affirm that I am a resident of Saratoga Springs and I
Name of Sponsor (please type or print) am registered to vote in the State of Utah

493 W Rolling Sage way
Residence Address

[Signature]
Sponsor's Signature

Saratoga Springs UT 84045
City, State, Zip

801-901-8381
Phone Number

Subscribed and affirmed before me this 20th day of MAY 2025



WENDY J. WELLS
NOTARY PUBLIC - STATE OF UTAH
My Commission Expires January 22, 2028
COMMISSION NUMBER 735204

Wendy J. Wells
Notary Public

My commission expires 1-22-2028

Sponsor Statement

I, STEPHEN Willden affirm that I am a resident of Saratoga Springs and I
Name of Sponsor (please type or print) am registered to vote in the State of Utah

1883 N. Goldenrod Way
Residence Address

[Signature]
Sponsor's Signature

SARATOGA SPRINGS, UT 84045
City, State, Zip

801-753-8756
Phone Number

Subscribed and affirmed before me this 20th day of MAY 2025



WENDY J. WELLS
NOTARY PUBLIC - STATE OF UTAH
My Commission Expires January 22, 2028
COMMISSION NUMBER 735204

Wendy J. Wells
Notary Public

My commission expires 1-22-2028

Application for an Initiative or Referendum

Sponsor Statement

I, Christopher Porter
Name of Sponsor (please type or print)

affirm that I am a resident of Saratoga Springs and I
am registered to vote in the State of Utah

677 N. Appellation Dr.
Residence Address

[Signature]
Sponsor's Signature

Saratoga Springs, UT 84045
City, State, Zip

801-341-9215
Phone Number

Subscribed and affirmed before me this 20th day of May 2025



WENDY L WELLS
NOTARY PUBLIC - STATE OF UTAH
My Commission Expires January 22, 2028
COMMISSION NUMBER 735204

Wendy L Wells
Notary Public

My commission expires 1.22.2028

Sponsor Statement

I, Shellie Baertsch
Name of Sponsor (please type or print)

affirm that I am a resident of Saratoga Springs and I
am registered to vote in the State of Utah

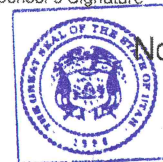
313 W Strawberry Pl
Residence Address

[Signature]
Sponsor's Signature

Saratoga Springs UT 84045
City, State, Zip

801 960-5206
Phone Number

Subscribed and affirmed before me this 20th day of May 2025



WENDY L WELLS
NOTARY PUBLIC - STATE OF UTAH
My Commission Expires January 22, 2028
COMMISSION NUMBER 735204

Wendy L Wells
Notary Public

My commission expires 1.22.2028

Sponsor Statement

I, Anthony Baertsch
Name of Sponsor (please type or print)

affirm that I am a resident of Saratoga Springs and I
am registered to vote in the State of Utah

313 W. Strawberry Pl
Residence Address

[Signature]
Sponsor's Signature

Saratoga Springs, UT. 84045
City, State, Zip

801-960-5207
Phone Number

Subscribed and affirmed before me this 20th day of May 2025



WENDY L WELLS
NOTARY PUBLIC - STATE OF UTAH
My Commission Expires January 22, 2028
COMMISSION NUMBER 735204

Wendy L Wells
Notary Public

My commission expires 1.22.2028

Signature Gatherers will not be paid for their services.

ORDINANCE NO. 25-39 (05-20-25)

**AN ORDINANCE OF THE CITY OF SARATOGA
SPRINGS, UTAH, ADOPTING AMENDMENTS TO THE
SARATOGA SPRINGS CITY CODE**

WHEREAS, Title 2 of the City of Saratoga Springs City Code, entitled “Government Organization” has been enacted and may be amended from time to time pursuant to Utah Code § 10-3-707; and

WHEREAS, the City Council has reviewed Title 2 and finds that further amendment to Title 2 are necessary and desirable to further the legislative policy of the City Council; and

WHEREAS, the City Council, after careful consideration in a public meeting, has determined that it is in the best interest of the public health, safety, and welfare of the Saratoga Springs citizens that modifications and amendments to Title 2 be adopted.

NOW THEREFORE, the City Council of the City of Saratoga Springs, Utah does hereby ordain as follows:

SECTION I – ENACTMENT

Title 2 is hereby amended as attached hereto as Exhibit A.

SECTION II – AMENDMENT OF CONFLICTING ORDINANCES

If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code §§ 10-3-710—711, to do as follows:

- a. deposit a copy of this ordinance in the office of the City Recorder; and
- b. publish notice as follows:
 - i. publish a short summary of this ordinance on the Utah Public Notice Website created in Utah Code § 63F-1-701 and on the City's official website; and
 - ii. publish a short summary of this ordinance in in a public location within the City that is reasonably likely to be seen by residents of the City.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 20th day of May, 2025.

Signed: _____

Jim Miller, Mayor



Attest: _____

Nicolette Fike, City Recorder

Wendy L. Wells Dep.

5-20-25

Date

CITY COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Audrey Barton	_____	<u>X</u>	_____	_____
Christopher Carn	<u>X</u>	_____	_____	_____
Michael McOmber	<u>X</u>	_____	_____	_____
Lance Wadman	<u>X</u>	_____	_____	_____
Stephen Willden	<u>X</u>	_____	_____	_____
Mayor Jim Miller (tie only)	_____	_____	_____	_____

EXHIBIT A

Chapter 2.06. Taking Office.

Sections:

- 2.06.01. Eligibility for Mayor and Council Members.
- 2.06.02. Election of Mayor and Council Members.
- 2.06.03. Campaign Financial Statements.
- 2.06.04. Term of Office for Mayor and Council Members.
- 2.06.05. Vacancies in Office of Mayor or Council Member.
- 2.06.06. Oath of Office.
- 2.06.07. Reserved.
- 2.06.08. Duties and Powers Defined.
- 2.06.09. Official Neglect or Misconduct.
- 2.06.10. Transfer of Records.
- 2.06.11. Term Limits for Elected Officials.

* * * * *

2.06.11. Term Limits for Elected Officials.

1. Term Limits for Elected Officials.

- a. No elected official may serve more than three consecutive terms in the same position. Any individual who completes three consecutive terms in one position must wait at least one municipal cycle (two years) before running for that same position again.
- b. A mid-term appointment shall count towards an elected official's term limit if the official served greater than one-half of the term length. Otherwise, a mid-term appointment shall not count towards the term limit.

- 2. Effective Date and Retroactivity. This Section shall have an effective date of December 31, 2025, and shall not apply retroactively. In other words, prior or current terms or years of service of elected officials who are in office as of the effective date shall not be used in determining term limits.

Sponsors Argument in Favor of Term Limit Ordinance

Term limits promote healthy democratic processes by ensuring regular opportunities for new leadership, fresh ideas, and greater public participation in local government. The term limit ordinance would establish a limit on the number of consecutive terms an elected official may serve in a specific office within the municipality.

First, term limits reduce the risk of entrenched political power. When the same individuals remain in office for extended periods, it can lead to stagnation, reduced accountability, and diminished responsiveness to constituents. A limit on terms ensures no single person or group dominates public office indefinitely.

Second, term limits encourage broader community involvement. By creating open seats on a regular basis, more residents may be inspired to run for office, increasing civic engagement and diversifying the voices in local leadership. New candidates often bring innovative perspectives and are more likely to represent evolving community needs.

Third, elected service should be a temporary public duty, not a lifelong career. Term limits help preserve the original spirit of public service by reminding officials that their role is to serve—not to build long-term political careers. This fosters a focus on results over reelection.

Opponents may argue that elections already provide a natural check on incumbents. While elections are essential, incumbents benefit from name recognition, fundraising advantages, and institutional knowledge that can discourage challengers—even when public satisfaction is low. Term limits level the playing field.

In summary, term limits ensure open access to public service, increase accountability, and encourage a dynamic and representative government.



May 27, 2025

Nicolette Fike, Saratoga Springs City Recorder and Petition Sponsors
1307 N Commerce Drive
Saratoga Springs, Utah 84045

Dear Nicolette and Petition Sponsors,

City of Saratoga Springs Ordinance 25-39 was approved by City Council on May 20th, 2025. This amendment to the Saratoga Springs City Code indicates an application for a referendum to change the City of Saratoga Springs term limits for elected officials.

This referendum will have no known fiscal impact on the City of Saratoga Springs or its residents.

Please let me know if you have any questions.

Warm Regards,

Chelese M. Rawlings
Finance Director
City of Saratoga Springs

Acceptance by Budget Officer of Fiscal Impact Statement

I, Mark J. Christensen, as the Budget Officer for the City of Saratoga Springs, Utah, accept this letter in accordance with Utah Code § 20A-7-602.5 as the fiscal impact statement for the City of Saratoga Springs, Utah.

Mark J. Christensen

ATTEST:

Nicolette Fike, City Recorder





SARATOGA
SPRINGS
LEGAL

May 27, 2025

Mark J. Christensen
City Manager/Budget Officer
City of Saratoga Springs
1307 N. Commerce Drive, Suite 100
Saratoga Springs, UT 84045

Re: Legal Impact Statement Pursuant to Utah Code § 20A-7-602.5

Dear Mark:

The City has received a referendum petition filed in accordance with Utah Code §§ 20A-7-601 and 602, which statute allows “a local law passed by the local legislative body [to be] submitted to a vote of the people[.]” The referendum was filed by five sponsors—Jim Miller, Stephen Willden, Christopher Porter, Shellie Baertsch, and Nathan Baertsch on May 20, 2025, with respect to Ordinance No. 25-39 (05-20-25) (“Ordinance”). The referendum on the Ordinance seeks to submit to the voters the question of whether the City of Saratoga Springs should impose term limits on its elected officials.

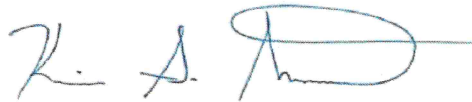
Utah Code § 20A-7-602.5 requires the budget officer, together with legal counsel, to provide a fiscal and legal impact statement. As the City Attorney for Saratoga Springs, I am providing you with this letter that will serve, if acceptable to you, as the legal impact statement required by Utah law. Subsection 20A-7-602.5(2)(vi) of Utah Code provides that the legal impact statement shall determine “the legal impacts that would result from repealing the law, including: (A) any significant effects on a person’s vested property rights; (B) any significant effects on other laws or ordinances; (C) any significant legal liability the city . . . may incur; and (D) any other significant legal impact as determined by the budget officer and the legal counsel.”

I have reviewed applicable local, state, and federal laws with respect to the referendum and the subject matter of term limits for local elected officials. It is my legal opinion that: (A) the referendum will not affect any person’s vested property rights because the subject matter of the Ordinance is term limits, not property rights; (B) the referendum will have no effect on other laws or ordinances because there are no other known City ordinances that pertain to term limits; (C) the referendum will not cause any legal liability for the City due to the fact the Ordinance is purely a policy decision; and (D) the referendum will have no any other significant legal impact on the City as local term limit ordinances have generally been upheld by courts.

Mark J. Christensen
May 27, 2025
Page 2 of 2

Please let me know if you have any other questions about this letter, my legal opinion, or the legal impact of the proposed referendum. I have also included below a place for you to sign if you accept this letter as the legal impact statement for the City.

Sincerely,



Kevin S. Thurman
City Attorney

Acceptance by Budget Officer of Legal Impact Statement

I, Mark J. Christensen, as the Budget Officer for the City of Saratoga Springs, Utah, accept this letter in accordance with Utah Code § 20A-7-602.5 as the legal impact statement for the City of Saratoga Springs, Utah.


Mark J. Christensen

ATTEST:


Nicolette Fike, City Recorder