



**THE CITY OF WEST JORDAN
CITY COUNCIL MEETING
February 24, 2026**

8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

PARTICIPATE IN MEETING



VIEW THE MEETING



Welcome to City Council meeting!

While the Council encourages in-person attendance, you may attend virtually by using the links in the top right corner:

- *To provide public comment, click “**Participate in Meeting**” (registration required)*
- *To observe the meeting, click “**View the Meeting**”*

WEST JORDAN PUBLIC MEETING RULES

To view meeting materials for any agenda item, click the item title to expand it, then select the view icon to access attachments, or visit <https://westjordan.primegov.com/public/portal>

CITY COUNCIL MEETING 7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. SPECIAL RECOGNITION

- West Jordan Police Department Badge Pinning
- Recognition of Sergeant Brian Schaaf
- Recognition of Detective Bo Reier
- Recognition of Detective Adam Horman

4. COUNCIL & MAYOR REPORTS

- West Jordan Police Department Report
- City Council Reports
- Mayor’s Report

5. PUBLIC COMMENT

6. PUBLIC HEARINGS

- Ordinance No. 26-12 a Petition from Kim Rolfe to Rezone Approximately 1.2 acres to R-1-10 for Property Located at 2659 West 7000 South and 2660 West Beverly Glen Avenue

7. BUSINESS ITEMS

- a. Ordinance No. 26-10 Amendments to West Jordan City Code Title 4, Chapter 2, Article H – Massage Establishments
- b. Ordinance No. 26-11 Amendments to West Jordan City Code Title 7, Chapters 3 and 4 – Truck Parking
- c. Ordinance No. 26-14 Amendments to West Jordan City Code Title 1, Chapter 12 – Employee Appeal Process

8. REPORTS TO COUNCIL

- a. Council Office Report
- b. City Administrator’s Report

9. ADJOURN

UPCOMING MEETINGS

- Tuesday, March 10, 2025 – Committee of the Whole (4:00p) – Regular City Council (7:00p)
- Tuesday, March 24, 2025 – Committee of the Whole (4:00p) – Regular City Council (7:00p)
- Tuesday, March 31, 2025 – Committee of the Whole (6:00p)

CERTIFICATE OF POSTING

I certify that the foregoing agenda was posted at the principal office of the public body, on the Utah Public Notice website <https://www.utah.gov/pmnl/>, on West Jordan City’s website <https://westjordan.primegov.com/public/portal>, and notification was sent to the Salt Lake Tribune, Deseret News, and West Jordan Journal.

Posted and dated February 20, 2026

Cindy M. Quick, MMC, Council Office Clerk



REQUEST FOR COUNCIL ACTION

Action: Need Council to Take Action	Meeting Date Requested : 02/24/2026
Presenter: Tayler Jensen, Senior Planner	Deadline of item :
Applicant: Kim Rolfe	
Department Sponsor: Community Development	
Agenda Type: PUBLIC HEARINGS	
Presentation Time: 5 Minutes	<i>(Council may elect to provide more or less time)</i>

1. AGENDA SUBJECT

Ordinance No. 26-12 a Petition from Kim Rolfe to Rezone Approximately 1.2 acres to R-1-10 for Property Located at 2659 West 7000 South and 2660 West Beverly Glen Avenue

2. EXECUTIVE SUMMARY

Council is being asked to consider a rezone of approximately 1.2 acres from RR.5D (*Rural Residential Half Acre Minimum Lots*) to R-1-10 (*Single-Family Residential 10,000 Square Foot minimum lot size*).

3. TIME SENSITIVITY / URGENCY

Applicant is seeking approval as quickly as possible.

4. FISCAL NOTE

n/a

5. PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a public hearing on the proposed rezone on [February 3, 2026](#). There were no comments from the public during the public hearing. The Planning Commission made the following motion:

I move that the Planning Commission recommend approval of the rezone of approximately 1.2 acres from Rural Residential Half Acre Minimum Lots (RR.5D) to Single-Family Residential 10,000 Square Foot Minimum Lots (R-1-10) to the West Jordan City Council, subject to all requirements of approval. The motion passed (6-0) (1 commissioner was absent)

6. ADMINISTRATIVE STAFF ANALYSIS

I. BACKGROUND:

The General Plan Defines *Very-Low Density Residential* as:

“Characteristics of land in this category range from large acreages of land still in agricultural production to fairly large single-family residential lots, some of which may allow horses and other farm animals to be kept.

Very low-density residential uses are appropriate as a buffer between higher density single-family development and dedicated open lands or on hillsides where sensitive slopes make higher density development inadvisable.”

While *Low-Density Residential* is defined as:

Includes development providing for low intensity single-family detached residential uses typically found in suburban and traditional neighborhoods.

Two parcels are included in this rezone, both of which are developed with single-family residential homes. The Future Land Use Designation for the larger parcel (2659 W 7000 S) is *Very-Low Density Residential*, while the parcel located at 2660 West Beverly Glen Avenue has a future land use designation of *Low-Density Residential*. The R-1-10 Zone is appropriate in both the low and very-low density residential Future Land Use Designations.

II. GENERAL INFORMATION & ANALYSIS:

It should be noted that the entirety of the parcel located at 2659 West 7000 South is currently zoned RR-.5D but also approximately 3,600 SF of the parcel located at 2660 West Beverly Glen Avenue is also zoned RR.5 (The lot on Beverly Glen has split zoning). This proposal will rezone both lots, so both lots are zoned in their entirety to the R-1-10 Zone. The purpose of the rezone is to allow the applicant to complete a future minor subdivision, which will allow them to combine their lot on Beverly Glen Avenue with a portion of the lot located on 7000 South (to include an outbuilding) and then sell off the remainder of the lot located on 7000 South. No new lots are anticipated being created through this process.

	Future Land Use	Zoning	Existing Conditions
North	Very-Low Density Residential	RR-.5D	7000 South, LDS Church, and Steadman Acres Residential Development
South	Low-Density Residential	R-1-10D	Beverly Glen Residential Development
West	Very-Low Density Residential	RR-.5D	2700 West & Carter Residential Development
East	Very-Low Density Residential; and Low Density Residential	RR-.5D & R-1-10	Steadman Estates & Beverly Glen Residential Developments

III. FINDINGS OF FACT:

Zoning Map Amendment

Section 13-7D-6(A): Zoning Map Amendment:

Amendments to the zoning map may be recommended for approval by the Planning Commission to the City Council only if affirmative determinations are made regarding each of the following criteria:

Finding 1: The proposed amendment is consistent with the purposes, goals, objectives, and policies

of the Adopted General Plan and future land use map;

Staff Analysis: The proposed amendment is consistent with the current vision of the General Plan and the Future Land Use Map which designate this property as both *Very-Low Density Residential* and *Low Density Residential*. The R-1-10 zone has been identified as appropriate within both of these land use designations. The 2023 West Jordan General Plan incorporates "Guiding Principles" instead of goals, the following Guiding Principles have been identified as significant for this project:

- A. Land Use – Land use decisions should be guided by the General Plan to protect existing land uses and minimize impacts to existing neighborhoods
- i. The proposed rezone is appropriate within both the future land use designations, and the transition from RR.-5 to R-1-10 has already been established as appropriate in this area as those are the existing land use zones adjacent to each other.

Staff Opinion: It is the opinion of staff that the proposed rezone is consistent with the purposes, goals, objectives, and policies of the adopted General Plan and Future Land Use Map.

Finding 2: The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Staff Analysis: The proposed development will match the zoning (and developed use) of properties located adjacent to each of the subject parcels. The net effect of the rezone will be the changing of property lines between two parcels, both of which the applicant owns so that they are able to change the property lines between their two properties so the large barn built on the 7000 South property can be located on the same lot as the home located at 2660 West Beverly Glen Avenue. Staff has seen concept plans for a minor subdivision which would make this change and no new lots are proposed.

Staff Opinion: The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Finding 3: The proposed amendment protects the public health, safety, and general welfare of the citizens of the city.

Staff Analysis: The proposed amendment will change the minimum lot size of the front lot (lot located on 7000 South) it is not introducing new land uses, traffic patterns, utility demands or compromising the health, safety or general welfare of citizens of the City.

Staff Opinion: The proposed amendment furthers the public health, safety, and general welfare of the citizens of the city.

Finding 4: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Staff Analysis: The proposed amendment is consistent with current Future Land Use Designations and public service master plans, meaning the city has long planned for this type of zoning and future

development in this location.. This proposal has been reviewed by public services, public utilities, public works, and the fire service.

Staff Opinion: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change.

Finding 5: The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Staff Analysis: The proposed amendment is not subject to any applicable overlay zoning districts.

Staff Opinion: The proposed amendment is not subject to any applicable overlay zoning districts.

7. MAYOR RECOMMENDATION

8. COUNCIL STAFF ANALYSIS

What You Need To Know – A Plain Language Summary

The Ask: The Council is being asked to approve Ordinance No. 26-12, a request to rezone approximately 1.2 acres of property located at 2659 West 7000 South and 2660 West Beverly Glen Avenue. The applicant, Kim Rolfe, is requesting a zone change from RR-.5D (Rural Residential Half Acre Minimum Lots) to R-1-10 (Single-Family Residential 10,000 Square Foot minimum lot size).

The Reason: The primary motivation for this request is procedural. The applicant owns two adjacent lots and wishes to adjust the property lines between them so that an existing large barn (currently on the 7000 South property) will legally sit on the same lot as the home on Beverly Glen Avenue. To execute this "minor subdivision" (lot line adjustment), the zoning across the affected parcels needs to be consistent; currently, the lots have split zoning.

Infrastructure & Utility Considerations

Because this request is intended to adjust property lines between existing developed lots rather than create new ones, the immediate impact on infrastructure is negligible. However, Council Members may wish to consider the long-term implications of the zone change.

- **Water Capacity:** The project proposes no new connections at this time. However, regarding general capacity: The Jordan Valley Water Conservancy District (JVWCD) provides water to West Jordan with a contracted supply of 20,000 acre-feet per year. The City may purchase up to 20% above this amount, totaling 24,000 acre-feet/year. Since no new homes are being proposed, this specific rezone should not draw against that capacity or require new connections described in Table 3-1 of the Water Master Plan.
- **Master Plan Consistency:** The proposal has been reviewed by public services, public utilities, public works, and fire service, with findings that it will not unduly impact the adequacy of these services. It aligns with the existing Storm Drainage and Sanitary Sewer expectations for the area, as the land use intensity (single-family residential) remains unchanged.

Possible Scenarios & Key Tradeoffs

- Scenario A: Approval (Likely Outcome)

- Result: The property is rezoned to R-1-10. The applicant can proceed with a minor subdivision application to move the property line, securing the barn onto the Beverly Glen parcel.
- Tradeoff: The R-1-10 zone allows for smaller lots (10,000 sq. ft.) than the current RR.5D zone (approx. 21,780 sq. ft.). While the applicant has stated no new lots are planned, the *potential* for future subdivision into smaller lots legally increases with this zone change, theoretically allowing higher density in the future than the current zone permits.
- Scenario B: Denial
 - Result: The zoning remains RR-.5D. The applicant would likely be unable to adjust the property lines as desired because the resulting lots might not meet the strict bulk/area requirements of the larger RR-.5D zone, or the split-zoning issue would persist.
 - Tradeoff: The property owner remains restricted in managing their land configuration, and the "split zoning" (where one lot covers two zones) on the Beverly Glen parcel remains unresolved.

Applicable Guiding Principles from the General Plan

The following principles from the General Plan appear most relevant to this specific request:

LAND USE

- Land use decisions should be guided by the General Plan to protect existing land uses and minimize impacts to existing neighborhoods. (The proposal matches the Future Land Use Map and harmonizes the zoning with adjacent developments.)
- The General Plan is the will of the community and presumed current.

URBAN DESIGN

- Support neighborhoods and developments of character. (Allowing the homeowner to legally consolidate their barn and home onto one parcel supports the maintenance and character of the property.)

HOUSING

- Encourage a balanced variety of housing types that meet the needs of all life stages... (While not creating new housing, this supports the flexibility of existing single-family homeowners to adapt their property to their needs.)

9. POSSIBLE COUNCIL ACTION

The Council may choose to take one of the following actions:

1. Approve the Ordinance as written and proposed OR with stated amendments;
2. Not Approve the Ordinance;
3. Continue the item to a future specified date;
4. Move the item to an unspecified date;
5. Refer the item back to a Committee of the Whole Meeting, Council Subcommittee, or an Ad Hoc Committee;
6. Refer the item back to Council Staff or Administrative Staff.

10. ATTACHMENTS

- Ordinance No. 26-12
- Current Future Land Use Map
- Current Zoning
- Proposed Zoning

Draft Subdivision Plat
Public Hearing Notice

1 **Recording Requested By and**
2 **When Recorded Return to:**

3
4 City of West Jordan
5 Attention: City Recorder
6 8000 South Redwood Road
7 West Jordan, Utah 84088
8

9
10 For Recording Purposes Do
11 Not Write Above This Line

12 THE CITY OF WEST JORDAN, UTAH
13 A Municipal Corporation

14 **ORDINANCE NO. 26-12**

15 **AN ORDINANCE FOR APPROXIMATELY 1.21 ACRES OF PROPERTIES**
16 **LOCATED AT 2659 WEST 7000 SOUTH AND 2660 WEST BEVERLY GLEN AVENUE,**
17 **IDENTIFIED AS ROLFE SUBDIVISION; AND**

18 **AMENDING THE ZONING MAP FOR**
19 **ROLFE SUBDIVISION**

20 WHEREAS, the City of West Jordan (“City”) adopted the Comprehensive General Plan
21 (“General Plan”) in 2023, as amended, which provides for a general plan land use map (“General Plan
22 Land Use Map” or “Future Land Use Map”), which is periodically updated; and the City adopted the
23 West Jordan City Code (“City Code”) in 2009, as amended, which provides for a zoning map for the City
24 (“Zoning Map”), which is periodically updated; and

25 WHEREAS, an application was made by Kim Rolfe (“Applicant/Owner”) for approximately 1.21
26 acres of real property, Parcel Numbers 21-28-201-053-0000 and 21-28-201-054-0000, located at 2659
27 West 7000 South and 2660 West Beverly Glen Avenue (“Property” or “Rolfe Subdivision”), for a
28 **Rezone** from the RR-.5D (Rural Residential half-acre minimum lots) Zone and the R-1-10D (Single-
29 family residential 10,000 square foot lots minimum) Zone to the R-1-10 (Single-family residential 10,000
30 square foot lots minimum) Zone (“Application” and “Rezone”); and

31 WHEREAS, on February 3, 2026, the Application was considered by the West Jordan Planning
32 Commission (“Planning Commission”), which held a public hearing and made a *positive*
33 recommendation to the West Jordan City Council (“City Council”) concerning the Rezone, based upon
34 the criteria in City Code Section 13-7D-6; and

35 WHEREAS, a public hearing was held before the City Council on February 24, 2026, concerning
36 the Rezone; and the City Council has reviewed and considered the Rezone; and

37 WHEREAS, in its sole legislative discretion, the City Council now finds it to be in the best interest
38 of the public health, safety, and welfare of the residents of the City to approve the Rezone.

39 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST
40 JORDAN, UTAH AS FOLLOWS:

41 **Section 1. Rezone.** For the Property, a *Rezone is approved* from the RR-.5D (Rural Residential
42 half-acre minimum lots) Zone and the R-1-10D (Single-family residential 10,000 square foot lots
43 minimum) Zone to the R-1-10 (Single-family residential 10,000 square foot lots minimum) Zone, as per
the legal description in “Attachment A”.

44 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court of
45 competent jurisdiction, the remainder shall not be affected thereby.

46 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting or
47 publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly
48 overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance
49 within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

50 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
51 _____ DAY OF _____ 2026.

52
53 CITY OF WEST JORDAN

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55
56 By: _____
57 Bob Bedore
58 Council Chair

59 ATTEST:

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62 _____
63 Cindy M. Quick, MMC
64 Council Office Clerk

67 Voting by the City Council	"YES"	"NO"
68 Chair Bob Bedore	<input type="checkbox"/>	<input type="checkbox"/>
69 Vice Chair Jessica Wignall	<input type="checkbox"/>	<input type="checkbox"/>
70 Council Member Annette Harris	<input type="checkbox"/>	<input type="checkbox"/>
71 Council Member Kayleen Whitelock	<input type="checkbox"/>	<input type="checkbox"/>
72 Council Member Zach Jacob	<input type="checkbox"/>	<input type="checkbox"/>
73 Council Member Chad Lamb	<input type="checkbox"/>	<input type="checkbox"/>
74 Council Member Kent Shelton	<input type="checkbox"/>	<input type="checkbox"/>

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77 **PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON** _____.

78 Mayor's Action: _____ Approve _____ Veto

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81 By: _____
82 Mayor Dirk Burton Date

83 ATTEST:

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86 _____
87 Tangee Sloan, MMC, UCC
88 City Recorder

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STATEMENT OF APPROVAL/PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 26-12.

_____ The Mayor vetoed Ordinance No. 26-12 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

_____ Ordinance No. 26-12 became effective by operation of law without the Mayor’s approval or disapproval.

Tangee Sloan, MMC, UCC
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2026. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, MMC, UCC
City Recorder

[Attachment on the following page(s).]

138
139
140 **Attachment A to**
141 **ORDINANCE NO. 26-12**

142 **AN ORDINANCE FOR APPROXIMATELY 1.21 ACRES OF PROPERTIES**
143 **LOCATED AT 2659 WEST 7000 SOUTH AND 2660 WEST BEVERLY GLEN AVENUE,**
144 **IDENTIFIED AS ROLFE SUBDIVISION; AND**

145 **AMENDING THE ZONING MAP FOR**
146 **ROLFE SUBDIVISION**

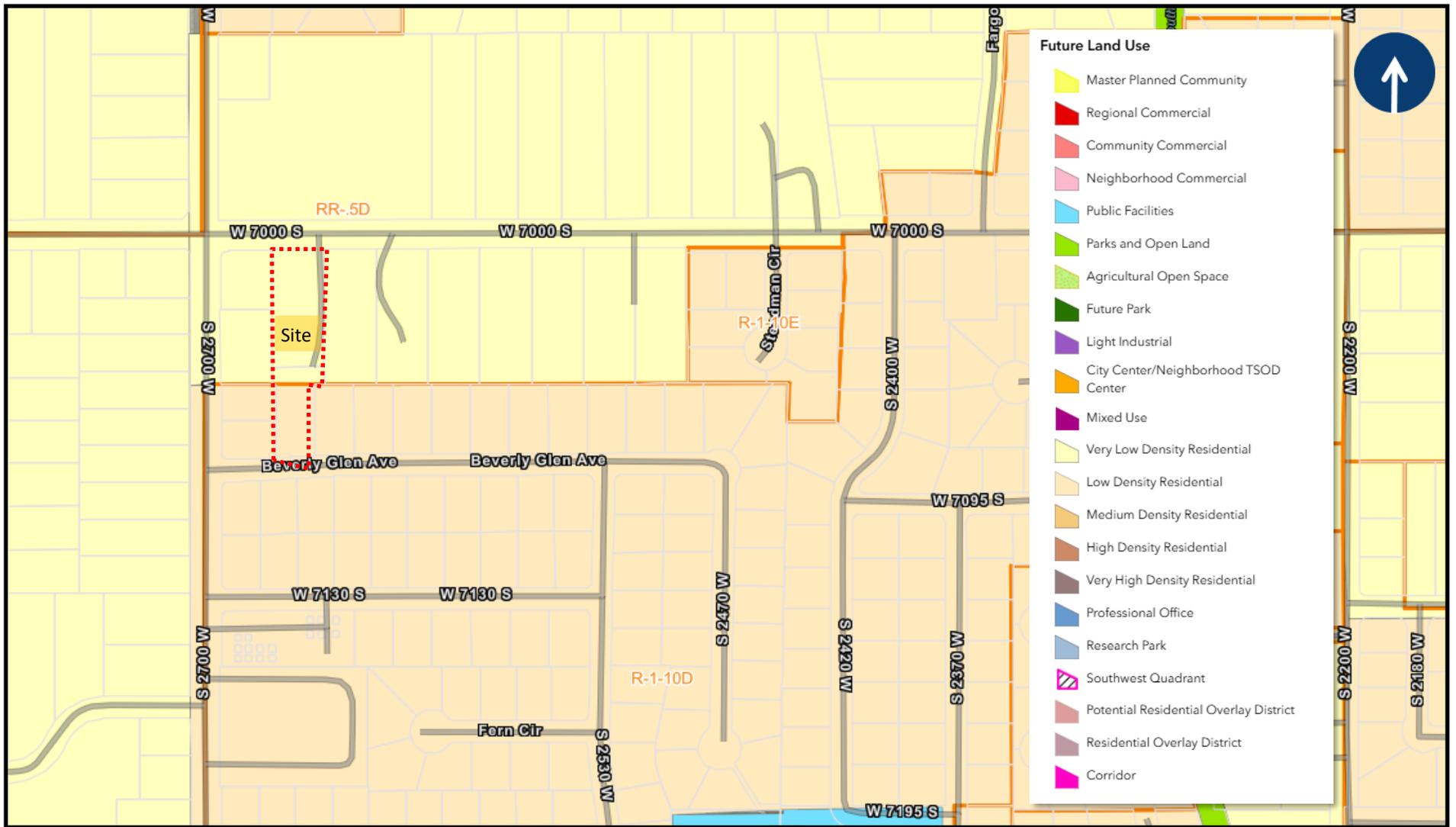
147
148 ***LEGAL DESCRIPTION:***

149 **Parcel Numbers 21-28-201-053-0000 and 21-28-201-054-0000**

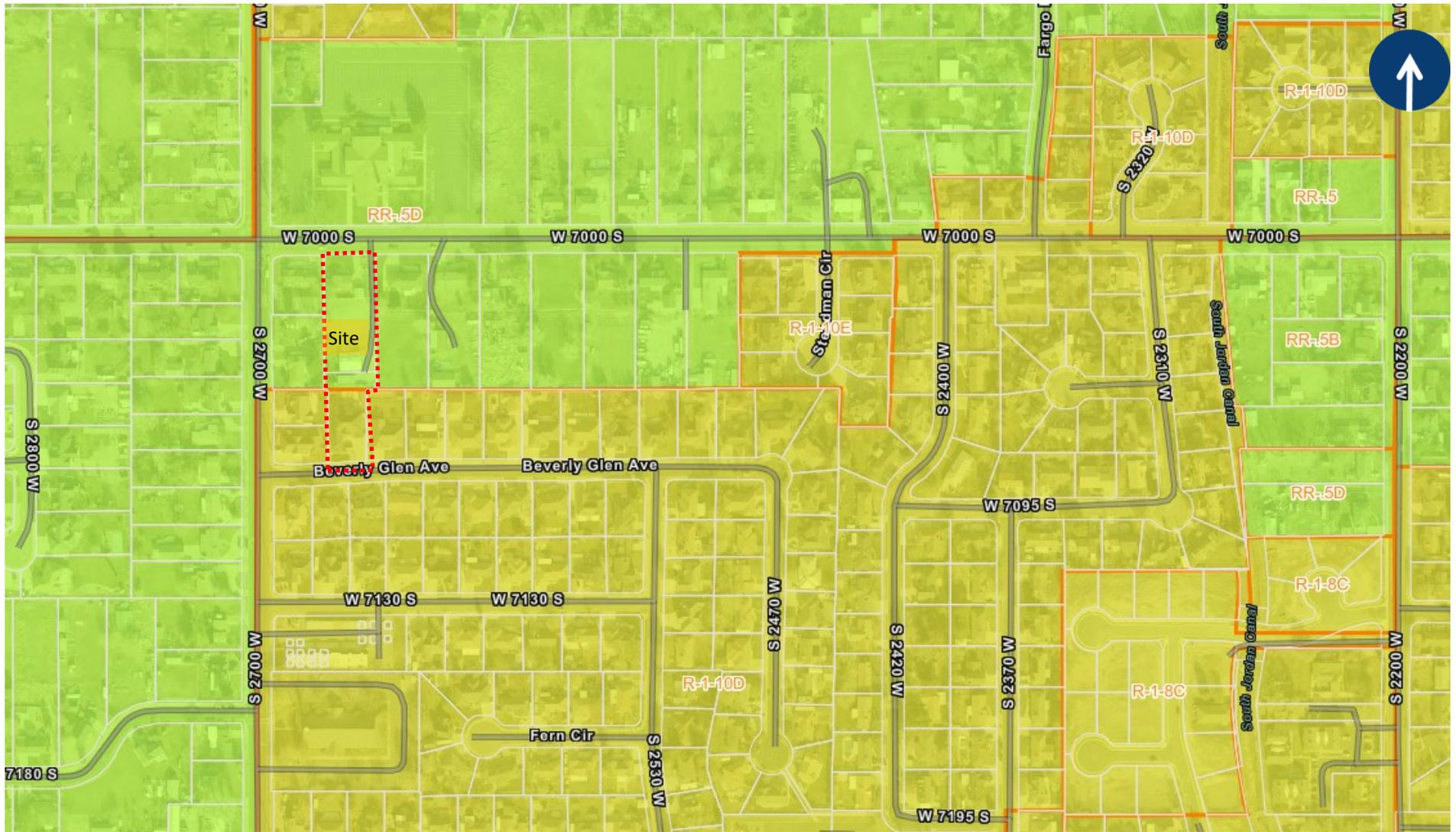
150 A COMBINED PARCEL OF LAND CONSISTING ALL OF SALT LAKE COUNTY PARCEL NUMBER(S)
151 21-28-201-053 AND 21-28-201-054, SAID PARCELS DESCRIBED IN A WARRANTY DEED, ENTRY NUMBER
152 9390904 AND A SPECIAL WARRANTY DEED, ENTRY NUMBER 14354355, SAID DESCRIBED PARCELS ALSO
153 BEING ALL OF LOT 2, STEADMAN ESTATES SUBDIVISION, PLAT ENTRY NUMBER 2039106, AND LOT 3,
154 BEVERLY GLEN SUBDIVISION, PLAT ENTRY NUMBER 3320588, DOCUMENTS AS RECORDED IN THE SALT
155 LAKE COUNTY RECORDER'S OFFICE, SAID COMBINED PARCEL OF LAND SITUATE IN THE NORTHWEST
156 QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT
157 LAKE BASE AND MERIDIAN, WEST JORDAN CITY, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY
158 DESCRIBED AS FOLLOWS:

159 COMMENCING AT A FOUND ALUMINUM CAP, RING AND LID STREET MONUMENT (SLCO 21282035),
160 SOUTHEASTERLY OF SAID LOT 3, LOCATED IN BEVERLY GLEN AVENUE, THENCE SOUTH 89°54'20" WEST
161 138.62 FEET, THENCE NORTH 21.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3, A POINT ON A
162 2430.33 FOOT NON-TANGENT CURVE TO THE LEFT AND THE POINT OF BEGINNING; SAID POINT OF
163 BEGINNING ALSO BEARS NORTH 03°47'00" EAST 2160.75 FEET FROM A FOUND 2 INCH BRASS CAP RING /
164 LID MONUMENT MARKING THE CENTER ONE-QUARTER CORNER OF SAID SECTION 28; THENCE ALONG
165 THE SOUTH LINE OF SAID LOT 3 THE FOLLOWING TWO (2) COURSES: (1) 33.03 FEET ALONG THE ARC OF
166 SAID CURVE HAVING A CENTRAL ANGLE OF 00°46'44" (CHORD BEARS SOUTH 86°14'50" WEST 33.03 FEET)
167 TO THE BEGINNING OF A 2380.33 FOOT REVERSE CURVE TO THE RIGHT, (2) 57.12 FEET ALONG THE ARC
168 OF SAID CURVE HAVING A CENTRAL ANGLE OF 01°22'30" (CHORD BEARS SOUTH 86°38'27" WEST 57.12
169 FEET) TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 00°10'15" WEST 169.32 FEET ALONG
170 THE WEST LINE OF SAID LOT 3 AND MORE OR LESS ALONG AN EXISTING VINYL FENCE LINE TO A POINT
171 ON THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 89°54'20" WEST 8.03 FEET ALONG SAID SOUTH LINE
172 LINE AND AN EXISTING WIRE FENCE LINE TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH
173 00°01'15" WEST 312.82 FEET ALONG AN EXISTING WOOD FENCE LINE AND THE PROJECTION THEREOF TO
174 THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89°54'20" EAST 120.00 FEET ALONG THE
175 NORTH LINE OF SAID LOT 2 TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00°01'15" EAST
176 312.82 FEET ALONG THE EAST FACE OF AN EXISTING MASONRY BLOCK WALL AND THE EXTENSION
177 THEREOF TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 89°54'20" WEST 21.97 FEET TO
178 THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 00°10'15" EAST 163.96 FEET ALONG THE EAST
179 LINE OF SAID LOT 3 AND MORE OR LESS ALONG AN EXISTING VINYL FENCE LINE TO THE POINT OF
180 BEGINNING.

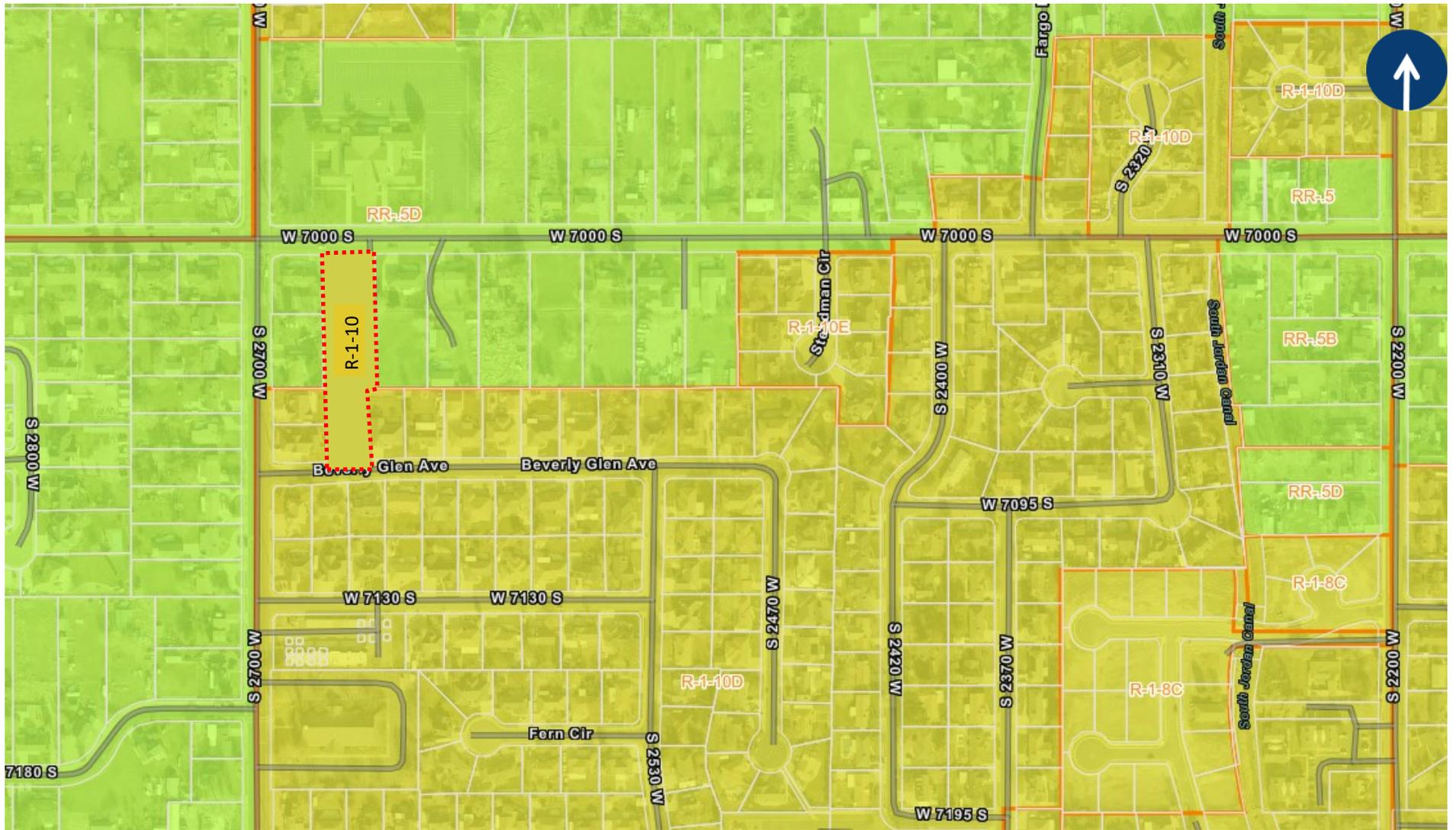
181 OVERALL / COMBINED PARCEL CONTAINS: 52547 S.F. / 1.21 AC +/-



Attachment A: Current Future Land Use Map



Attachment B: Current Zoning Map



Attachment C: Proposed Zoning Map

CITY OF WEST JORDAN NOTICE OF PUBLIC HEARING

The purpose of this notice is to inform you of a public hearing to be held before the City Council on **Tuesday, February 24, 2026, at 7:00 pm** (or as soon thereafter as possible) at **West Jordan City Hall, 3rd Floor, 8000 S. Redwood Rd, West Jordan, UT 84088**. Please note that agenda items are subject to change and may be reordered or tabled in order to accommodate the needs of the City Council and staff.

The purpose of the hearing is to receive public comments regarding a petition from Kim Rolfe for a **Rezone of approximately 1.2 acres** from RR.5D (Rural Residential Half Acre Minimum Lots) to **R-1-10 (single-family residential 10,000 square foot minimum lot size)** for property located at **2659 West 7000 South and 2660 West Beverly Glen Avenue**.

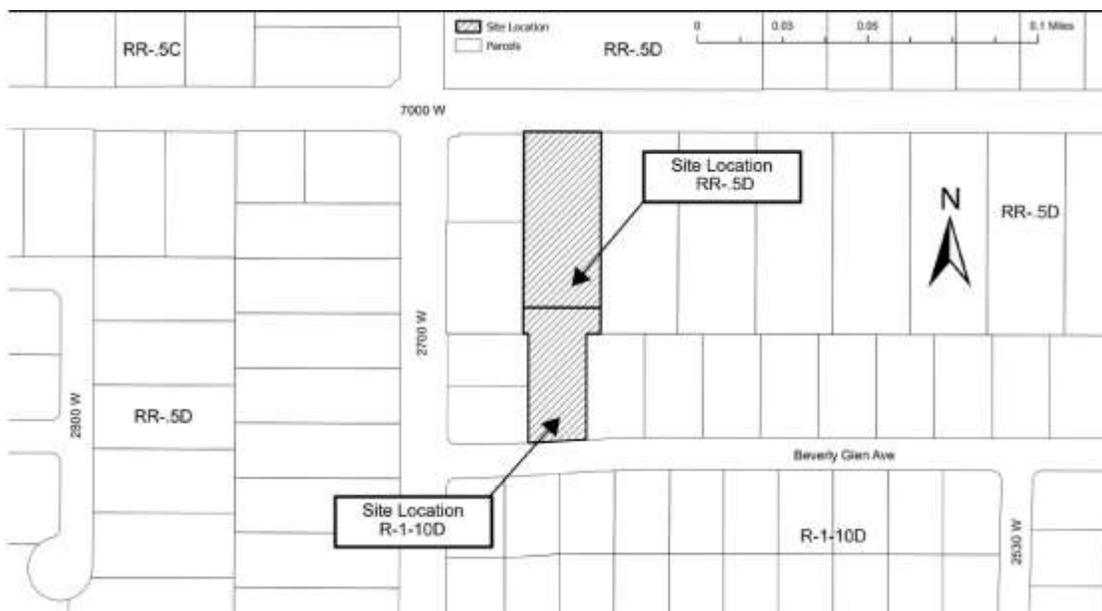
You are invited to attend the public hearing either in person or remotely to learn more about the proposal and provide public comments regarding how this proposal may impact you or your entity. If you wish to provide public comment on the item, your comments will be limited to three (3) minutes.

In accordance with the Americans with Disabilities Act, the City of West Jordan will make reasonable accommodations for participation in the meeting. Requests for assistance can be made by contacting the Council Office at (801) 569-5017 at least three working days' advance notice of the meeting.

Please visit the City of West Jordan website at <https://westjordan.primegov.com/public/portal> approximately four (4) days prior to the meeting for packet materials and Zoom login information.

Alternatively, interested parties may contact the Council prior to the meeting by calling the 24-hour Public Comment Line at (801) 569-5052 or emailing councilcomments@westjordan.utah.gov; please include your name and phone number. (Comments made prior to the meeting will not be read during the meeting but will be provided to all Council Members).

If you have any questions concerning this notice, please contact Tayler Jensen at (801) 569-5060.





REQUEST FOR COUNCIL ACTION

Action: Need Council to Take Action

Meeting Date Requested : 02/24/2026

Presenter: Patrick S Boice, Senior Assistant City Attorney

Deadline of item :

Applicant: Scott Langford/Brock Hudson

Department Sponsor: Comm. Development - Bus. Lic

Agenda Type: BUSINESS ITEMS

Presentation Time: 10 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 26-10 Amendments to West Jordan City Code Title 4, Chapter 2, Article H (Massage Establishments)

2. EXECUTIVE SUMMARY

The Council is being asked to adopt revisions to the special business licensing requirements for massage establishments. This item has previously been discussed at three Committee of the Whole meetings on July 8, 2025, August 19, 2025, and January 27, 2026.

The State of Utah recently revised the licensing requirements for massage establishments (see [Title 58, Chapter 47B](#) and [HB278](#)) and massage technicians. The new State legislation went into effect on October 2, 2025. Proposed changes to the City licensing requirements have been made consistent with direction given in prior meetings and with the changes to State law. Changes to City code include: providing for clear exemptions, bringing definitions in line with new State code, incorporating updates to state licensing requirements, cleaning up language, and streamlining application requirements.

3. TIME SENSITIVITY / URGENCY

None

4. FISCAL NOTE

None. There are no proposed changes to the current City fee schedule.

5. MAYOR RECOMMENDATION

6. COUNCIL STAFF ANALYSIS

Timeline & Background Information

As noted above in the Executive Summary, this item has been discussed at several Committee of the Whole meetings with the most recent being January 27, 2026. At that meeting, staff reviewed proposed amendments to Title 4, Chapter 2, Article H (Massage Establishments) to align the City’s code with recent state legislation ([HB 278S4](#)) and address outdated definitions and licensing provisions. Council Members expressed support for the amendments and suggested providing a definition for “opaque window coverings” clarifying that the prohibition was intended to ensure visibility inside the establishment.

Guiding Principles from the General Plan

- **LAND USE**

- Land use decisions should be guided by the General Plan to protect land uses and minimize impact to existing neighborhoods.
Operational standards such as hours of operation, lobby transparency, and inspection requirements may help reduce secondary impacts on surrounding commercial areas and nearby neighborhoods.

- **ECONOMIC DEVELOPMENT**

- Attract, recruit, and retain quality businesses that benefit and enhance the quality of life in West Jordan.
- Diversify and strengthen the employment and tax base in the City of West Jordan. By clarifying licensing requirements and aligning with State law, the City may provide greater regulatory predictability for legitimate operators while maintain safeguards intended to support community standards and business quality.

7. POSSIBLE COUNCIL ACTION

The Council may choose to take one of the following actions:

1. Approve the Ordinance as written and proposed OR with stated amendments;
2. Not Approve the Ordinance;
3. Continue the item to a future specified date;
4. Move the item to an unspecified date;
5. Refer the item back to a Committee of the Whole Meeting, Council Subcommittee, or an Ad Hoc Committee;
6. Refer the item back to Council Staff or Administrative Staff.

8. ATTACHMENTS

Ordinance No. 26-10

Title 4, Chapter 2, Article H – Message – legislative copy

Title 4, Chapter 2, Article H – Message – clean copy

41 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
42 DAY OF _____ 2026.

43
44 CITY OF WEST JORDAN

45
46 By: _____
47 Bob Bedore
48 Council Chair

49 ATTEST:
50
51 _____
52 Cindy M. Quick, MMC
53 Council Office Clerk

57	Voting by the City Council	"YES"	"NO"
58	Council Chair Bob Bedore	<input type="checkbox"/>	<input type="checkbox"/>
59	Council Vice-Chair Jessica Wignall	<input type="checkbox"/>	<input type="checkbox"/>
60	Council Member Chad Lamb	<input type="checkbox"/>	<input type="checkbox"/>
61	Council Member Kayleen Whitelock	<input type="checkbox"/>	<input type="checkbox"/>
62	Council Member Annette Harris	<input type="checkbox"/>	<input type="checkbox"/>
63	Council Member Kent Shelton	<input type="checkbox"/>	<input type="checkbox"/>
64	Council Member Zach Jacob	<input type="checkbox"/>	<input type="checkbox"/>

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67
68 **PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON** _____.

69
70 Mayor's Action: _____ Approve _____ Veto

71
72
73 By: _____
74 Mayor Dirk Burton Date _____

75
76
77 ATTEST:
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80 _____
81 Tangee Sloan, CMC
82 City Recorder

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STATEMENT OF APPROVAL/PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 26-10.

_____ The Mayor vetoed Ordinance No. 26-10 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

_____ Ordinance No. 26-10 became effective by operation of law without the Mayor's approval or disapproval.

Tangee Sloan, CMC
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2026. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, CMC
City Recorder

(Attachments on the following pages.)

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**Attachments 1 and 2 to
ORDINANCE NO. 26-10
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(MASSAGE ESTABLISHMENTS);
Title 4, Chapter 2, Article H**

Attachment 1 – Title 4, Chapter 2, Article H - Legislative Version

Attachment 2 – Title 4, Chapter 2, Article H - Clean Version

(See the following pages for the attachments.)

1 ARTICLE H. MASSAGE

2

3 SECTION:

4 [4-2H-1: Definitions](#)

5 ~~4-2H-24~~: License Required

6 ~~4-2H-32~~: Prohibited Acts

7 [4-2H-4: Massage Establishment Requirements](#)

8 [4-2H-5: Limitations on Site of Prior Revocation](#)

9

10

11 4-2H-1: ~~LICENSE REQUIRED~~ DEFINITIONS:

12 [All definitions used herein shall have the same meaning as those found in Utah Code](#)
13 [section 58-47b-102, or successor provision.](#)

14

15 [4-2H-2: LICENSE REQUIRED:](#)

16 [A. It is unlawful for any person, or business, to engage in, carry on, or conduct the](#)
17 [business of massage in the city without first obtaining a general city business](#)
18 [license and a specialty massage license.](#)

19 [B. The following massage service providers are exempt from the specialty massage](#)
20 [license requirement in subsection A:](#)

21 [a. Physicians, surgeons, chiropractors, osteopaths, nurses, or any physical](#)
22 [therapists, who are duly licensed to practice their respective professions in](#)
23 [the State of Utah and persons working directly under the supervision of or at](#)
24 [the direction of such licensed persons, working at the same location as the](#)
25 [licensed person, and administering massage services subject to review or](#)
26 [oversight by the licensed person;](#)

27 [b. Barbers and cosmetologists who are duly licensed under the laws of the](#)
28 [State of Utah, while engaging in practices within the scope of their licenses,](#)
29 [and limited to the massaging of the neck, face, scalp, hands, or feet of the](#)
30 [clients;](#)

31 [c. Employees of hospitals, nursing homes, mental health facilities, or any other](#)
32 [health facilities duly licensed by the State of Utah, while acting within the](#)
33 [scope of their employment;](#)

34 [d. Massage performed as part of a home occupation.](#)

35 ~~It is unlawful for any person to engage in, carry on or conduct the business of massage in~~
36 ~~the city without first obtaining a city business license.~~ (Ord. 12-13, 6-13-2012; amd. Ord.
37 19-47, 12-04-2019, Effective at 12 noon on January 6, 2020)

38
39 ~~4-2H-23: PROHIBITED ACTS:~~

40 [A. It is unlawful for any person to practice or engage in or attempt to practice or engage in](#)
41 [massage, without first being properly licensed by the state.](#)

42 [B. It is unlawful to serve, store, allow to be served, or allow to be consumed any](#)
43 [alcoholic beverage on the licensed premises of a massage establishment.](#)

44 [C. It is unlawful for a licensed individual, a licensed massage establishment, or an](#)
45 [employee of a massage establishment to engage in unlawful conduct or unprofessional](#)
46 [conduct on business premises, including locations designated by the client through an](#)
47 [outcall massage service.](#)~~The following acts are prohibited:~~

48 ~~—A.— State License Required: It is unlawful for any person to practice or engage in or~~
49 ~~attempt to practice or engage in massage, without first being licensed by the state as a~~
50 ~~massage technician or massage apprentice.~~

51 ~~—B.— Alcohol: It is unlawful to serve, store, allow to be served, or allow to be consumed any~~
52 ~~alcoholic beverage on the licensed premises of a massage establishment.~~

53 ~~—C.— Massaging Specified Anatomical Areas: It is unlawful for a massage technician,~~
54 ~~massage apprentice, or any employee of a massage establishment to touch or offer to~~
55 ~~touch or massage the specified anatomical areas of customers.~~

56 ~~—D.— Sexual Activity: It is unlawful for the massage technician, massage apprentice, or any~~
57 ~~customer or employee of the massage establishment, to display to any other person any~~
58 ~~"specified anatomical area" or to engage in any "specified sexual activity", while on the~~
59 ~~premises of the massage establishment.~~ (Ord. 12-13, 6-13-2012)

60
61 [4-2H-4: MESSAGE ESTABLISHMENT REQUIREMENTS:](#)

62 [All massage establishments shall comply with the following requirements:](#)

- 63 A. Provide verification of registry with the State of Utah pursuant to Section 58-47b-
64 301.1 of the State Code or successor provision.
- 65 B. Business hours are restricted to between 6:00 AM and 10:00 PM.
- 66 C. Licensed individuals providing services at the massage establishment must display
67 their license in the front lobby. The legal name of each licensed individual as well as
68 the Department of Professional Licensing (DOPL) number must be visible.
- 69 D. The full name, address, and phone number of all the massage establishment's
70 employees, independent contractors, and any other individuals performing
71 massage and a copy of their valid Utah license and valid government issued photo
72 identification must be provided with an application for a specialty license. Updated
73 information must be provided to the City within 30 days of any changes in staff.
- 74 E. It is unlawful to employ anyone under the age of 18 at a massage establishment.
- 75 F. Security cameras are only permitted in the lobby area of a massage establishment.
- 76 G. Windows into the lobby area of the massage establishment must remain
77 unobstructed and transparent to outside viewers. Opaque window coverings or
78 graphics which significantly impede visibility into the lobby area are prohibited.
- 79 H. No license shall be issued under this Article until an on-site inspection has been
80 completed by the Business License Official or their designee.

81

82 4-2H-5: LIMITATIONS ON SITE OF PRIOR REVOCATION:

83 The Business License Official may not license a massage establishment at a location for a
84 period of two years where a previous massage establishment was located and had its
85 license revoked, denied, or suspended.

1 ARTICLE H. MASSAGE

2

3 SECTION:

4 4-2H-1: Definitions

5 4-2H-2: License Required

6 4-2H-3: Prohibited Acts

7 4-2H-4: Massage Establishment Requirements

8 4-2H-5: Limitations on Site of Prior Revocation

9

10 4-2H-1: DEFINITIONS:

11 All definitions used herein shall have the same meaning as those found in Utah Code
12 section 58-47b-102, or successor provision.

13

14 4-2H-2: LICENSE REQUIRED:

15 A. It is unlawful for any person, or business, to engage in, carry on, or conduct the
16 business of massage in the city without first obtaining a general city business
17 license and a specialty massage license.

18 B. The following massage service providers are exempt from the specialty massage
19 license requirement in subsection A:

20 a. Physicians, surgeons, chiropractors, osteopaths, nurses, or any physical
21 therapists, who are duly licensed to practice their respective professions in
22 the State of Utah and persons working directly under the supervision of or at
23 the direction of such licensed persons, working at the same location as the
24 licensed person, and administering massage services subject to review or
25 oversight by the licensed person;

26 b. Barbers and cosmetologists who are duly licensed under the laws of the
27 State of Utah, while engaging in practices within the scope of their licenses,
28 and limited to the massaging of the neck, face, scalp, hands, or feet of the
29 clients;

30 c. Employees of hospitals, nursing homes, mental health facilities, or any other
31 health facilities duly licensed by the State of Utah, while acting within the
32 scope of their employment;

33 d. Massage performed as part of a home occupation.
34 (Ord. 12-13, 6-13-2012; amd. Ord. 19-47, 12-04-2019, Effective at 12 noon on January 6,
35 2020)

36

37 4-2H-3: PROHIBITED ACTS:

38 A. It is unlawful for any person to practice or engage in or attempt to practice or engage in
39 massage, without first being properly licensed by the state.

40 B. It is unlawful to serve, store, allow to be served, or allow to be consumed any
41 alcoholic beverage on the licensed premises of a massage establishment.

42 C. It is unlawful for a licensed individual, a licensed massage establishment, or an
43 employee of a massage establishment to engage in unlawful conduct or unprofessional
44 conduct on business premises, including locations designated by the client through an
45 outcall massage service.(Ord. 12-13, 6-13-2012)

46

47 4-2H-4: MASSAGE ESTABLISHMENT REQUIREMENTS:

48 All massage establishments shall comply with the following requirements:

49 A. Provide verification of registry with the State of Utah pursuant to Section 58-47b-
50 301.1 of the State Code or successor provision.

51 B. Business hours are restricted to between 6:00 AM and 10:00 PM.

52 C. Licensed individuals providing services at the massage establishment must display
53 their license in the front lobby. The legal name of each licensed individual as well as
54 the Department of Professional Licensing (DOPL) number must be visible.

55 D. The full name, address, and phone number of all the massage establishment's
56 employees, independent contractors, and any other individuals performing
57 massage and a copy of their valid Utah license and valid government issued photo
58 identification must be provided with an application for a specialty license. Updated
59 information must be provided to the City within 30 days of any changes in staff.

60 E. It is unlawful to employ anyone under the age of 18 at a massage establishment.

61 F. Security cameras are only permitted in the lobby area of a massage establishment.

62 G. Windows into the lobby area of the massage establishment must remain
63 unobstructed and transparent to outside viewers. Opaque window coverings or
64 graphics which significantly impede visibility into the lobby area are prohibited.

65 H. No license shall be issued under this Article until an on-site inspection has been
66 completed by the Business License Official or their designee.

67

68 4-2H-5: LIMITATIONS ON SITE OF PRIOR REVOCATION:

69 The Business License Official may not license a massage establishment at a location for a
70 period of two years where a previous massage establishment was located and had its
71 license revoked, denied, or suspended.



REQUEST FOR COUNCIL ACTION

Action: Need Council to Take Action	Meeting Date Requested : 02/24/2026
Presenter: Patrick S Boice, Senior Assistant City Attorney	Deadline of item :
Applicant: Council Member Whitelock and Shelton	
Department Sponsor: Council Office	
Agenda Type: BUSINESS ITEMS	
Presentation Time: 10 Minutes	<i>(Council may elect to provide more or less time)</i>

1. AGENDA SUBJECT

Ordinance No. 26-11 Amendments to West Jordan City Code Title 7, Chapters 3 and 4 – Truck Parking

2. EXECUTIVE SUMMARY

Council is being asked to consider amendments to West Jordan City Code, Title 7, Chapters 3 and 4, concerning the parking of large trucks.

Former Council Member Green proposed changes to the code and submitted an initial draft and many of his suggestions have been incorporated. Overall, the proposed amendments to the Code seek to remove redundancies, create a more straightforward format, remove contradictory terms, create proximity restrictions near residences, and improve readability.

This matter was previously before the Council on February 10, 2026. Section 7-3-12 required some additional wordsmithing. The proposed code has been revised and is included in the packet.

3. TIME SENSITIVITY / URGENCY

None

4. FISCAL NOTE

None

5. MAYOR RECOMMENDATION

6. COUNCIL STAFF ANALYSIS

Timeline & Background Information

The Council most recently considered this proposal during the [February 10, 2026, City Council meeting](#). At the meeting, the council originally adopted the ordinance and then Council Members reconsidered the item for further clarity of Section 7-3-12 (3) and (4), particularly regarding the use of “and” versus “or” and how the conditions were structured. The council asked to continue the item until the clarity could be implemented. To better reflect Council’s intent, members suggested restructuring the section by grouping the distance requirements into a single subsection with clearly defined parts (e.g., 2(a), (b), and (c)) connected by “and,” while preserving the alternative allowance for loading and unloading.

7. POSSIBLE COUNCIL ACTION

The Council may choose to take one of the following actions:

1. Approve the Ordinance as written and proposed OR with stated amendments;
2. Not Approve the Ordinance;
3. Continue the item to a future specified date;
4. Move the item to an unspecified date;
5. Refer the item back to a Committee of the Whole Meeting, Council Subcommittee, or an Ad Hoc Committee;
6. Refer the item back to Council Staff or Administrative Staff.

8. ATTACHMENTS

Ordinance No. 26-11

Title 7, Chapter 3 Legislative Code

Title 7, Chapter 3 Clean Code

Title 7, Chapter 4 Legislative Code

Title 7, Chapter 4 Clean Code

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 26-11

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(TRUCK PARKING);**

Title 7, Chapter 3, Section 12, and Title 7, Chapter 4

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and the City Council of the City (“Council” or “City Council”) desires to amend Title 7, Chapter 3, Section 12, and Title 7, Chapter 4 of the City Code (“**proposed City Code amendments**”); and

WHEREAS, the City Council desires to revise the City Code pertaining to the manner in which certain vehicles are parked on City streets; and

WHEREAS, the City Council is authorized by Utah State Code to pass legislation concerning the use of City streets; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the proposed City Code amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:

Section 1. Amendment of City Code Provision. City Code Title 7, Chapter 3, Section 12 is amended as shown in Attachments 1 (Legislative Version) and 2 (Clean Version) to this Ordinance.

Section 2. Amendment of City Code Provision. City Code Title 7, Chapter 4 is amended as shown in Attachments 3 (Legislative Version) and 4 (Clean Version) to this Ordinance

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS _____ DAY OF _____ 2026.

CITY OF WEST JORDAN

By: _____

Bob Bedore
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

[See next page.]

Voting by the City Council

"YES"

"NO"

Council Chair Bob Bedore

Council Vice-Chair Jessica Wignall

Council Member Annette Harris

Council Member Zach Jacob

Council Member Chad Lamb

Council Member Kent Shelton

Council Member Kayleen Whitelock

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____, 2026.

Mayor's Action: _____ Approve _____ Veto

By: _____
Mayor Dirk Burton

_____ Date

ATTEST:

Tangee Sloan, MMC, UCC
City Recorder

STATEMENT OF APPROVAL/PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 26-11.

_____ The Mayor vetoed Ordinance No. 26-11 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

_____ Ordinance No. 26-11 became effective by operation of law without the Mayor's approval or disapproval.

Tangee Sloan, MMC, UCC
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2026. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, MMC, UCC
City Recorder

(Attachments on the following pages.)

**Attachments 1 and 2 to
ORDINANCE NO. 26-11
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(TRUCK PARKING);
Title 7, Chapter 3, Section 12, and Title 7, Chapter 4**

Attachment 1 – Title 7, Chapter 3, Section 12 Legislative Version

Attachment 2 – Title 7, Chapter 3, Section 12 Clean Version

(See the following pages for the attachments.)

**Attachments 3 and 4 to
ORDINANCE NO. 26-11
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(TRUCK PARKING);
Title 7, Chapter 3, Section 12, and Title 7, Chapter 4**

Attachment 1 – Title 7, Chapter 4 Legislative Version

Attachment 2 – Title 7, Chapter 4 Clean Version

(See the following pages for the attachments)

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7-3-12: PARKING OF TRUCKS:

A. A person may not park a truck, truck-tractor, semitrailer or trailer on a public street unless:

1. ~~Unless a~~It is actively ~~etually~~ loading or unloading equipment or merchandise ~~for no~~ more than three hours; or

2. It meets the following conditions:

a. ~~It is more than 30 feet from the entrance, exit, or intersection of any private driveway, private street, alley, or public street~~100 yards from a residence; and:

b. It is more than 45 feet from an intersection; and

c. It is more than 15 feet from a fire hydrant or mailbox, 20 feet from a crosswalk, and 50 feet from a railroad crossing.

B. For the purposes of this section, a truck is considered parked, even though the motor is running, if the vehicle is left standing for any period ~~of~~in excess of three minutes.

C. A vehicle parked in violation of this section may be immobilized, moved, or impounded by a law enforcement officer. (2001 Code § 86-7-102; amd. Ord. 24-51, 11-6-2024)

1 7-3-12: PARKING OF TRUCKS:

2 A. A person may not park a truck, truck-tractor, semitrailer or trailer on a public street
3 unless:

4 1. It is actively loading or unloading equipment or merchandise for no more than three
5 hours; or

6 2. It meets the following conditions:

7 a. It is more than 100 yards from a residence; and

8 b. It is more than 45 feet from an intersection; and

9 c. It is more than 15 feet from a fire hydrant or mailbox, 20 feet from a crosswalk, and
10 50 feet from a railroad crossing.

11 B. For the purposes of this section, a truck is considered parked, even though the motor
12 is running, if the vehicle is left standing for any period in excess of three minutes.

13 C. A vehicle parked in violation of this section may be immobilized, moved, or
14 impounded by a law enforcement officer. (2001 Code § 86-7-102; amd. Ord. 24-51, 11-6-
15 2024)

1 CHAPTER 4
2 TRUCKS

3 SECTION:

4 ~~7-4-1: Definitions~~

5 ~~7-4-2: Parking Of Trucks~~

6 ~~7-4-3~~1: Truck Routes

7 ~~7-4-4~~2: Loads To Be Covered

8 ~~7-4-5~~3: Penalty

9

10 ~~7-4-1: DEFINITIONS:~~

11 ~~—A. The following words, terms and phrases, when used in this chapter, shall have the~~
12 ~~meanings ascribed to them in this section, except where the context clearly indicates a~~
13 ~~different meaning:~~

14 ~~RESIDENTIAL AREA : The territory contiguous to and including a highway not comprising a~~
15 ~~Business District when the property on such highway for a distance of three hundred feet~~
16 ~~(300') or more is in the main improved with residences.~~

17 ~~SEMITRAILER : Every vehicle with or without motive power, other than a police trailer,~~
18 ~~designed for carrying persons or property and for being drawn by a motor vehicle for~~
19 ~~commercial purposes and so constructed that some part of its weight and that of its load~~
20 ~~rests upon or is carried by another vehicle.~~

21 ~~TRAILER : Every vehicle with or without motive power, other than a police trailer, designed~~
22 ~~for carrying persons or property for commercial purposes and for being drawn by a motor~~
23 ~~vehicle and so constructed that no part of its weight rests upon the towing vehicle.~~

24 ~~TRUCK : Every motor vehicle designed, used or maintained primarily for the transportation~~
25 ~~of property for commercial purposes having a registered gross vehicle weight exceeding~~
26 ~~eighteen thousand (18,000) pounds.~~

27 ~~TRUCK-TRACTOR : Every motor vehicle designed and used primarily for commercial~~
28 ~~purposes for drawing other vehicles and not so constructed as to carry a load other than a~~
29 ~~part of the weight of the vehicle and load so drawn.~~

30 ~~—B. The definitions of semitrailer, trailer, truck and truck-tractor shall not be construed~~
31 ~~to include privately owned trailers, boat trailers, camping trailers, and recreation vehicles~~
32 ~~used for private noncommercial purposes. (2001 Code § 86-7-101)~~

33

34 ~~7-4-2: PARKING OF TRUCKS:~~

- 35 ~~—A. No truck, truck tractor, semitrailer or trailer shall be parked:~~
- 36 ~~—1. On a public street, except while actually loading or unloading merchandise.~~
- 37 ~~—2. On a public street closer than thirty feet (30') to the entrance, exit or intersection~~
- 38 ~~with any private driveway, private street, alley or public street.~~
- 39 ~~—B. For the purposes of this section, a truck shall be deemed parked, even though the~~
- 40 ~~motor is running, if the vehicle is left standing for any period of excess of three (3) minutes,~~
- 41 ~~except when unloading or loading. (2001 Code § 86-7-102)~~

42

43 7-4-~~13~~: TRUCK ROUTES:

44 A. Designated:

45 1. ~~The following streets are designated as t~~Truck routes are designated by the city

46 traffic engineer and are reflected in the transportation master plan. Designated truck

47 routes shall avoid residential streets.

48 ~~— Airport Road from northern City boundary to New Bingham Highway.~~

49 ~~— Bangerter Highway (approximately 3600 West) from northern City boundary to~~

50 ~~southern City boundary.~~

51 ~~— Campus View Drive from Jordan Landing Boulevard to 7800 South.~~

52 ~~— Dannon Way from 5600 West to 6400 West.~~

53 ~~— Farm Road from 4000 West to 4300 West.~~

54 ~~— Haun Drive from 2700 West to 3200 West.~~

55 ~~— Hawley Park Road from 5600 West to Old Bingham Highway.~~

56 ~~— Jordan Landing Boulevard from Bangerter Highway to 7800 South.~~

57 ~~— Mountain View Freeway from northern City boundary to southern City boundary.~~

58 ~~— New Bingham Highway from intersection with 7800 South to western City boundary.~~

59 ~~— Nike Drive from 4000 West to 4300 West.~~

60 ~~— Old Bingham Highway from intersection with 7800 South to western City boundary.~~

61 ~~— Prosperity Road from New Bingham Highway to Old Bingham Highway.~~

62 ~~— Redwood Road from northern City boundary to southern City boundary.~~

63 ~~— State Road U-111 from northern City boundary to southern City boundary.~~

64 ~~— Welby Park Drive from New Bingham Highway to 8200 South.~~

- 65 ~~— Wells Park Road from Hawley Park Road to 6800 West.~~
- 66 ~~— 1300 West from 7800 South to 9000 South.~~
- 67 ~~— 2700 West from 8600 South to 9000 South.~~
- 68 ~~— 3200 West from 8600 South to 9000 South.~~
- 69 ~~— 4000 West from 7800 South to 9000 South.~~
- 70 ~~— 4300 West from 8200 South to Farm Road.~~
- 71 ~~— 5600 West from northern City boundary to southern City boundary.~~
- 72 ~~— 6200 South from Bangerter Highway to 5600 West.~~
- 73 ~~— 7000 South from eastern City boundary to Redwood Road.~~
- 74 ~~— 7800 South from eastern City boundary to state Road U-111.~~
- 75 ~~— 8370 South from 4000 West to 4300 West.~~
- 76 ~~— 8600 South from 3200 West to Old Bingham Highway.~~
- 77 ~~— 9000 South from eastern City boundary to the intersection with the Mountain View~~
- 78 ~~Freeway at 5800 West.~~

79 2. All trucks, truck-tractors, semitrailers and trailers, and all vehicles carrying
 80 flammable liquids in excess of ~~three thousand (3,000)~~ gallons, explosives ~~and or~~ corrosives,
 81 shall, except as provided in this section, follow ~~such~~ designated truck routes ~~and not depart~~
 82 ~~from such routes.~~ Temporary alternative truck routes may be designated by the mayor or
 83 their designee. ~~The mayor may, in writing, designate temporary alternative truck routes~~
 84 ~~and authorize trucks to depart from the truck routes for a temporary period not exceeding~~
 85 ~~thirty (30) days, when road repairs or other obstructions block the truck routes and when~~
 86 ~~a report of such authorization is made to the City Council at the next regularly scheduled~~
 87 ~~Council meeting.~~

88 B. Exceptions: ~~The truck routes specified in subsection A of this section~~ Designated truck
 89 routes shall not apply to

- 90 1. ~~a trucks~~ delivering to or returning from construction sites where it is not possible to
 91 use a designated truck route; ~~or, or to~~
- 92 2. ~~a trucks~~ making a direct delivery of ~~delivering~~ merchandise to or from a local
 93 businesses or local residences located ~~or established truck terminals~~ within the city;
 94 or
- 95 3. a truck or truck tractor traveling to or from a licensed garage where the vehicle will
 96 be lawfully repaired or serviced, if travel or delivery is made by the most direct and
 97 shortest route; ~~or;~~

98 4. Aa truck tractor truck-tractor, not attached to a trailer or semitrailer ~~, may depart~~
99 ~~from the truck routes, notwithstanding any provisions of this chapter to the~~
100 ~~contrary, and may beif traveling to~~ parked on private property in compliance with
101 ~~the City Zoning Ordinance~~ city code; or:

102 5. an unladen truck tractor traveling for the sole purpose of going to or returning from
103 a retail fuel outlet. The route of travel must be as reasonably direct as possible; or

104 6. a truck or truck tractor using a detour route due to a temporary road closure.

105 ~~—C. Going To Or From Retail Fuel Outlet: An unladen truck or truck-tractor subject to this~~
106 ~~section may, for the sole purpose of going to or returning from a retail fuel outlet, depart~~
107 ~~from the truck routes designated in this section; however, the route of travel must be as~~
108 ~~reasonably direct as possible.~~

109 ~~D.C. Signs Required:~~ The mayor or histheir designee shallmay install ~~on major streets~~
110 ~~near their intersections with streets designated as truck routes in this section~~ signs which
111 indicate, in words or in pictures, that trucks are prohibited from certain roads. Where such
112 signs are installed, the mayor or histheir designee may install additional signage to the
113 effect that local deliveries are permitted in accordance with ~~subsection B of this~~
114 ~~section~~ chapter.

115 ~~D.E. Signs Prohibiting Use Of Dynamic Engine Braking Devices:~~ The mayor or histheir
116 designee shall may ~~cause to be installed adjacent to truck routes~~ install appropriate signage
117 along truck routes which indicates that the use of dynamic engine braking devices ~~by which~~
118 ~~compression within the vehicle engine slows or stops the vehicle's forward motion is~~ are
119 prohibited. The use of engine brakes within said areas may be prosecuted as provided
120 herein. (2001 Code § 86-7-103; amd. Ord. 16-40, 10-12-2016; Ord. 19-04, 1-23-2019; Ord.
121 21-04, 2-10-2021)

122
123 7-4-~~4~~2: LOADS TO BE COVERED:

124 It is unlawful for any person to haul, convey or transport through or upon any of the public
125 streets any garbage, ~~ashes, market wastes, manure, night soil, loose paper, scrap paper,~~
126 ~~excelsior, tree limbs, bush clippings, lawn clippings, house refuse, yard refuse, liquid wastes~~
127 ~~or any other refuse materials, in open trucks, open trailers or other open conveyances,~~
128 unless covered completely ~~by a heavy duty canvas or other similar material which shall~~ to
129 prevent the spillage of any materials ~~from such vehicles at all times when the vehicles are~~
130 ~~being used for the collection of, or carrying, transporting or hauling of any of such~~
131 ~~materials.~~ (2001 Code § 86-7-104)

132
133 7-4-~~5~~3: PENALTY:

134 ~~It is unlawful for any driver or other person having control of any vehicle to violate or allow~~
135 ~~such vehicle to be operated in violation of the provisions of this chapter. A first violation of~~
136 ~~this chapter shall be an infraction. Any subsequent violations of this chapter by the same~~

137 ~~driver or other person having control of any vehicle that is allowed to violate this chapter~~
138 ~~shall be enhanced to a Class C misdemeanor.~~ A violation of this chapter may be prosecuted
139 as a civil citation or as a Class C misdemeanor. (2001 Code § 86-7-105; amd. 2009 Code)

1 CHAPTER 4
2 TRUCKS

3 SECTION:

4 7-4-1: Truck Routes

5 7-4-2: Loads To Be Covered

6 7-4-3: Penalty

7

8 7-4-1: TRUCK ROUTES:

9 A. Designated:

10 1. Truck routes are designated by the city traffic engineer and are reflected in the
11 transportation master plan. Designated truck routes shall avoid residential streets.

12 2. All trucks, truck-tractors, semitrailers and trailers, and all vehicles carrying
13 flammable liquids in excess of 3,000 gallons, explosives or corrosives, shall, except as
14 provided in this section, follow designated truck routes. Temporary alternative truck
15 routes may be designated by the mayor or their designee.

16 B. Exceptions: Designated truck routes shall not apply to

17 1. a truck delivering to or returning from construction sites where it is not possible to
18 use a designated truck route; or

19 2. a truck making a direct delivery of merchandise to or from a businesses or residence
20 located within the city; or

21 3. a truck or truck tractor traveling to or from a licensed garage where the vehicle will
22 be lawfully repaired or serviced, if travel or delivery is made by the most direct and
23 shortest route; or

24 4. a truck tractor not attached to a trailer or semitrailer if traveling to park on private
25 property in compliance with city code; or

26 5. an unladen truck tractor traveling for the sole purpose of going to or returning from
27 a retail fuel outlet. The route of travel must be as reasonably direct as possible; or

28 6. a truck or truck tractor using a detour route due to a temporary road closure.

29 C. The mayor or their designee may install signs which indicate, in words or in pictures,
30 that trucks are prohibited from certain roads. Where such signs are installed, the mayor or
31 their designee may install additional signage to the effect that local deliveries are permitted
32 in accordance with this chapter.

33 D. The mayor or their designee may install signage along truck routes which indicates
34 that the use of dynamic engine braking devices are prohibited. The use of engine brakes
35 within said areas may be prosecuted as provided herein. (2001 Code § 86-7-103; amd. Ord.
36 16-40, 10-12-2016; Ord. 19-04, 1-23-2019; Ord. 21-04, 2-10-2021)

37

38 7-4-2: LOADS TO BE COVERED:

39 It is unlawful for any person to haul, convey or transport through or upon any of the public
40 streets any garbage or other refuse materials unless covered completely to prevent the
41 spillage of any materials (2001 Code § 86-7-104)

42

43 7-4-3: PENALTY:

44 A violation of this chapter may be prosecuted as a civil citation or as a Class C
45 misdemeanor. (2001 Code § 86-7-105; amd. 2009 Code)



REQUEST FOR COUNCIL ACTION

Action: Need Council to Take Action

Meeting Date Requested : 02/24/2026

Presenter: Patrick S Boice, Senior Assistant City Attorney

Deadline of item :

Applicant: City Attorney's Office

Department Sponsor: City Attorney's Office

Agenda Type: BUSINESS ITEMS

Presentation Time: 10 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Ordinance No. 26-14 Amendments to West Jordan City Code Title 1, Chapter 12 – Employee Appeal Process

2. EXECUTIVE SUMMARY

The Council is being asked to consider revisions to Title 1, Chapter 12 of the West Jordan City Code. This particular chapter deals with the employee appeal process. In particular, changes are needed to correct admission of evidence during hearings, the burden of proof standards, references to proper sections of the State Code, and other stylistic changes which the Council has made throughout the code to increase readability.

The council first discussed this topic at a [Committee of the Whole on February 10, 2026](#).

These changes are necessary to ensure that the City is properly protected in employment proceedings. Proposed changes also incorporate the use of the Administrative Law Judge as the hearing officer.

3. TIME SENSITIVITY / URGENCY

None

4. FISCAL NOTE

None

5. MAYOR RECOMMENDATION

6. COUNCIL STAFF ANALYSIS

What You Need to Know – A Plain Language Summary

The Council is being asked to consider Ordinance No. 26-14, which proposed updates to Title 1, Chapter 12 of the West Jordan City Code governing the employee discipline appeal process.

This chapter clarifies how city employees may appeal certain disciplinary actions (such as termination, suspensions over two days without pay, or disciplinary demotions), and how those appeals are handled.

The proposed amendments:

- Clarify who may appeal and what types of discipline are eligible;
- Correct references to applicable sections of [Utah Code Section 10-3-1106](#) and related state statutes;
- Refine how evidence is admitted and considered during hearings;
- Clarify the applicable “substantial evidence” standard and burden of proof;
- Formalize the use of an Administrative Law Judge (ALJ) as the independent hearing officer;
- Improve overall readability and internal consistency within the City Code.

Primary stakeholders include:

- City employees subject to disciplinary action;
- Department directors and supervisors responsible for discipline;
- Human Resources staff administering the process;
- The City Attorney’s Office;

Council Members may wish to consider whether the clarified burden of proof and evidence standards appropriately balance employee due process rights with the City’s need for efficient and defensible personnel management.

Possible Scenarios & Key Tradeoffs

If changes are adopted:

- Employee appeals would be conducted under clarified evidentiary rules and timelines.
- The Administrative Law Judge would formally serve as the hearing officer.
- The “substantial evidence” standard would be more clearly defined.
- The City may reduce procedural ambiguity that could otherwise be challenged in court.

If no changes are made:

- The current code language would remain in effect.
- Ambiguities regarding burden of proof and evidence admission may continue.
- The City could face increased litigation risk if inconsistencies between local code and state statute are asserted.

Potential Questions & Discussion Points

Council Members may wish to consider asking:

1. Do amendments fully align City Code with current Utah statutory requirements for employee appeals?
2. How does the clarified burden of proof compare to prior language, and does it materially change the outcome standard?
3. What has been the City’s historical experience with employee appeals, and are these changes in response to identified issues?
4. What are the fiscal impacts, if any, associated with continued use of an Administrative Law Judge as hearing officer?
5. How do these procedures compare with similarly sized Utah municipalities?

7. POSSIBLE COUNCIL ACTION

The Council may choose to take one of the following actions:

1. Approve the Ordinance as written and proposed OR with stated amendments;
2. Not Approve the Ordinance;

3. Continue the item to a future specified date;
4. Move the item to an unspecified date;
5. Refer the item back to a Committee of the Whole Meeting, Council Subcommittee, or an Ad Hoc Committee;
6. Refer the item back to Council Staff or Administrative Staff.

8. ATTACHMENTS

Ordinance No. 26-14

Title 1, Chapter 12 – Legislative Code

Title 1, Chapter 12 – Clean Code

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CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2026. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, MMC, UCC
City Recorder

(Attachments on the following pages.)

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**Attachments 1 and 2 to
ORDINANCE NO. 26-14
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(EMPLOYEE APPEAL PROCESS);
Title 1, Chapter 12**

Attachment 1 – Title 1, Chapter 12 - Legislative Version

Attachment 2 – Title 1, Chapter 12 - Clean Version

(See the following pages for the attachments.)

1 TITLE 1

2 CHAPTER 12

3 EMPLOYEE DISCIPLINE HEARING OFFICER

4 SECTION:

5 1-12-1: Employee Discipline Hearing Officer

6 1-12-2: Who May Appeal To The Employee Discipline Hearing Officer

7 1-12-3: Manner Of Appeal

8 1-12-4: Hearing - General Procedures

9 1-12-5: Evidence To Be Considered By The Employee Discipline Hearing Officer

10 1-12-6: Decisions And Burden Of Proof

11 1-12-7: No Additional Rights Created

12

13 1-12-1: EMPLOYEE DISCIPLINE HEARING OFFICER:

14 A. ~~The mayor shall appoint an employee discipline hearing officer ("hearing officer") to~~
15 ~~comply with the requirements of Utah Code Annotated section 10-3-1106, or its successor~~
16 ~~provision.~~

17 ~~—B. The hearing officer shall be:~~

18 ~~—1. Selected as a professional services provider through the requirements of section 3-1-~~
19 ~~8(B) of the city procurement code;~~

20 ~~—2. An independent contractor; and~~

21 ~~—3. Recommended to the mayor by a selection committee consisting of the city~~
22 ~~administrator or designee, a representative of the human resources division, and any other~~
23 ~~party the city administrator and human resources representative deem appropriate. An~~
24 administrative law judge, as identified in title 16, shall serve as the employee discipline
25 hearing officer ("hearing officer"). (Ord. 20-23, 7-29-2020; amd. Ord. 21-04, 2-10-2021)

26

27 1-12-2: WHO MAY APPEAL TO THE EMPLOYEE DISCIPLINE HEARING OFFICER:

28 A. Employees, except those listed in ~~subsection C~~ Utah Cide section 10-3-1105(2) or its
29 successor provision, may appeal a termination, suspension of more than two ~~(2)~~ days
30 without pay, or involuntary transfer to a position with less remuneration that is imposed
31 for a disciplinary reason.

32 B. Employees may not appeal:

33 1. ~~Any d~~Disciplinary actions ~~s other than those not~~ listed in subsection A, including, but
34 not limited to, verbal and written warnings; or

35 2. Employee separations, furloughs, or involuntary transfers to a position with less
36 remuneration resulting from a reorganization, reduction in force, or an other non-
37 disciplinary reason.

38 ~~—C. The following employees are not entitled nor permitted to appeal:~~

39 ~~—1. Employees listed in Utah Code Annotated section 10-3-1105(2) or its successor~~
40 ~~provision; and~~

41 ~~—2. Any at-will employee not listed in Utah Code Annotated section 10-3-1105(2).~~

42 DC. An employee must timely exhaust all internal grievance procedures before appealing
43 to the hearing officer under this chapter. (Ord. 20-23, 7-29-2020)

44
45 1-12-3: MANNER OF APPEAL:

46 A. An employee shall file a written notice of appeal with the city recorder within ~~ten (10)~~
47 calendar days from the date the employee receives notice of the final disposition of the
48 grievance ~~of the termination, suspension of more than two (2) days without pay, or~~
49 ~~involuntary transfer to a position with less remuneration.~~

50 B. The notice of appeal must include:

51 1. The reasons why the appellant believes the city's decision was in error;

52 2. ~~A~~ The appellant's phone number; ~~and~~

53 3. ~~€~~ The mailing or e-mail address to be used for further official communication ~~with the~~
54 ~~appellant; and~~

55 34. An indication of the appellant's choice as to whether the appeal hearing will be
56 open to the public; and

57 5. The appellant's signature.

58 C. The notice of appeal is limited to 20 pages. An overlength notice of appeal may be
59 allowed with the permission of the hearing officer.

60 D. An employee who fails to timely file a complete notice of appeal shall forfeit all appeal
61 rights.

62 ED. Upon the filing of a notice of appeal, the city recorder shall refer the notice of appeal
63 to the city administrator, ~~director of~~ human resources manager, city attorney's office, and,
64 ~~if known,~~ the hearing officer .

65 FE. ~~No later than~~ Within ~~ten (10)~~ calendar days following receipt of the notice of appeal
66 the hearing officer shall:

67 1. Schedule a hearing to take ~~evidence and receive evidence and fully~~ and hear ~~and~~
68 ~~determine~~ the matter ~~which relates to the reason for the discharge, suspension, or transfer~~
69 ~~no sooner than thirty (30) days and no later than sixty (60) calendar days after the notice~~
70 ~~of appeal was filed, unless the appellant and city agree to a later date in writing~~; and

71 2. Provide written notice of the date, time, and place of the hearing to:

72 a. The appellant and appellant's council, if any, to the mailing or e-mail address listed
73 in the notice of appeal;

74 b. The ~~appellant's counsel~~ city administrator, if any;

75 c. The city attorney's ~~office~~; and

76 d. The city's human resources ~~division~~ manager.

77 ~~Notice to the appellant and appellant's council, if any, shall be in writing sent to the~~
78 ~~mailing or e-mail address listed in the notice of appeal. Notice to the city attorney's office~~
79 ~~and city's human resources division shall be provided in writing sent to the general mailing~~
80 ~~or e-mail address listed on the city's website for each department.~~ (Ord. 20-23, 7-29-2020;
81 amd. Ord. 21-04, 2-10-2021)

82
83 1-12-4: HEARING - GENERAL PROCEDURES:

84 ~~A. The hearing officer shall conduct the hearing in accordance with this chapter.~~

85 ~~A.~~ B.A. The appellant may:

86 1. Appear in person and be represented by counsel;

87 2. Have a hearing open to the public, ~~if appellant so desires~~;

88 3. Confront the witnesses whose testimony is to be considered; and

89 4. Examine the evidence to be considered by the hearing officer .

90 ~~B.~~ C.B. The hearing officer has no subpoena or contempt power.

91 ~~C.~~ C.D. The hearing officer may:

92 1. ~~hold~~ Hold scheduling conferences and issue scheduling orders;

93 2. ~~enter~~ Enter orders regarding procedural issues; ~~and~~

94 3. ~~entertain~~ Entertain and rule on motions challenging the hearing officer's
95 jurisdiction over the appeal;

96 4. Rule on the introduction of evidence and exclude evidence; ~~and~~

97 5. Exclude witnesses from the hearing who have not yet testified.

98 ~~—E. The hearing officer may rule on the introduction of evidence and exclude evidence.~~

99 ~~—F. The hearing officer may exclude witnesses from the hearing who have not yet testified.~~

100 GD. Hearings shall be conducted with formality and decorum to protect all parties' due
101 process rights.

102 EH. Utah Rules of Evidence and Rules of Civil Procedure shall be used as guidelines but
103 need not be strictly followed or applied at the discretion of the employee discipline hearing
104 officer .

105 IF. Hearings-~~The hearing officer~~ shall afford ~~to~~ all parties the opportunity to present
106 evidence, argue, respond, conduct cross-examination, and submit rebuttal evidence.

107 GJ. The hearing officer may order the removal ~~remove of~~ any disorderly person ~~during~~
108 from the hearing.

109 H. The hearing officer shall keep a complete record and audio or video recording of the
110 proceedings.

111 (Ord. 20-23, 7-29-2020)

112

113 1-12-5: EVIDENCE TO BE CONSIDERED BY THE EMPLOYEE DISCIPLINE HEARING
114 OFFICER:

115 A. No later than ~~twenty (20)~~ calendar days before the date of the appeal hearing set by
116 the hearing ~~officer,~~officer, the city shall provide the appellant and employee discipline
117 hearing officer:

118 1. A complete copy of the record relied upon by the city for the disciplinary action,
119 ~~which shall include~~including: all documents the city relied on in its discipline decision; and
120 a complete witness list.

121 ~~— a. All documents the city relied on in its discipline decision; and~~

122 ~~— b. All documents regarding similarly situated employees within the department with~~
123 ~~similar discipline.~~

124 ~~— 2. A complete witness list.~~

125 B. No later than ~~ten (10)~~ days before the date of the appeal hearing, the appellant must
126 provide the city and the hearing officer with:

127 1. All evidence (other than the record the city ~~submitted by the city~~) that the appellant
128 intends to introduce; and.

129 2. A complete witness list.

130 C. The hearing officer shall exclude:

131 1. ~~Exclude~~ Evidence that is not timely submitted ~~as provided in this section, other~~
132 ~~than witness testimony.~~

133 2. ~~Not hear the~~ The testimony of witnesses not timely included on a timely submitted
134 witness list ~~as provided in this section~~, except for rebuttal witnesses. (Ord. 20-23, 7-29-
135 2020)

136
137 1-12-6: DECISIONS AND BURDEN OF PROOF:

138 A. ~~The standard of review for all appeals is "substantial evidence." The appellant shall~~
139 ~~bear the burden of proof in the appeal hearing. In order for the hearing officer to overturn~~
140 ~~imposed discipline, the appellant must show "Substantial evidence" is that quantum and~~
141 ~~quality of relevant evidence that would convince a reasonable person to support a~~
142 ~~conclusion.~~

143 ~~—B.— The city must prove that that the discipline it imposed is not supported by substantial~~
144 ~~evidence.~~

145 ~~—1. The hearing officer shall uphold the city's disciplinary action if he finds it was~~
146 ~~supported by "substantial evidence."~~

147 ~~—2. The hearing officer shall overturn the city's disciplinary action if he finds it was not~~
148 ~~supported by "substantial evidence."~~

149
150 B. Substantial evidence means relevant, credible information that a reasonable mind
151 might accept as adequate to support a conclusion. It is more than a mere scintilla but may
152 be less than a preponderance of the evidence. This standard requires enough evidence to
153 justify a decision without resorting to speculation.

154 C. The hearing officer can only sustain or overturn a decision. If the hearing officer
155 overturns the city's action, the written decision shall provide that the city shall compensate
156 the appellant as required by under Utah Code ~~Annotated~~ section 10-3-1106(5)(b); or its
157 successor provision.

158 D. ~~¶~~ No later than 15 calendar days after the hearing, the hearing officer's decision shall
159 certify a written decision to the city recorder and provide notice of the decision to
160 appellant and appellant's counsel, if any, the city administrator, the city attorney, and the
161 human resources manager. ;

162 ~~—1. Be in writing ;~~

163 ~~—2. Adopt findings of fact;~~

164 ~~—3. Make conclusions of law that support the written decision; and~~

165 ~~—4. Be certified to the city recorder within fifteen (15) days of the date of the hearing.~~

166 —a. For good cause, the hearing officer may extend the ~~fifteen (15)~~ day period to a
167 maximum of ~~sixty (60)~~ calendar days if the appellant and the city both consent.

168 ~~E. The hearing officer shall keep a complete record and audio or video recording of the~~
169 ~~proceedings.~~

170 ~~FE. The hearing officer's decision is the final administrative decision of the city and is~~
171 ~~reviewable by the Utah Court of Appeals by filing a petition for review within thirty (30)~~
172 ~~days after the hearing officer has issued the decision~~The appellant may appeal the hearing
173 officer's decision in accordance with Utah Code section 10-3-1106(6) or its successor
174 provision.

175 ~~G. The Court of Appeals review shall be under Utah Code Annotated section 10-3-~~
176 ~~1106(6)(c), or its successor provision.~~ (Ord. 20-23, 7-29-2020)

177

178 1-12-7: NO ADDITIONAL RIGHTS CREATED:

179 This chapter ~~is not intended and~~ shall not be interpreted to create any interest or right in
180 employment or employment benefits. The city undertakes no additional obligations beyond
181 those required by state and federal law . (Ord. 20-23, 7-29-2020)

1 TITLE 1

2 CHAPTER 12

3 EMPLOYEE DISCIPLINE HEARING OFFICER

4 SECTION:

5 1-12-1: Employee Discipline Hearing Officer

6 1-12-2: Who May Appeal To The Employee Discipline Hearing Officer

7 1-12-3: Manner Of Appeal

8 1-12-4: Hearing - General Procedures

9 1-12-5: Evidence To Be Considered By The Employee Discipline Hearing Officer

10 1-12-6: Decisions And Burden Of Proof

11 1-12-7: No Additional Rights Created

12

13 1-12-1: EMPLOYEE DISCIPLINE HEARING OFFICER:

14 A. An administrative law judge, as identified in title 16, shall serve as the employee
15 discipline hearing officer ("hearing officer"). (Ord. 20-23, 7-29-2020; amd. Ord. 21-04, 2-
16 10-2021)

17

18 1-12-2: WHO MAY APPEAL TO THE EMPLOYEE DISCIPLINE HEARING OFFICER:

19 A. Employees, except those listed in Utah Code section 10-3-1105(2) or its successor
20 provision, may appeal a termination, suspension of more than two days without pay, or
21 involuntary transfer to a position with less remuneration that is imposed for a disciplinary
22 reason.

23 B. Employees may not appeal:

24 1. Disciplinary actions not listed in subsection A, including, but not limited to, verbal
25 and written warnings; or

26 2. Employee separations, furloughs, or involuntary transfers to a position with less
27 remuneration resulting from a reorganization, reduction in force, or another non-
28 disciplinary reason.

29 C. An employee must timely exhaust all internal grievance procedures before appealing
30 to the hearing officer under this chapter. (Ord. 20-23, 7-29-2020)

31 1-12-3: MANNER OF APPEAL:

32 A. An employee shall file a written notice of appeal with the city recorder within 10
33 calendar days from the date the employee receives notice of the final disposition of the
34 grievance.

35 B. The notice of appeal must include:

36 1. The reasons why the appellant believes the city's decision was in error;

37 2. The appellant's phone number;

38 3. The mailing or e-mail address to be used for official communication;

39 4. An indication of the appellant's choice as to whether the appeal hearing will be open
40 to the public; and

41 5. The appellant's signature.

42 C. The notice of appeal is limited to 20 pages. An overlength notice of appeal may be
43 allowed with the permission of the hearing officer.

44 D. An employee who fails to timely file a complete notice of appeal shall forfeit all appeal
45 rights.

46 E. Upon the filing of a notice of appeal, the city recorder shall refer the notice of appeal to
47 the city administrator, human resources manager, city attorney's office, and the hearing
48 officer.

49 F. Within 10 calendar days following receipt of the notice of appeal the hearing officer
50 shall:

51 1. Schedule a hearing to take evidence and hear the matter; and

52 2. Provide written notice of the date, time, and place of the hearing to:

53 a. The appellant and appellant's council, if any, to the mailing or e-mail address listed
54 in the notice of appeal;

55 b. The city administrator, if any;

56 c. The city attorney; and

57 d. The city's human resources manager.

58 (Ord. 20-23, 7-29-2020; amd. Ord. 21-04, 2-10-2021)

59

60 1-12-4: HEARING - GENERAL PROCEDURES:

61 A. The appellant may:

- 62 1. Appear in person and be represented by counsel;
- 63 2. Have a hearing open to the public;
- 64 3. Confront the witnesses whose testimony is to be considered; and
- 65 4. Examine the evidence to be considered by the hearing officer.
- 66 B. The hearing officer has no subpoena or contempt power.
- 67 C. The hearing officer may:
- 68 1. Hold scheduling conferences and issue scheduling orders;
- 69 2. Enter orders regarding procedural issues;
- 70 3. Entertain and rule on motions challenging the hearing officer's jurisdiction over the
- 71 appeal;
- 72 4. Rule on the introduction of evidence and exclude evidence; and
- 73 5. Exclude witnesses from the hearing who have not yet testified.
- 74 D. Hearings shall be conducted with formality and decorum to protect all parties' due
- 75 process rights.
- 76 E. Utah Rules of Evidence and Rules of Civil Procedure shall be used as guidelines but
- 77 need not be strictly followed or applied at the discretion of the employee discipline hearing
- 78 officer.
- 79 F. The hearing officer shall afford all parties the opportunity to present evidence, argue,
- 80 respond, conduct cross-examination, and submit rebuttal evidence.
- 81 G. The hearing officer may order the removal of any disorderly person from the hearing.
- 82 H. The hearing officer shall keep a complete record and audio or video recording of the
- 83 proceedings.

84 (Ord. 20-23, 7-29-2020)

85

86 1-12-5: EVIDENCE TO BE CONSIDERED BY THE EMPLOYEE DISCIPLINE HEARING
87 OFFICER:

88 A. No later than 20 calendar days before the date of the appeal hearing set by the hearing
89 officer, the city shall provide the appellant and employee discipline hearing officer:

- 90 1. A complete copy of the record relied upon by the city for the disciplinary action,
91 including all documents the city relied on in its discipline decision; and a complete witness
92 list.

93 B. No later than 10 days before the date of the appeal hearing, the appellant must
94 provide the city and the hearing officer with:

95 1. All evidence (other than the record the city submitted) that the appellant intends to
96 introduce; and

97 2. A complete witness list.

98 C. The hearing officer shall exclude:

99 1. Evidence that is not timely submitted.

100 2. The testimony of witnesses not timely included on a witness list, except for rebuttal
101 witnesses. (Ord. 20-23, 7-29-2020)

102

103 1-12-6: DECISIONS AND BURDEN OF PROOF:

104 A. The appellant shall bear the burden of proof in the appeal hearing. In order for the
105 hearing officer to overturn imposed discipline, the appellant must show that discipline is
106 not supported by substantial evidence.

107 B. Substantial evidence means relevant, credible information that a reasonable mind
108 might accept as adequate to support a conclusion. It is more than a mere scintilla but may
109 be less than a preponderance of the evidence. This standard requires enough evidence to
110 justify a decision without resorting to speculation.

111 C. The hearing officer can only sustain or overturn a decision. If the hearing officer
112 overturns the city's action, the written decision shall provide that the city shall compensate
113 the appellant as required under Utah Code section 10-3-1106(5)(b) or its successor
114 provision.

115 D. No later than 15 calendar days after the hearing, the hearing officer shall certify a
116 written decision to the city recorder and provide notice of the decision to appellant and
117 appellant's counsel, if any, the city administrator, the city attorney, and the human
118 resources manager. For good cause, the hearing officer may extend the 15-day period to a
119 maximum of 60 calendar days if the appellant and the city both consent.

120 E. The appellant may appeal the hearing officer's decision in accordance with Utah Code
121 section 10-3-1106(6) or its successor provision.

122 (Ord. 20-23, 7-29-2020)

123

124 1-12-7: NO ADDITIONAL RIGHTS CREATED:

125 This chapter shall not be interpreted to create any interest or right in employment or
126 employment benefits. The city undertakes no additional obligations beyond those required
127 by state and federal law. (Ord. 20-23, 7-29-2020)