

**CENTERVILLE CITY
ORDINANCE 2026-17**

**AN ORDINANCE AMENDING VARIOUS PROVISIONS OF TITLE 4 OF THE
CENTERVILLE MUNICIPAL CODE REGARDING THE JUSTICE COURT TO
BRING MUNICIPAL CODE PROVISIONS INTO COMPLIANCE WITH RECENT
STATE LAW AMENDMENTS**

WHEREAS, the City has previously adopted Title 4 (Justice Court) of the Centerville Municipal Code regarding the creation and operation of the Centerville Justice Court; and

WHEREAS, the City Council desires to amend various provisions of Title 4 (Justice Court) to bring the Centerville Municipal Code provisions into compliance with recent State law amendments, including, but not limited to: S.B. 32 (2019) regarding the Indigent Defense Act; S.B. 207 (2019) regarding evaluation and training; H.B. 81 (2020) regarding judicial retention; H.B. 107 (2022) regarding small claims amounts; H.B. 257 (2022) regarding prosecutor modifications; H.B. 31 (2023) regarding Wildlife Resources Act violations; H.B. 50 (2023) regarding restitution; H.B. 210 (2023) regarding eligibility, compensation, and independence; S.B. 180 (2024) regarding jurisdiction; S.B. 45 (2025) regarding juvenile court amendments; H.B. 38 (2026) regarding finance officer duties; S.B. 283 (2026) regarding security surcharges; and

WHEREAS, the City Council finds the proposed amendments to Title 4 (Justice Court) of the Centerville Municipal Code is in the best interest of the City and the public it serves to bring provisions of the Centerville Municipal Code up to date with State law.

NOW THEREFORE, be it ordained by the City Council of Centerville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “4.01.010 Intent” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.01.010 Intent

It is the intent of the City Council that this Title comply with and be interpreted in accordance with the applicable provisions of the Utah Code, particularly Utah Code §§ 78A-7-101.1, et seq., regarding the jurisdiction, procedure, and conduct of Justice Courts and Justice Court Judges, as well as the relevant portions of Title 77, regarding general criminal procedure for all courts.

SECTION 2: **AMENDMENT** “4.02.010 Creation Of Justice Court” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.010 Creation Of Justice Court

There is hereby established a court within the City known as the Centerville Justice Court which court shall ~~not~~ be a court not of record, hereinafter referred to as the "Justice Court." Pursuant to Utah Code § 78A-7-101.5, the Justice Court is a court of the State and is considered a part of the State judiciary even though the Justice Court is funded and staffed by the City. The Justice Court shall be independent from other branches of government and may not be treated as part of the executive or legislative branches or offices of the City. ~~Based on the number of citations and cases filed monthly with the Justice Court, the Centerville Justice Court is designated as a Class II justice court.~~

SECTION 3: **ADOPTION** “4.02.012 Classification Of Court” of the Centerville Municipal Code is hereby *added* as follows:

ADOPTION

4.02.012 Classification Of Court(*Added*)

Utah justice courts are classified into four classes based upon the number of case filings. Based on the average number of monthly case filings, the Centerville Justice Court is currently designated as a Class II justice court. Such classification of the Justice Court is subject to review and possible reclassification during the recertification process in accordance with Utah Code 78A-7-101.5.

SECTION 4: **AMENDMENT** “4.02.020 Compliance With Minimum Requirements” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.020 Compliance With Minimum ~~Requirements~~Standards

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

SECTION 5: **AMENDMENT** “4.02.030 Territorial Jurisdiction” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.030 Territorial Jurisdiction

The territorial jurisdiction of the Justice Court extends to the corporate limits of the City. An offense is deemed committed within the territorial jurisdiction of the Justice Court as specified in Utah Code § 78A-7-106.

SECTION 6: **AMENDMENT** “4.02.040 Jurisdiction” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.040 Jurisdiction

- (a) The Justice Court has original jurisdiction over Class B and C misdemeanors, violation of ordinances, and infractions committed within the its territorial jurisdiction of the Justice Court by an individual who is a person 18 years old of age or older.
- (b) The Justice Court has jurisdiction over offenses committed within its territorial jurisdiction by a minor or an adult high school student as specified in ~~Except for those offenses over which the juvenile court has exclusive jurisdiction, the Justice Court has jurisdiction over certain offenses committed within its territorial jurisdiction by a person who is 16 or 17 years of age as specified in~~ Utah Code § 78A-7-106. If a defendant in a criminal case before the Justice Court is a minor, the Justice Court may transfer the case to the juvenile court for further proceedings if the Justice Court ~~The Justice Court Judge may transfer a criminal matter in which the defendant is a child to the juvenile court for further proceedings if the Justice Court Judge~~ determines and the juvenile court concurs that the best interests of the defendant minor would be served by the continuing jurisdiction of the juvenile court.
- (c) The Justice Court has jurisdiction of small claims cases under Utah Code §§ 78A-8-101, et seq., regarding Title 78A, Chapter 8, Small Claims Courts, ~~of the Utah Code,~~ if a the defendant resides in or the debt arose within the territorial jurisdiction of the Justice Court.
- (d) The Justice Court has jurisdiction over any other offenses or claims as provided in Utah Code § 78A-7-106 (Original Jurisdiction of Justice Court).

SECTION 7: **AMENDMENT** “4.02.050 Trial Facilities” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.050 ~~Trial~~Court Facilities

- (a) The City shall provide adequate courtroom and auxiliary space for the Justice Court. ~~The~~ courtroom and facilities ~~facility~~ need not be specifically constructed for or allocated solely for the Justice Court if existing facilities adequately serve the purposes of the Justice Court.
- (b) The Justice Court Judge shall hold Court in the City at the location designated by the City Council in accordance with Utah Code § 78A-7-212, ~~pursuant to Subsection (a)~~ and shall conduct all official Court business in such location or office located in a public facility ~~within the City~~ which is conducive and appropriate to the administration of justice or any facility or location authorized by rule of the Judicial Council.
- (c) ~~The Justice Court shall record its proceedings with a digital audio recording device and maintain such audio recordings for a minimum of one year in accordance with the provisions of Utah Code § 78A-7-103. Pursuant to Utah Code § 78B-2-208, the~~

- ~~Court shall provide notice to the public that the proceedings are being recorded.~~
(d) ~~The Justice Court shall use a common case management system and disposition reporting system as specified by the Judicial Council.~~

SECTION 8: **ADOPTION** “4.02.052 Recording Of Proceedings” of the Centerville Municipal Code is hereby *added* as follows:

A D O P T I O N

4.02.052 Recording Of Proceedings(*Added*)

The Justice Court shall record its proceedings with a digital audio recording device and maintain such audio recordings for a minimum of one year in accordance with the provisions of Utah Code § 78A-7-103. The Justice Court shall provide notice to the public when a court proceeding is being recorded, in accordance with Utah Code § 78A-2-208.

SECTION 9: **ADOPTION** “4.02.054 Case Management System” of the Centerville Municipal Code is hereby *added* as follows:

A D O P T I O N

4.02.054 Case Management System(*Added*)

The Justice Court shall use a common case management system and disposition reporting system as specified by the Judicial Council, in accordance with Utah Code § 78A-7-213.

SECTION 10: **AMENDMENT** “4.02.060 Reference Materials” of the Centerville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

4.02.060 Reference Materials

The City shall provide and keep current for the Justice Court Judge a current copy of the Utah Code, the Utah Court Rules Annotated, the Code of Judicial Administration, the Justice Court Manual published by the State Court Administrator, the Uniform Fine Schedule, City ordinances, and other legal reference materials as determined to be necessary by the Justice Court Judge.

SECTION 11: **AMENDMENT** “4.02.070 Court Days” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.070 Court Days

- (a) The Justice Court shall be open and judicial business shall be transacted five (5) days per week in accordance with Utah Code § 78A-7-213, ~~is open and judicial business may be transacted on any day~~, except as otherwise provided in Subsection (b) or by law.
- (b) The Justice Court is closed on Sunday, on any day on which a regular general election is held, and on any legal holiday of the City; provided judicial business may be transacted on such days for the following limited purposes, in accordance with Utah Code § 78A-2-212:
 - (1) To give, upon their request, instructions to a jury when deliberating on the jury's ~~their~~ verdict;
 - (2) To receive a verdict or discharge a jury;
 - (3) For the exercise of the powers of a magistrate in a criminal action, or in a proceeding of a criminal nature; or
 - (4) Judicial business not involving a trial or hearing unless the Judge finds it necessary for the fair administration of justice.

SECTION 12: **AMENDMENT** “4.02.080 Hours Of Business” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.080 Hours Of Business

The City Council shall establish operating hours for the Justice Court in accordance with the provisions of Utah Code § 78A-7-213. In accordance with the State Justice Court Operational Standards, the Justice Court should be open at least five (5) hours per day. ~~The Justice Court shall be open and judicial business shall be transacted from 8:00 a.m. to 5:00 p.m., Monday through Friday, exclusive of holidays as set forth in CMC 4.02.070 or as otherwise permitted by law.~~ The Justice Court may be open for ~~additional~~ evening hours as determined necessary by the Court. The hours the Justice Court is open shall be posted conspicuously at the Court and in local public buildings. The Justice Court Judge and clerk shall attend the Court at regularly scheduled times.

SECTION 13: **AMENDMENT** “4.02.090 Powers Of The Justice Court” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.090 Powers Of The Justice Court

In accordance with Utah Code § 78A-2-201, the ~~The~~ Justice Court has the authority necessary to exercise its jurisdiction including, but not limited to, the authority to:

- (a) Preserve and enforce order in its immediate presence;
- (b) Enforce order in the proceedings before it, or before a person authorized to conduct a judicial investigation under its authority;
- (c) Provide for the orderly conduct of proceedings before it or its officers;
- (d) Compel obedience to its judgments, orders, and process, and to the orders of a judge out of court, in a pending action or proceeding;
- (e) Control in furtherance of justice the conduct of its ministerial officers, and of all other persons in any manner connected with a judicial proceeding before it in every matter;
- (f) Compel the attendance of persons to testify in a pending action or proceeding, as provided by law;
- (g) Administer oaths in a pending action or proceeding, and in all other cases where necessary in the exercise of its authority and duties;
- (h) Amend and control its process and orders to conform to law and justice;
- (i) Devise and make new process and forms of proceedings, consistent with law, necessary to carry into effect its authority and jurisdiction;
- (j) ~~Establish and adopt procedural process, in conformance with the apparent intent of statutes or rules of procedure, for actions in which such procedure is not yet established; and~~
- (k) Enforce rules of the Utah Supreme Court and Judicial Council; and
- (l) In accordance with Utah Code § 78A-2-202, if a procedure for an action is not established, a process may be adopted that conforms with the apparent intent of the statute or rule of procedure.

SECTION 14: **AMENDMENT** “4.02.110 English Language” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.110 English Language

Judicial proceedings in the Justice Court shall be conducted in the English language, in accordance with Utah Code § 78A-2-208.

SECTION 15: **AMENDMENT** “4.02.120 Change Of Place Of Trial Because Of Calamity” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.120 Change Of Place Of Trial Because Of Calamity

~~F~~In accordance with Utah Code § 78A-2-210, the Justice Court Judge may order court proceedings to be held at another location within the City if the Judge determines it is necessary because of war, insurrection, pestilence, public calamity or natural disaster, or destruction of or danger to the building in which court is held. Any order to move court proceedings shall be reduced to writing and filed with the clerk of the court for publication.

SECTION 16: **AMENDMENT** “4.02.130 Seal” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.130 Seal

- (a) The Justice Court shall have a seal which seal must be approved by the Judicial Council in accordance with § Utah Code § 78A-2-204.
- (b) In accordance with Utah Code § 78A-2-205, the ~~The~~ Seal of the Justice Court need not be affixed to any document of the Court except to:
 - (1) A writ;
 - (2) A certificate of the probate of a will, or of appointment of an executor, administrator, or guardian;
 - (3) The authentication of a copy of a record or document on file with the Justice Court;
 - (4) The authentication of the signature of an officer of the Justice Court; and
 - (5) Any other document as permitted by law.

SECTION 17: **AMENDMENT** “4.02.150 Monthly Reports” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.150 Monthly Reports

- (a) The Justice Court shall file monthly with the State Court Administrator a report of the judicial business of the Judge on forms supplied by the State Court Administrator.
- (b) The report shall state the number of criminal and small claims actions filed, the dispositions entered, and other information as specified in the forms.
- (c) A copy of the report shall be furnished by the Justice Court to the City Manager ~~City Council~~ or to such other person as the City Council may designate.

SECTION 18: **AMENDMENT** “4.02.170 Decisions To Be Rendered” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.170 Decisions To Be Rendered

- (a) The Justice Court Judge shall decide all matters submitted for final determination within two months of submission, unless circumstances causing the delay are beyond the Judge's personal control, in accordance with Utah Code § 78A-2-223.
- (b) The Justice Court Judge shall follow reporting procedures established by the Judicial Council for all matters not decided within two months of final submission.

SECTION 19: AMENDMENT “4.02.180 Judgment Not A Lien Unless So Docketed” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.180 Judgment ~~Not A Lien Unless So Docketed~~Lien

- (a) AIn accordance with Utah Code § 78A-7-105, a judgment rendered in the Justice Court does not create a lien upon any real property of the judgment debtor unless the judgment or abstract of the judgment is recorded in the office of the county recorder of the county in which the real property of the judgment debtor is located, and contains the information identifying the judgment debtor in the judgment or abstract of judgment or as a separate information statement of the judgment creditor as required in Utah Code § 78B-5-201.
- (b) When recorded, the judgment is a lien upon the real property of the judgment debtor which runs for eight years from the date the judgment was entered in the district court under Utah Code § 78A-5-202, unless the judgment is earlier satisfied.

SECTION 20: ADOPTION “4.02.192 Jury And Witness Fees” of the Centerville Municipal Code is hereby *added* as follows:

ADOPTION

4.02.192 Jury And Witness Fees(*Added*)

The Justice Court is responsible for payment of statutory juror and witness fees, as required by Utah law.

SECTION 21: AMENDMENT “4.02.200 Collection And Deposit Of Fines, Fees And Forfeitures” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.200 Collection And Deposit Of Fines, Fees And Forfeitures

- (a) The Justice Court shall deposit public funds in accordance with Utah Code § 78A-7-121 and Utah Code § 51-4-2.
- (b) The City Treasurer shall report to the Finance Director the sums collected and deposited. The Finance Director shall then ~~and~~ apportion and remit the collected proceeds in accordance with Utah Code § 78A-7-120 (Dispositions of Fines). ~~as provided by law.~~
- (c) With the approval of the City Council, a trust or revolving account may be established in the name of the Justice Court and the City Treasurer for the deposit of money collected including bail, restitution, unidentified receipts, and other money that requires special accounting. Disbursements from this account do not require the approval of the Finance Director, City Auditor, City Recorder, or City Council. The account shall be reconciled at least quarterly by the Finance Director. ~~City Auditor.~~
- (d) ~~In addition to any fine, penalty, forfeiture, or other surcharge, a security surcharge shall be assessed on all convictions for offenses listed in the uniform bail schedule adopted by the Judicial Council and moving traffic violations in accordance with Utah Code § 78A-7-122.~~

SECTION 22: **ADOPTION** “4.02.212 Security Surcharge” of the Centerville Municipal Code is hereby *added* as follows:

ADOPTION

4.02.212 Security Surcharge(*Added*)

In addition to any fine, penalty, forfeiture, or other surcharge, a security surcharge shall be assessed on all convictions for moving traffic violations and offenses listed in the Uniform Fine Schedule adopted by the Judicial Council, in accordance with Utah Code § 78A-7-122. The security surcharge shall be collected, assessed and transferred in accordance with the percentages set forth in Utah Code § 78A-7-122.

SECTION 23: **AMENDMENT** “4.02.220 Disposition Of Monies Received” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.220 Disposition Of Monies Received

Money received or collected on any civil process or order issued from the Justice Court shall be paid within seven (7) days to the party or parties entitled or authorized to receive the money, in accordance with Utah Code § 78A-7-121.

SECTION 24: **AMENDMENT** “4.02.230 Proceedings Unaffected By Vacancy” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.230 Proceedings Unaffected By Vacancy

Pursuant to Utah Code § 78A-2-213, no ~~No~~ proceeding in the Justice Court is affected by a vacancy in the office of the Judge or by the failure of a term of the Judge.

SECTION 25: **AMENDMENT** “4.02.240 Repeated Application For Orders” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.240 Repeated Application For Orders

- (a) ~~If~~ In accordance with Utah Code § 78A-2-226, if an application for an order to the Justice Court Judge is refused in whole or in part or is granted conditionally, a subsequent application for the same order may not be made to any other judge, except of a higher court.
- (b) This Section does not apply to motions refused for any informality in the papers or proceedings necessary to obtain the order, or to motions refused with liberty to renew them.
- (c) A notice of appeal for a trial de novo in the district court is not a subsequent application for the same order.
- (d) A violation of this Section may be punished as a contempt, and an order made contrary thereto may be revoked by the issuing judge, or vacated by a judge of the court in which the action or proceeding is pending.

SECTION 26: **AMENDMENT** “4.02.250 Electronic Writings” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.02.250 Electronic Writings

Any writing required or permitted to be filed with or prepared by the Justice Court may be filed or prepared in an electronic medium and by electronic transmission subject to the terms and requirements of Utah Code § 78A-2-217, as amended, and the Uniform Electronic Transactions Act, as set forth in Utah Code §§ 46-4-101, et seq.

SECTION 27: **AMENDMENT** “4.03.020 Power Of Justice Court Judge” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.020 Power Of Justice Court Judge

The Justice Court Judge has the same authority regarding matters within the Court's ~~his or her~~ jurisdiction as judges of courts of record including, but not limited to, the power and authority to:

- (a) Issue search warrants and warrants of arrest upon a finding of probable cause;
- (b) Conduct proceedings to determine:
 - (1) Probable cause for any case within the Court's ~~his or her~~ jurisdiction; and
 - (2) An accused person's release on bail or his or her own recognizance;
- (c) Preserve and enforce order in the Judge's ~~his or her~~ immediate presence, and in proceedings before the Judge, him or her, when ~~he or she is~~ engaged in the performance of official duty;
- (d) Compel obedience to the Judge's ~~his or her~~ lawful orders as provided by law;
- (e) Compel the attendance of persons to testify in a proceeding before the Judge him or her in the cases and manner provided by law;
- (f) Administer oaths to persons in a proceeding pending before the Judge, him or her, and in all other cases where it may be necessary in the exercise of the Judge's ~~his or her~~ powers and duties;
- (g) Exercise the powers of a magistrate to the extent permitted by law as enumerated in Utah Code § 78A-2-220;
- (h) Punish for contempt in the cases provided by law for the effectual exercise of the powers conferred herein; and
- (i) Issue all extraordinary writs and other writs as necessary to carry into effect its orders, judgments, and decrees.

SECTION 28: **AMENDMENT** “4.03.050 Eligibility” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.050 Eligibility

- (a) The Justice Court Judge shall be:
 - (1) A citizen of the United States;
 - (2) Twenty-five years ~~old of age~~ or older;
 - (3) A resident of Utah for at least three years immediately preceding appointment;
 - (4) Upon appointment or within a reasonable time after appointment, a ~~A~~ resident of Davis County, ~~or~~ an adjacent county, or the judicial district in which the Justice Court is located; ~~for at least six months immediately preceding appointment;~~ and

- (5) A qualified voter of the county in which the Judge resides.
- (b) The Justice Court Judge is not required to be admitted to practice law in the State as a qualification to hold office, but shall have a degree from a law school that makes one eligible to apply for admission to a bar in any state.
- (c) A Justice Court Judge shall be a person who has demonstrated maturity of judgment, integrity, and the ability to understand and apply appropriate law with impartiality.

SECTION 29: **AMENDMENT** “4.03.060 Appointment” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.060 Appointment

The Justice Court Judge shall be appointed by the Mayor and the appointment ratified by the City Council ~~subject pursuant to~~ selecting an applicant from the list of names recommended ~~recommendations made~~ by the Justice Court Nominating Commission in accordance with the procedures and requirements set forth in Utah Code § 78A-7-202.

SECTION 30: **AMENDMENT** “4.03.070 Certification And Annual Training” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.070 Certification And Annual Training

- (a) Certification. Prior to assuming office, the Justice Court Judge shall attend an orientation seminar conducted under the direction of the Judicial Council. Upon successful completion of the orientation program, the Judicial Council shall certify the Justice Court Judge as qualified to hold office. No Justice Court Judge may perform judicial duties until certified by the Judicial Council.
- (b) Continuing Education. ~~Annual Training.~~ The Justice Court Judge shall meet the continuing education requirements of the Judicial Council. Successful completion of the continuing education requirement ~~each calendar year which education shall~~ includes instruction regarding competency and understanding of constitutional provisions and laws relating to the jurisdiction of the Court, rules of evidence, and rules of civil and criminal procedure. Completion of such continuing education is evidenced by a certificate awarded by the Judicial Council.
- (c) Costs. The City shall provide sufficient funds to cover the cost of travel and training expenses for the Justice Court Judge to attend training sessions mandated by the Judicial Council.

SECTION 31: **AMENDMENT** “4.03.080 Residence Requirement” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.080 Residence Requirement

Upon appointment or within a reasonable time after appointment, the ~~The~~ Justice Court Judge shall be a resident of ~~reside in~~ Davis County, ~~or in~~ a county adjacent to Davis County, or the Second Judicial District.

SECTION 32: **AMENDMENT** “4.03.100 Compensation” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.100 Compensation

- (a) Amount. The Justice Court Judge shall be paid a fixed compensation determined by the City Council in accordance with the caseload and salary range requirements set forth Utah Code § 78A-7-206.
- (b) Review. The City Council shall annually review the compensation paid to the Justice Court Judge and may adjust such compensation as deemed appropriate in accordance with Utah Code § 78A-7-206; provided, the salary fixed for a Justice Court Judge may not be diminished during the term for which the Justice Court Judge has been appointed or elected, and the Justice Court Judge shall receive an annual salary adjustment at least equal to the average salary adjustment for all municipal employees, to the extent required by law.
- (c) ~~Notice. A copy of the resolution, ordinance, or other document fixing the salary of the Justice Court Judge and any adjustments to the document shall be furnished to the State Court Administrator by the City Council.~~

SECTION 33: **AMENDMENT** “4.03.110 Limitation On Additional Activities” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.110 Limitation On Additional Activities

- (a) The Justice Court Judge may not appear as an attorney in any justice court, criminal matter in any federal, state, or local court, or ~~any~~ juvenile court case involving conduct which would be criminal if committed by an adult.
- (b) The Justice Court Judge may not hold any office or employment including contracting for services in any justice agency of State government or any political subdivision of the State, including law enforcement, prosecution, criminal defense, corrections, or

court employment, unless otherwise permitted by law.

- (c) The Justice Court Judge may not hold any office in any political party or organization engaged in any political activity or serve as an elected official in State government or any political subdivision of the State.
- (d) The Justice Court Judge may not own or be employed by any business entity which regularly litigates in small claims court.

SECTION 34: **AMENDMENT** “4.03.120 Retention Election” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.120 Retention Election

Pursuant to Utah Code § 78A-7-203, upon the expiration of a Justice Court Judge's term of office, the Justice Court Judge shall be subject to an unopposed retention election in accordance with the procedures set forth in Utah Code § 20A-12-201. Before each retention election, the Justice Court Judge shall be evaluated in accordance with the performance evaluation program established in Utah Code §§ 78A-12-102, et seq. Title 78A, Chapter 12 (Judicial Performance Evaluation Commission-~~Act~~)~~of the Utah Code~~.

SECTION 35: **AMENDMENT** “4.03.140 Disqualification” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.140 Disqualification

- (a) Except by consent of all parties, a Justice Court Judge may not sit or act in any action or proceeding:
 - (1) To which the Judge ~~he or she~~ is a party, or in which the Judge ~~he or she~~ is interested;
 - (2) When the Judge ~~he or she~~ is related to either party by consanguinity or affinity within the third degree, computed according to the rules of common law; or
 - (3) When the Judge ~~he or she~~ has been attorney or counsel for either party in the action or proceeding.
- (b) The provisions of this Section shall not apply to the arrangement of the calendar or the regulation of the order of business, nor to the power or transferring the action or proceeding to some other court, as more particularly provided in Utah Code § 78A-2-222.

SECTION 36: **AMENDMENT** “4.03.160 Temporary Justice Court Judge” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.160 Temporary Justice Court Judge

When necessary, the City Council may appoint any senior justice court judge, or justice court judge currently holding office within the judicial district or in an adjacent county, to serve as a temporary Justice Court Judge, in accordance with Utah Code § 78A-7-208.

SECTION 37: **AMENDMENT** “4.03.170 Clerical Personnel” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.170 Clerical Personnel

- (a) The City shall provide ~~and compensate~~ sufficient clerical personnel to serve the needs ~~conduct the business~~ of the Justice Court.
- (b) The City shall provide sufficient funds to cover the cost of travel and training expenses of clerical personnel at training sessions mandated by the Judicial Council.
- (c) The selection, employment, supervision, and discipline of Justice Court clerical personnel shall be in accordance with City personnel policies and procedures, ~~as adopted by the City~~ and Utah Code §§ 52-3-1, ~~et seq.~~, regarding employment of relatives and household members.
- (d) ~~The City shall provide sufficient funds to cover the cost of travel and training expenses of clerical personnel at training sessions mandated by the Judicial Council.~~

SECTION 38: **AMENDMENT** “4.03.180 Prosecutors And Indigent Defense” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.03.180 Prosecutors ~~And Indigent Defense~~

The City shall provide:

- (a) ~~S~~sufficient ~~staff and public~~ prosecutors to ~~attend the Justice Court and~~ perform the prosecutorial duties ~~of prosecution~~ before the Justice Court;
- (b) ~~Adequate funding to defend persons charged with a public offense who are determined by the Justice Court to be indigent under Utah Code § 77-32-101, et seq., regarding the Indigent Defense Act; and~~
- (c) ~~Sufficient local law enforcement officers to provide security for the Justice Court and to attend to the Justice Court when required.~~

SECTION 39: **ADOPTION** “4.03.190 Indigent Defense” of the Centerville Municipal Code is hereby *added* as follows:

ADOPTION

4.03.190 Indigent Defense(*Added*)

The City shall provide adequate funding to provide indigent defense services for indigent individuals under Utah Code §§ 78B-22-101, et seq., regarding the Indigent Defense Act.

SECTION 40: **ADOPTION** “4.03.200 Law Enforcement” of the Centerville Municipal Code is hereby *added* as follows:

ADOPTION

4.03.200 Law Enforcement(*Added*)

The City shall provide sufficient local law enforcement officers to provide security for the Justice Court and to attend to the Justice Court when required, in accordance with Utah Code § 78A-7-103.

SECTION 41: **ADOPTION** “4.03.210 Security Plan” of the Centerville Municipal Code is hereby *added* as follows:

ADOPTION

4.03.210 Security Plan(*Added*)

The City shall prepare and maintain a Court Security Plan in accordance with Rule 3-414 of the Code Judicial Administration.

SECTION 42: **AMENDMENT** “4.04.010 Small Claims” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.010 Small Claims

There is a limited jurisdiction division of justice courts designated as small claims court. Small claims actions may be brought before the Justice Court as provided herein and in accordance with applicable provisions of Utah Code § 78A-8-101, et seq., regarding Small Claims Courts.

SECTION 43: **AMENDMENT** “4.04.020 Jurisdiction” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.020 Jurisdiction

A small claims action is a civil action:

- (a) For the recovery of money ~~when where~~ the amount claimed does not exceed ~~\$20,000, or other limit set forth in Utah Code § 78A-8-102, \$10,000~~ including attorney fees but exclusive of court costs and interest, and ~~where~~ the defendant resides or the action of indebtedness was incurred within the jurisdiction of the Justice Court; or
- (b) Involving interpleader under Rule 22 of the Utah Rules of Civil Procedure, in which the amount claimed does not exceed ~~the amount described in Subsection (a). \$10,000 including attorney fees but exclusive of court costs and interest.~~

SECTION 44: AMENDMENT “4.04.060 Claims Involving Property Damage To Motor Vehicle” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.060 Claims Involving Property Damage ~~To~~From Motor Vehicle Accident

Pursuant to Utah Code § 78A-8-102, ~~a claim~~s involving property damage ~~from to~~ a motor vehicle accident may be maintained in ~~a small claims action~~s, and any removal or appeal ~~of the small claims action thereof~~, without limiting the ability of a plaintiff to make a claim for bodily injury against the same defendant in a separate legal action.

SECTION 45: AMENDMENT “4.04.080 Assignee May Not File Claim” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.080 Assignee May Not File Claim

~~A No~~ claim ~~may not shall~~ be filed or prosecuted in a small claims action by any assignee of ~~a such~~ claim, in accordance with Utah Code § 78A-8-103.

SECTION 46: AMENDMENT “4.04.100 Judgment And Execution” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.100 Judgment And Execution

- (a) The judgment in a small claims action may not exceed the amount set forth in CMC 4.04.020 (Jurisdiction). ~~\$10,000 including attorney fees but exclusive of court costs and interest.~~

- (b) Attachment, garnishment, and execution may issue after judgment as prescribed by law, upon the payment of the fees required for those services.

SECTION 47: **AMENDMENT** “4.04.110 Appeals” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.110 Appeals

- (a) Either party may appeal the judgment in a small claims action to the district court of Davis County by filing a notice of appeal ~~with the Justice Court~~ within 28 ~~30~~ days of entry of the judgment or as otherwise required under applicable statutes, including, but not limited to, Utah Code § 78A-8-106.
- (b) The appeal to the district court is a trial de novo and shall be tried in accordance with the procedures of the small claims action. A record of the trial shall be maintained. The trial de novo may not be heard by a judge pro tempore appointed under Utah Code § 78A-8-108. ~~in accordance with the provisions of this Chapter~~. The decision of the trial de novo may not be appealed unless the court ~~Court~~ rules on the constitutionality of a statute or ordinance.
- (c) The fees for filing a notice of appeal and the trial de novo filing fee shall be assessed in accordance with Utah Code § 78A-8-106.

SECTION 48: **AMENDMENT** “4.04.120 Fees” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.120 Fees

Except as otherwise provided by law, the ~~The~~ filing fees for a small claims actions in the Justice Court shall be the same as provided in ~~shall be assessed in accordance with the filing fees required by law as set forth in~~ Utah Code § 78A-2-301, and shall be collected and remitted as provided in Utah Code § 78A-8-105.

SECTION 49: **AMENDMENT** “4.04.130 Costs” of the Centerville Municipal Code is hereby *amended* as follows:

AMENDMENT

4.04.130 Costs

The prevailing party in any small claims action is entitled to costs of the action and also the costs of execution upon a judgment rendered therein, in accordance with Utah Code § 78A-8-107.

SECTION 50: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

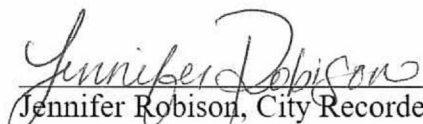
SECTION 51: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

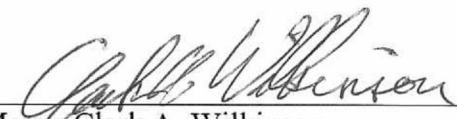
SECTION 52: EFFECTIVE DATE This Ordinance shall be in full force and effect upon publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 15th DAY OF SEPTEMBER, 2026.**

ATTEST:

CENTERVILLE CITY


Jennifer Robison, City Recorder

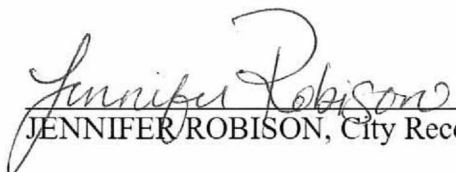
By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	Aye	Nay	Absent	Abstain
Councilmember Bangerter	<u>X</u>	_____	_____	_____
Councilmember Hayman	<u>X</u>	_____	_____	_____
Councilmember Hirst	<u>X</u>	_____	_____	_____
Councilmember Mecham	<u>X</u>	_____	_____	_____
Councilmember Plummer	<u>X</u>	_____	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the Utah Code § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing Ordinance was duly passed by the City Council and published or posted as required by law.


JENNIFER ROBISON, City Recorder

DATE: 9/17/2026

RECORDED this 17th day of Sept, 2026.

PUBLISHED OR POSTED this 17th of Sept, 2026.

