

OGDEN VALLEY CITY

ORDINANCE NO. 2026-1

AN ORDINANCE OF OGDEN VALLEY CITY, UTAH, ACKNOWLEDGING AND APPROVING THE INCORPORATION OF OGDEN VALLEY CITY AS A MUNICIPALITY OF THE STATE OF UTAH, ACCEPTING THE POWERS AND DUTIES OF MUNICIPAL GOVERNMENT, RATIFYING THE ACTS OF OFFICERS-ELECT, AND RELATED MATTERS

WHEREAS, Title 10, Chapter 2a, Part 2 of the Utah Code is entitled “*Incorporation of a Municipality*” and establishes the process for incorporating a new municipality in the State of Utah; and

WHEREAS, pursuant to Utah Code §§ 10-2a-202 through 10-2a-210, an incorporation feasibility request was filed, a feasibility study was completed, a petition for incorporation was certified, and an incorporation election was duly called and held for the proposed Ogden Valley City (the “City”); and

WHEREAS, at the incorporation election, a majority of the voters voting on the question approved the incorporation of Ogden Valley City as a municipality under Utah law; and

WHEREAS, following the canvass of the final election of municipal officers under Utah Code § 10-2a-215, the county clerk notified the Lieutenant Governor of the officers elected in the new municipality, and the mayor of the future municipality timely filed with the Lieutenant Governor (i) a notice of impending boundary action and (ii) an approved final local entity plat as required by Utah Code § 10-2a-217; and

WHEREAS, pursuant to Utah Code § 10-2a-217, upon receipt and recording of the required documents, the Lieutenant Governor issued a certificate of incorporation for Ogden Valley City, establishing the **effective date of incorporation** of the City as January 2, 2025 (the “Effective Date”); and

WHEREAS, after the canvass of the final election of municipal officers and before the Effective Date, the officers-elect of Ogden Valley City were authorized by Utah Code § 10-2a-218 to prepare and adopt a proposed budget and compilation of ordinances and to negotiate and enter into certain contracts and arrangements on behalf of the future municipality; and

WHEREAS, under Utah Code § 10-2a-218(2), the municipal council is required to review and ratify each contract made by a municipal officer during that interim period within 30 days after the day on which the City’s incorporation becomes effective; and

WHEREAS, under Utah Code Title 10, Chapter 3 and Chapter 3b, the powers of municipal government for Ogden Valley City are vested in its governing body, consisting of the mayor and

city council members in the form of government selected and approved in accordance with law; and

WHEREAS, the City Council of Ogden Valley City now desires to formally acknowledge and approve the incorporation of the City, accept the powers and duties of municipal government, and ratify the lawful acts and contracts of its officers-elect undertaken pursuant to Utah Code § 10-2a-218;

NOW, THEREFORE, be it ordained by the City Council of Ogden Valley City, Utah, as follows:

Section 1. Incorporation of Ogden Valley City Acknowledged and Approved.

1.1 The City Council hereby **acknowledges** that Ogden Valley City has been duly incorporated as a municipality of the State of Utah pursuant to Utah Code Title 10, Chapter 2a, Part 2, effective as of January 2, 2026, as set forth in the certificate of incorporation issued by the Lieutenant Governor.

1.2 The City Council hereby **approves and accepts** the incorporation of Ogden Valley City as a Utah municipality and recognizes Ogden Valley City as a body politic and corporate, with all powers, rights, privileges, duties, and obligations conferred by the Utah Constitution and Utah statutes, including without limitation Utah Code Title 10, the Utah Municipal Code.

Section 2. Name, Class, and Form of Government.

2.1 The name of the municipality shall be **“Ogden Valley City”**.

2.2 The City is incorporated as a city within the meaning of Utah Code § 10-2-301 and Utah Code § 10-2a-201.5, based on the population and qualifications established in the incorporation proceedings.

2.3 Ogden Valley City shall operate under the six-member council form of government described in Utah Code §§ 10-3b-301 through 303 selected by the voters and provided for in Utah Code Title 10, Chapter 3b. The powers of municipal government are vested in the mayor and city council as provided in Utah Code §§ 10-3-101 et seq. and 10-3b-301 et seq.

Section 3. Acceptance of Municipal Powers and Duties.

3.1 Ogden Valley City hereby accepts and assumes all powers, functions, rights, and responsibilities of a Utah municipality as of the Effective Date, including but not limited to:

- (a) legislative authority through ordinances, resolutions, and policies;
- (b) executive and administrative authority as provided by statute and local ordinance;
- (c) authority to levy and collect taxes, fees, and charges as authorized by law;

- (d) authority to provide municipal services, contract for services, and regulate land use within the City's boundaries; and
- (e) such other powers and duties as are granted or imposed by Utah law upon municipalities.

3.2 The City Council directs the mayor, city recorder, and other officers and employees of the City to take all actions necessary and appropriate to carry out the purposes of this Ordinance and to effectuate the orderly transition of municipal services, including coordination with Weber County and other service providers as contemplated by Utah Code § 10-2a-219 and other applicable law.

Section 4. Ratification of Lawful Acts and Contracts of Officers-Elect.

4.1 The City Council acknowledges that, consistent with Utah Code § 10-2a-218, the officers-elect of Ogden Valley City may have, between the canvass of the final election of municipal officers and the Effective Date of incorporation:

- (a) prepared and adopted a proposed budget and compilation of ordinances;
- (b) negotiated and entered into contracts for personnel, services, equipment, materials, and supplies;
- (c) borrowed funds or arranged for startup financing;
- (d) issued tax anticipation notes; and
- (e) made appointments to the City's planning commission.

4.2 The City Council hereby **ratifies, approves, and confirms** all lawful contracts, agreements, appointments, and other actions taken by the officers-elect of Ogden Valley City pursuant to Utah Code § 10-2a-218, as follows:

- i. Appointment of Interim City Recorder (Sharon Robbins) and Interim City Treasurer Kay Larrison in accordance with Utah Code §§ 10-3-902 and 10-3-916).
- ii. The Formation & Appointment of a Planning Commission under Utah Code § 10-9a-301, with the following appointed to the Planning Commission: Lisa Arbogast (4 year term), Fred Blickle (4 year term), Angela Dean (4 year term), Tyson Lloyd (4 year term), Charles Osman (2 year term), Erin Shaffer (2 year term), Terri Zenger (2 year term)
- iii. Authorization to Obtain Municipal Liability Insurance (Utah Code § 63G-7-301)
- iv. Authorization to Negotiate or Enter Interlocal Agreements for Municipal Services under Utah Code § 11-13-202 and Ratification of the following Interlocal Agreements attached as Exhibit A: a) Business Interlocal; b) Engineering Interlocal; c) Law Enforcement Interlocal; d) Roads Interlocal; and e) Special Events Interlocal.
- v. Authorization and Ratification of the following contracts attached as Exhibit B:
- vi. Appointment of Sharon Robbins as the GRAMA Records Policy & Records Officer (Utah Code § 63G-2-101 et seq.)
- vii. Adoption of Municipal Code Titles 1 through 6 (attached as Exhibit C).

- viii. Authorization of Sharon Robbins to perform Public Notice Procedures & Website Administration.
- ix. Ratification of all other actions taken by City Council prior to the date of this meeting.

4.3 The mayor and city recorder are authorized and directed to compile a list of contracts and actions taken by officers-elect and to present such list to the City Council for review, ratification, or disapproval in accordance with Utah Code § 10-2a-218(2).

Section 5. Records, Plat, and Boundaries.

5.1 The City Council acknowledges that the legal boundaries of Ogden Valley City are as described in the final local entity plat filed with the Lieutenant Governor and recorded in the office of the Weber County Recorder pursuant to Utah Code § 10-2a-217 and Section 67-1a-6.5.

5.2 The city recorder is directed to:

- (a) maintain in the City's records copies of the certificate of incorporation, notice of impending boundary action, approved final local entity plat, and all other incorporation documents; and
 - (b) ensure that the City's official maps and records accurately reflect the City's boundaries.
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Section 6. Severability.

If any provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect, to the fullest extent permitted by law.

Section 7. Effective Date.

This Ordinance shall take effect upon posting or publication as required by Utah law and shall relate back to and recognize the Effective Date of incorporation established by the Lieutenant Governor's certificate pursuant to Utah Code § 10-2a-217.

PASSED AND ADOPTED by the City Council of Ogden Valley City, Weber County, Utah, this 3rd, day of January, 2026.

	AYE	NAY
Councilmember Don Hickman	<u>X</u>	_____
Councilmember Kay Hoogland	<u>X</u>	_____
Councilmember Tia Shaw	<u>X</u>	_____
Councilmember Peggy Dooling- Baker	<u>X</u>	_____
Councilmember Chad Booth	<u>X</u>	_____

APPROVED:

Janet Wampler
Mayor Janet Wampler

ATTEST:

Sharon Robbins
Sharon Robbins, City Recorder

APPROVED AS TO FORM:

Carl
City Attorney

City Seal

