



CITY COUNCIL

MEMBERS:

JOY GLAD
COREY THOMAS
SHARLA BYNUM
NICK MITCHELL
IRVIN JONES
RAY DEWOLFE
CLARISSA WILLIAMS

ARIEL ANDRUS
CITY RECORDER
220 E MORRIS AVE
SUITE 200
SOUTH SALT LAKE
UTAH
84115
P 801.483.6019
F 801.464.6770
SSLC.GOV

South Salt Lake City Council Regular Meeting Agenda

Public notice is hereby given that the South Salt Lake City Council will hold a Regular Meeting on **Wednesday, September 23, 2026**, in the City Council Chambers, 220 East Morris Avenue, Suite 200, commencing at **7:00 p.m.**, or as soon thereafter as possible.

To watch the meeting live click the link below to join:

<https://zoom.us/j/93438486912>

Watch recorded City Council meetings at: [youtube.com/@SouthSaltLakeCity](https://www.youtube.com/@SouthSaltLakeCity)

Conducting
Council Chair
Sergeant at Arms

Corey Thomas, District 2
Sharla Bynum
South Salt Lake PD

Opening Ceremonies

1. Welcome/Introductions
2. Pledge of Allegiance

Corey Thomas
Irvin Jones

Approval of Minutes

August 26th, Work Meeting
August 26th, Regular Meeting

No Action Comments

1. Scheduling
2. Public Comments/Questions
 - a. Response to Comments/Questions
(at the discretion of the conducting Council Member)
3. Mayor Comments
4. City Attorney Comments
5. City Council Comments
6. Information (10 minutes each)
 - a. South Salt Lake Arts Fiscal Year 2027

City Recorder

Britney Helmers

Action Items

Unfinished Business

1. A Resolution of the South Salt Lake City Council Finding that Developing a Station Area Plan for the Portion of the River Trail Station Area Located Within South Salt Lake or Within One-Half Mile of the South Salt Lake Municipal Boundary is Impracticable
2. An Ordinance of the South Salt Lake City Council Amending Section 3.11.100(F) of the South Salt Lake City Municipal Code to Make Adjustments to the Household Waste and Recyclable Waste Container Fees
3. An Ordinance of the South Salt Lake City Council Amending Section 3.11.100(B) of the South Salt Lake

Spencer Cawley

Josh Collins

Josh Collins

See page two for continuation of Agenda

City Municipal Code to Modify Fees Relating to Sewer
and Industrial Waste Utilities in South Salt Lake City

New Business

1. An Ordinance of the South Salt Lake City Council Corby Talbot
Amending Section 3.11.050(c) of the South Salt
Lake City Municipal Code to Modify Administrative
Enforcement Fees Relating to Storm Water System
Violations in South Salt Lake City
2. An Ordinance of the South Salt Lake City Council Josh Collins
Amending South Salt Lake Municipal Code Chapter
2.22 to Update Definitions, Establish Procedures for
Default Judgments and Disqualification of Administrative
Law Judges, and Update Regulations Related to Administrative Hearings

Motion for Closed Meeting

Adjourn

Posted September 18, 2026

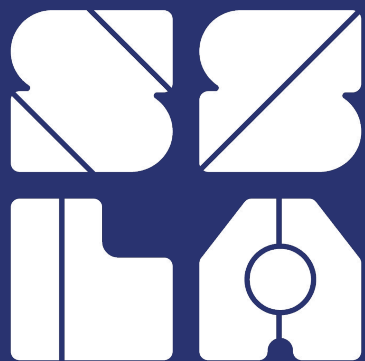
Those needing auxiliary communicative aids or other services for this meeting should contact Ariel Andrus at 801-483-6019, giving at least 24 hours' notice.

In accordance with State Statute and Council Policy, one or more Council Members may be connected electronically.

Public Comments/Question Policy

The public is invited to address the Council and/or Mayor concerning City business. Speakers must come to the podium and state their name and city of residence. ***Comments are limited 3 minutes, or less, at the discretion of the conducting Council Member, who will inform you when your time has expired.*** All remarks must be pertinent to City business, free of personal attacks and argumentative questions, and align with the City-adopted Dignity Index. The conducting Council Member determines whether a response will be given. The Council may choose to respond at a future regularly scheduled meeting. City employee grievances must be processed according to adopted personnel rules.

Have a question or concern? Call the connect line 801-464-6757 or email connect@sslc.gov



SOUTH
salt lake
ARTS





MISSION

TO ENRICH THE SOUTH SALT LAKE
COMMUNITY BY CHAMPIONING
ARTISTS, CREATING ACCESSIBLE
CULTURAL EXPERIENCES AND
FOSTERING CONNECTIONS THAT
CELEBRATE OUR UNIQUE IDENTITY



MISSION

(INTERNAL) TO CREATE AN
EQUITABLE ARTS COUNCIL
THROUGH EDUCATION,
ADVOCACY, AND OPPORTUNITIES.



VALUES

Uniqueness in our identity.
Opportunity for our creators.
Support for our community and our artists.
Elevate our culture.
Impact our residents.

"At South Salt Lake Arts, our work is grounded in **Uniqueness**, celebrating the distinct industrial and creative character that sets our city apart. We create **Opportunity** by opening doors for artists and makers to thrive, while providing the **Support** necessary to turn creative visions into reality. Our goal is to **Elevate** the voices of our diverse community, ensuring that every project we undertake makes a lasting, tangible **Impact** on the culture and economy of South Salt Lake."



South Salt Lake Arts

Strategic Action Plan FY27

1

Artist Opportunities

Create equitable opportunities through Calls for Artists and RFQs to increase total local participation.



2

Art Classes & Spaces

Restructure community art curriculum to introduce new disciplines at local parks, businesses, and schools.



3

Brand & Mission Alignment

Execute a brand campaign celebrating South Salt Lake's unique industrial and creative identity.



4

Create New Programs

Develop and launch at least 1 new program, such as pop-ups in parks or community center exhibitions.



5

Public Art & 1% Policy

Draft and secure adoption of a Public Art Policy via a "1% for Art" ordinance, and establish the selection framework.



A vibrant, colorful mural serves as the background, featuring abstract shapes, a large white star, and stylized letters like 'LUD' and 'GO'. In the foreground, four people are standing with their bicycles. From left to right: a person in a white patterned shirt, a person in a white top, a woman in a black top and orange skirt, and a man in a black t-shirt and khaki shorts. The scene is outdoors on a paved surface.

**COMMUNITY
ART
CLASSES**

**AROUND THE
WORLD
HOLIDAY
MARKET**

MURAL FEST

**CRAFTOBER
FEST**

**POP-UPS IN
PARKS**

**COMMUNITY
CENTER ART
EXHIBITIONS**

****FUTURE PUBLIC ART PROGRAM**

A woman with long dark hair is smiling behind a table. On the table are several colorful pom-poms in shades of green, yellow, pink, and orange. There is also a sign that says "Dance List" and some other items. The background shows a white tent and some greenery.

PROGRAM GOALS

Audience/ Attendance metrics

Artists Represented

Social Media Engagement

Additional Funds Raised

Community Participation



QUARTER ONE





**AFTER THE UNMAKING:
NEW GROUND**

Curated by Moses Williams

David Onri Anderson
Isabella Covert
Elise Drake
Fawn Krieger
Ron Lambert
Kiera Ohn
Jacob Riddle





DALLIN ORR

JESSICA SMITH

CHYNA JOHNSTON

MAXWELL
RADECKY

OLIVIA GLASCOCK

PABLO CRUZ-AYALA

LOUISE CHRISTENSEN

DENYSE
DAVIS





PZL MURAL

Artist: Mason Fetzer

Featured at Craftober Fest

Funded in Full by Mark Miller Subaru



GRANTS

(That we have applied for)

**State of Utah - Utah Division of
Arts and Museums
Salt Lake County - ZAP
Salt Lake County - GALAA
Sorenson Family Grant
Rocky Mountain Power
Foundation
George S and Dolores Dore
Eccles Foundation**

In 2027, South Salt Lake Mural Fest is celebrating a massive milestone:

10 YEARS 100 MURALS

We are looking for any and all local businesses to partner with us for our biggest, boldest year yet. By participating in Mural Fest your business will receive stunning, world-class art that boosts curb appeal, draws foot traffic, and cements your building in SSL's vibrant mural history.



MURAL
FEST

IS YOUR WALL READY FOR A MASTERPIECE?

We handle the artists, the equipment, and the paint. You just provide the wall.

Scan the QR code to apply, or contact us at Arts@sslc.gov to see if your wall is a match for Year 10!



SOUTH
salt lake **ARTS**

www.sslarts.org

UPCOMING SCHEDULE

Sept
25

Curbside Theater | 7 PM to 8 PM
Tracy Aviary at Pia Okwai

Oct
2

Call for Vendors for Around the World
Holiday Market closes

Oct
3

Craftober Fest | 12 PM to 5 PM
Oakland Avenue

Oct
8

Call for Performers for Around the World
Holiday Market closes

Oct
15

Craftober Fest Plein Air Silent Auction
6 PM to 8 PM
Level Crossing Brewery

Nov
19

Around the World Holiday Market
Historic Scott School

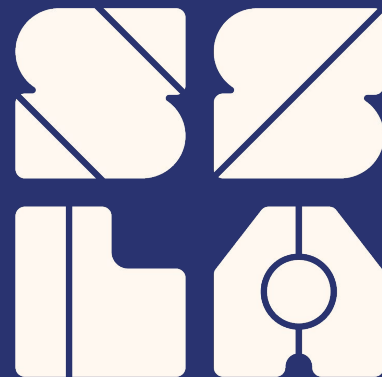
SEPT
-DEC

Call for Walls for Mural Fest is open

[LINK TO FULL CALENDAR OF EVENTS →](#)



ART LIVES HERE



South Salt Lake Arts Strategic Plan FY27

5 Strategic Goals that South Salt Lake Arts will focus on for Fiscal Year 27

1

Artist Opportunities - Create the Standard

Create and outline equitable opportunities for artists, through Calls for Artists and RFQ's, for city initiatives, to increase total local artist participation.



2

Art Classes and Public Spaces

Restructure the community art class curriculum to introduce new disciplines hosted at different South Salt Lake locations such as our local parks, local businesses, the Co-op and Scott School.



3

Brand and Mission Alignment

Execute a brand campaign that aligns with our mission of celebrating South Salt Lake's unique industrial and creative identity.



4

Create 1 new Program (minimum)

Develop and launch 1 entirely new community arts program—such as pop-ups in parks and/or community center art exhibitions—to fill a current programming gap.



5

Public Art & 1% for Art Policy

Draft and secure City Council adoption of a comprehensive Public Art Policy—through a "1% for Art" ordinance—and establish the internal framework and selection committee to execute it.

SOUTH
salt lake
ARTS

RESOLUTION NO. 2026- ____

A RESOLUTION OF THE SOUTH SALT LAKE CITY COUNCIL FINDING THAT DEVELOPING A STATION AREA PLAN FOR THE PORTION OF THE RIVER TRAIL STATION AREA LOCATED WITHIN SOUTH SALT LAKE OR WITHIN ONE-HALF MILE OF THE SOUTH SALT LAKE MUNICIPAL BOUNDARY IS IMPRACTICABLE

WHEREAS, Utah Code 63N-23-104 requires each municipality with a fixed guideway public transit station located within the municipal boundaries must develop and adopt a Station Area Plan for the Station Area; and

WHEREAS, Utah Code Subsection 63N-23-104(3) further requires that if a Station Area is included within the boundaries of more than one municipality, each municipality with jurisdiction over the Station Area shall develop a Station Area Plan for the portion of that Station Area over which the municipality has jurisdiction; and

WHEREAS, Utah Code Subsection 63N-23-104(1)(b)(ii) states that City satisfies the above listed station area plan requirements upon a finding that it would be impracticable for the City to meet those requirements; and

WHEREAS, Utah Code Subsection 63N-23-104(1)(b)(ii) further states that if the City finds that adopting the station area plan requirements would be impracticable it must also adopt a resolution describing the conditions that exist to make satisfying the requirements of 63N-23-104(1)(a) impracticable; and

WHEREAS, a portion of South Salt Lake is located within a one-half mile radius of the River Trail Station; and

WHEREAS, all South Salt Lake land within the one-half mile radius from the River Trail Station is industrial, railroad, or UTA-owned property, and it is impracticable to support the objectives for station area plans outlined in Utah Code Subsection 63N-23-104(1)(a); and

WHEREAS, the River Trail Station is located outside the boundaries of South Salt Lake but within a one-half-mile radius of city boundaries where access to the station is restricted by SR-201, and is separated from the city by the Jordan River; and

WHEREAS, the city supports the station area planning work related to the River Trail Station conducted and adopted by West Valley City, including the proposed active transportation facility at 2320 South; and

WHEREAS, the City Council finds that conditions exist that make satisfying a portion of all requirements of Utah Code Subsection 63N-23-104(1)(a) for the River Trail Station impracticable due to existing development, land ownership, existing entitlements, the city's General Plan, pedestrian access, physical access, and other factors as outlined in attachment A; and

WHEREAS, the City has considered the impact this resolution of impracticability may have on the health, safety, and welfare of the City and the impact this resolution may have on family health, stability, and formation; and

NOW, THEREFORE, be it resolved by the City Council of South Salt Lake, Utah, that the City Council hereby certifies that adopting a station area plan for the River Trail Station is impracticable as set forth in Utah Code Subsection 63N-23-104(1)(b)(ii).

(Signatures appear on following page; remainder of page intentionally left blank.)

Dated this ____ day of _____ 2026.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

ATTEST:

Ariel Andrus, City Recorder

City Council Vote as Recorded:

Bynum	_____
deWolfe	_____
Glad	_____
Jones	_____
Mitchell	_____
Thomas	_____
Williams	_____

Transmitted to the Mayor's office on this _____ day of _____ 2026.

Ariel Andrus, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____ 2026.

Cherie Wood, Mayor

ATTEST:

Ariel Andrus, City Recorder

EXHIBIT A

River Trail Station Area within South Salt Lake Municipal Boundaries.



**SOUTH
SALT LAKE**
CITY COUNCIL STAFF REPORT

MEETING DATE: September 23, 2026
REQUEST: Adopt a Resolution of the South Salt Lake City Council Finding that Developing a Station Area Plan for the Portion of the River Trail Station Area Located Within South Salt Lake or Within One-Half Mile of the South Salt Lake Municipal Boundary is Impracticable.
AUTHOR: Spencer Cawley, Senior Planner

SUMMARY

In 2022, the Utah Legislature passed [HB462](#), which requires all Utah municipalities with fixed-guideway public transit to create Station Area Plans for the area within a half-mile radius of a rail station (FrontRunner, TRAX, S-Line Streetcar). These plans encourage an increase in accessible, affordable housing options along major transit corridors, promote sustainable environmental conditions, enhance economic opportunities, and increase transportation choices and connections.

Additionally, HB462 requires South Salt Lake to adopt Station Area Plans for at least four stations by the end of 2025, and two additional stations each subsequent year. On [August 27, 2025](#), the City Council adopted the first two stations (Central Pointe and Downtown South Salt Lake), known as Downtown Connect. On [October 29, 2025](#), City Council adopted the Meadowbrook and Millcreek Station Area Plan.

A portion of South Salt Lake is located within a one-half mile radius of the River Trail Station, although the station itself is located outside of our municipal boundaries in West Valley City. By adopting this resolution, the city will meet its statutory obligation. Additionally, the city is actively creating a Station Area Plan for all remaining S-Line stations.

The Resolution of Impracticability outlines the city's intent to formally declare that developing a Station Area Plan for this specific area is impracticable. Utah Code Subsection [63N-23-104\(1\)\(b\)\(ii\)](#) allows cities to opt out if certain conditions exist that make satisfying the Station Area Plan requirements unfeasible.

The determination of impracticability for the River Trail Station area is based on several key factors:

- All South Salt Lake land within the one-half mile radius of the station is currently categorized as industrial, railroad, UTA-owned, State-Owned, or School District owned property.
- Existing development, land ownership, existing entitlements, and the city's General Plan make it impracticable to support the state's objectives for station area plans.
- Access to the station from South Salt Lake is severely restricted by SR-201 and is physically separated from the city by the Jordan River.

While it is impracticable for South Salt Lake to create its own Station Area Plan for the River Trail Station, the city fully supports the [station area planning work](#) West Valley City adopted in August 2025. This includes their proposed active transportation facility located at 2320 South.

STAFF RECOMMENDATION

Staff recommends the City Council consider approving the resolution of impracticability for the River Trail Station Area.

EXHIBITS

- A. Resolution of Impracticability

RIVER TRAIL STATION AREA PLAN RESOLUTION OF IMPRACTICABILITY



City Council
September 23, 2026

STATE REQUIREMENTS

Index Utah Code

Title 63N Economic Opportunity Act

Chapter 23 Housing Investment And Opportunity Act

Part 1 General Provisions

Section Station area plan requirements -- Contents -- Review and certification by applicable metropolitan planning organization. (Effective 104 7/1/2026)

Effective 7/1/2026

63N-23-104. Station area plan requirements -- Contents -- Review and certification by applicable metropolitan planning organization.

(1) (a) Subject to the requirements of this section, a municipality that has a fixed guideway public transit station located within the municipality's boundaries shall, for the station area:

UC 63N-23-104 requires any city where a Station Area **(one-half mile radius from station)** is within the municipal boundaries to develop a Station Area Plan for the portion of the Station Area over which the municipality has jurisdiction.

STATION AREA

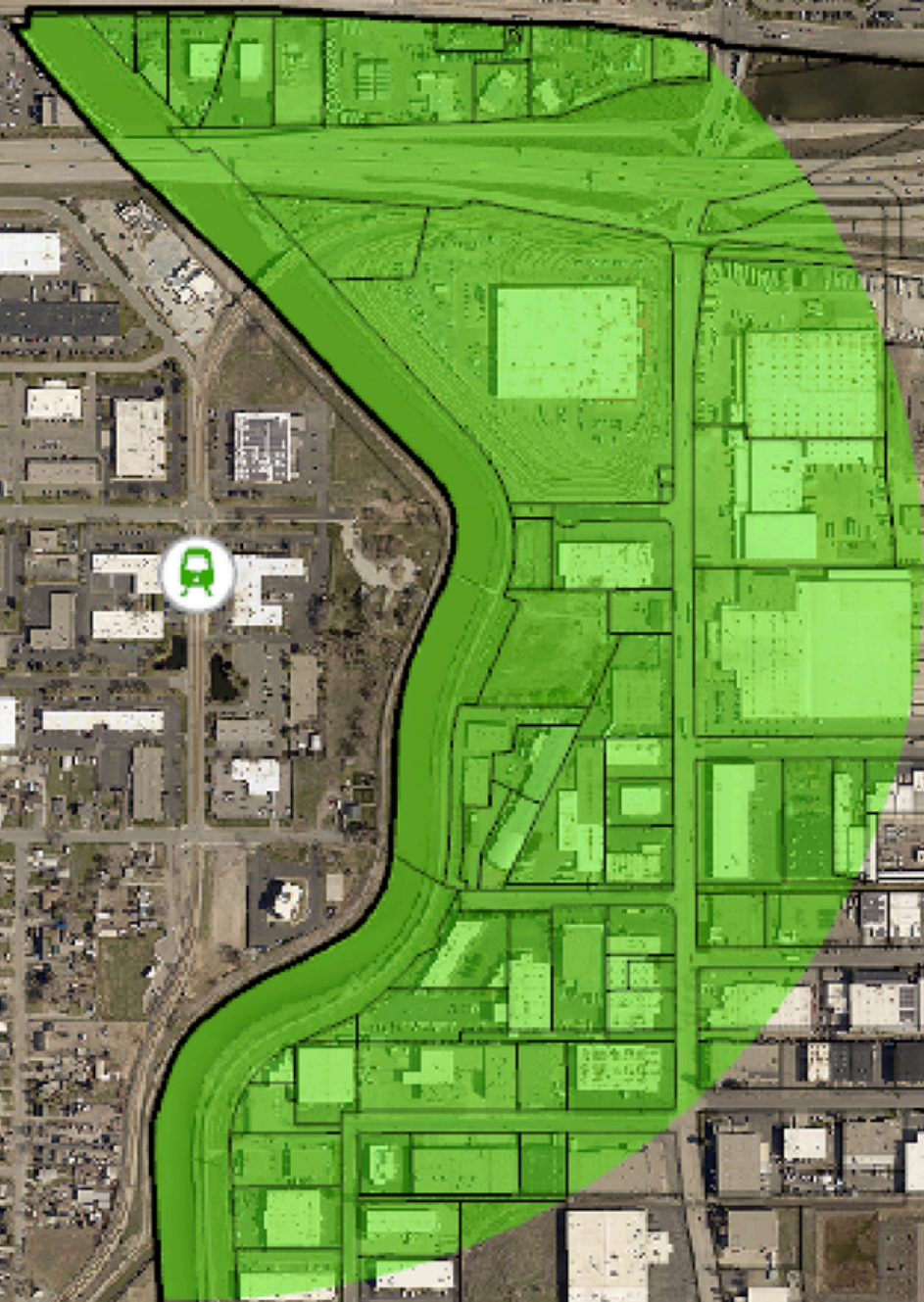
I-80

I-15

Redwood Rd

Jordan River

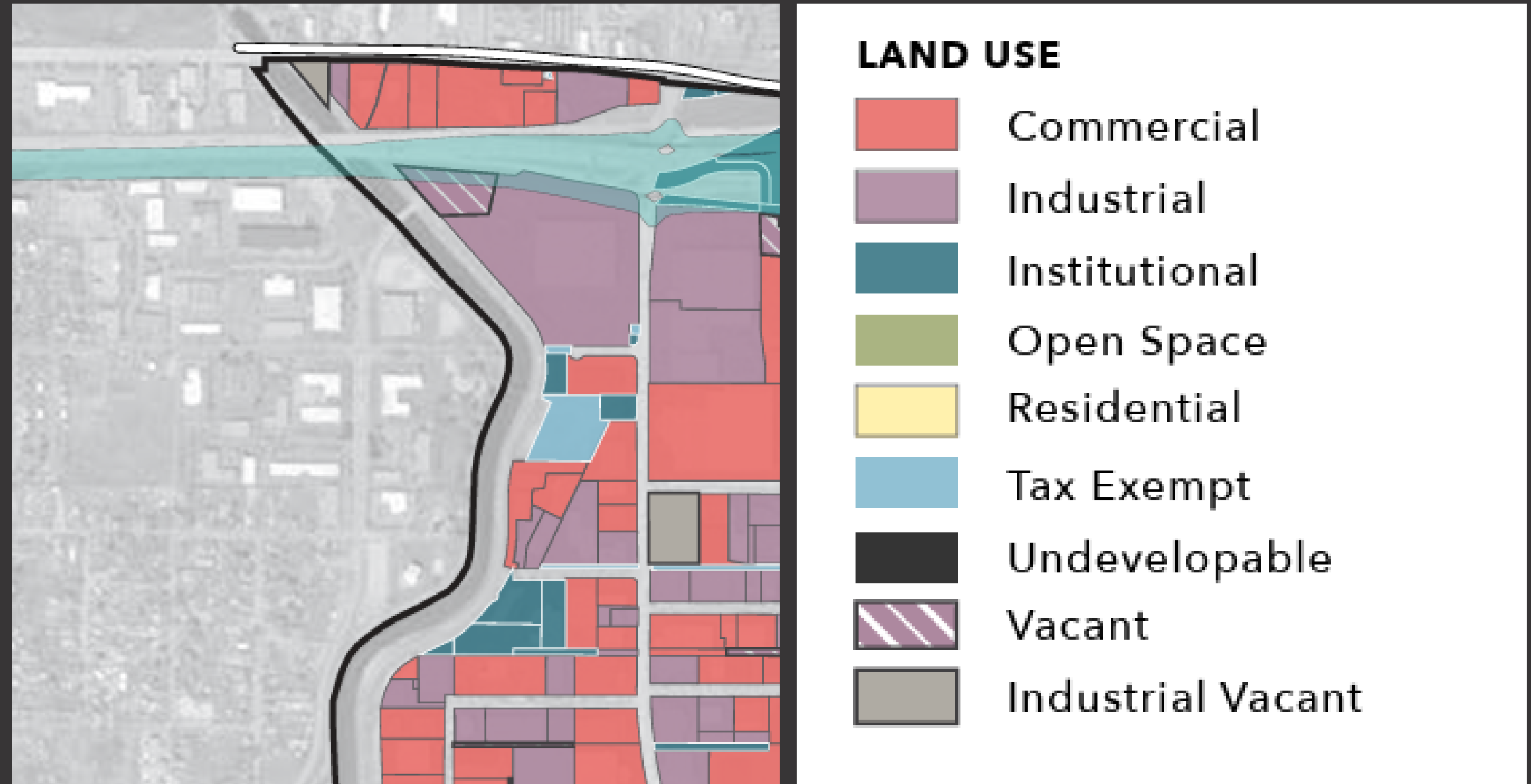
900 W



CURRENT LAND USE

Uses in the Station Area are commercial, industrial, and tax-exempt.

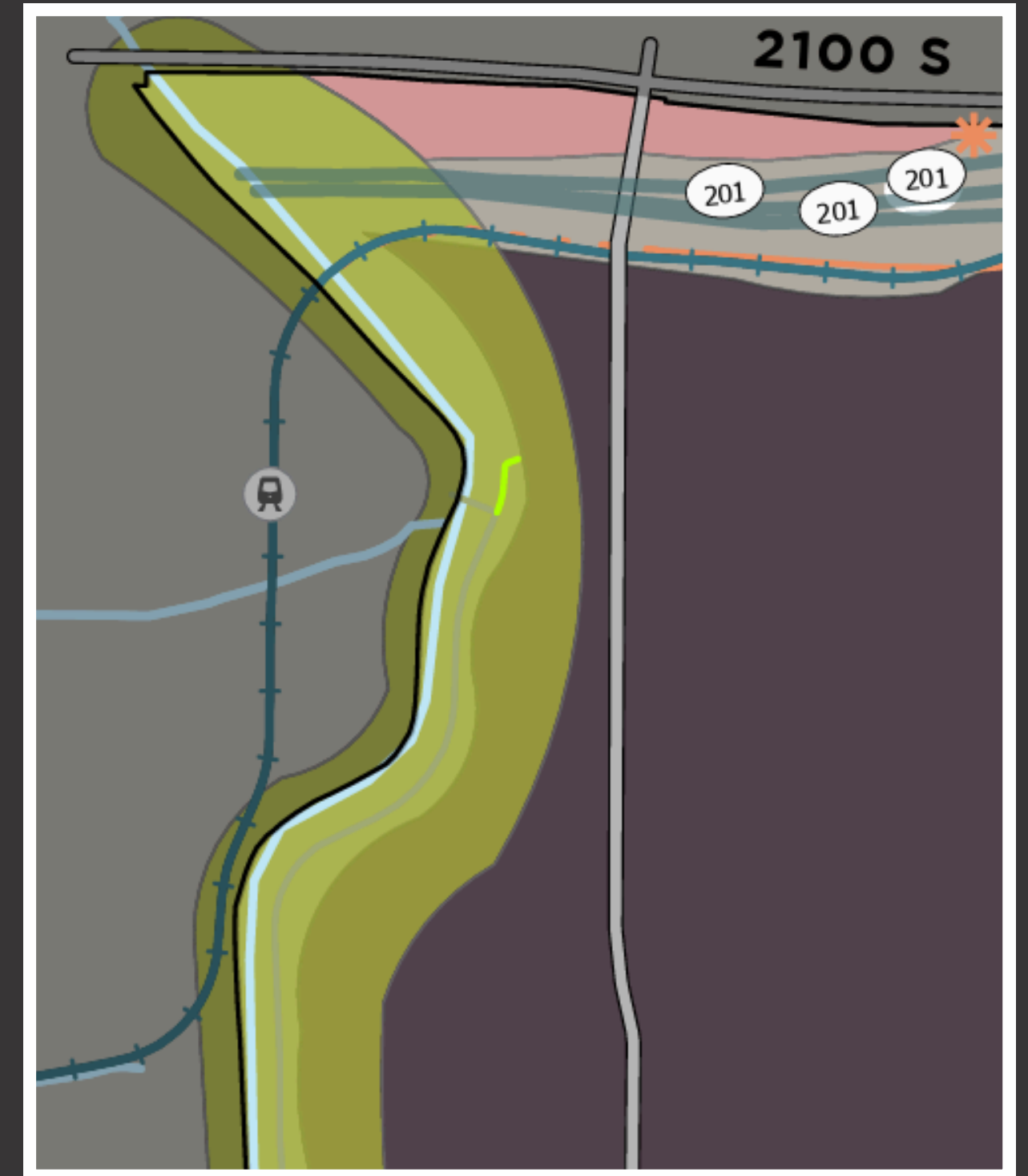
Ownership includes private, UTA, UDOT, Granite School District, Salt Lake School District, and utilities.



FUTURE LAND USE

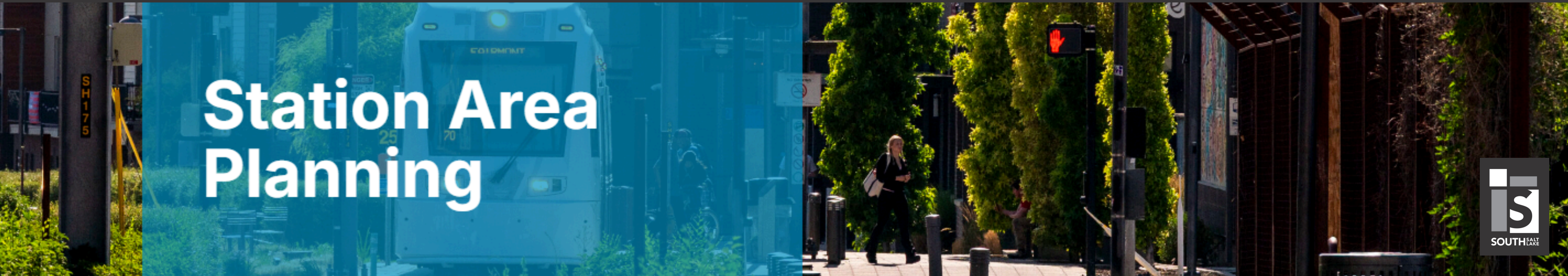
Rail Served Commercial Area = This area is served by the heavy rail network west of I-15, including Roper Yard. This area is characterized by large format commercial development utilizing both rail services and access to I-80, I-15, and SR-201. This area is appropriate for retention and expansion of current uses. Attraction of new users may be enhanced by including amenities in the area including:

- Trail access on Mill Creek
- Additional access to the Jordan River Parkway
- Employee serving restaurants and services



RESOLUTION OF IMPRACTICABILITY

- The city supports the station area planning work conducted and adopted by West Valley City, including the proposed active transportation facility at 2300 South
- Existing conditions and guidance from the General Plan make it impracticable to develop and adopt a Station Area Plan.
- Adoption of this Resolution will ensure compliance with State code.



**Station Area
Planning**

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL AMENDING SECTION 3.11.100(F) OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE TO MAKE ADJUSTMENTS TO THE HOUSEHOLD WASTE AND RECYCLABLE WASTE CONTAINER FEES.

WHEREAS, the South Salt Lake City Council (the “City Council”) is authorized to enact and amend ordinances establishing regulations related to the health, safety, and welfare of the residents of the City of South Salt Lake (the “City”); and

WHEREAS, the City’s contract with Ace Disposal for waste and recycling services, contains language stating that the fees charged by Ace shall be adjusted based on the annual change in the specific Producer Price Index for the waste collection industry as published by the U.S. Bureau of Labor Statistics when requested by Ace; and

WHEREAS, as a result of that requested adjustment the City engaged in a review of the fees related to household waste and recyclable containers and determined that adjustments were necessary based on the current economic status of the City’s services and costs in administration of the services provided; and

WHEREAS, the City Council finds that, after a review and assessment of the City’s costs and needs, the City’s consolidated fee schedule, codified in South Salt Lake Municipal Code 3.11.100(F), should be updated to reflect those fee changes; and

WHEREAS, the City has considered the impact this ordinance may have on family health, stability, and formation; and

WHEREAS, the City Council hereby determines that amending section 3.11.100(F) of the South Salt Lake Municipal Code to amend the fees as shown in “Exhibit A,” which is attached hereto and incorporated by this reference, is in the best interest of the health, safety, and welfare of the residents of South Salt Lake City.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of South Salt Lake as follows:

SECTION 1. Enactment. Section 3.11.100(F) is hereby amended, as attached hereto and incorporated by reference in “Exhibit A.”

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

SECTION 4. Effective Date. This ordinance shall become effective upon Mayor’s signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

[signatures appear on next page]

DATED this _____ day of _____, 2026.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

ATTEST:

Ariel Andrus, City Recorder

City Council Vote as Recorded:

Glad	_____
Thomas	_____
Bynum	_____
Mitchell	_____
Jones	_____
deWolfe	_____
Williams	_____

Transmitted to the Mayor's office on this _____ day of _____ 2026.

Ariel Andrus, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2026.

Cherie Wood, Mayor

ATTEST:

Ariel Andrus, City Recorder

Exhibit A:

3.11.100 Utilities.

F. Household Waste and Recyclable Waste Containers.

Residential service (including one waste container, one recyclable)	\$14. 29 76/month
Additional waste container (waste or recycling)	\$14. 29 76/month per additional can
New can delivery fee/redelivery fee after nonpayment	\$50.00/trip
Late payment fee	1.5%
Special permit inspection fee	\$25.00
Glass recycling fee	\$8. 25 50 per customer per month
Glass recycling container fee, initial service or reinstatement	\$25.00

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL AMENDING SECTION 3.11.100(B) OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE TO MODIFY FEES RELATING TO SEWER AND INDUSTRIAL WASTE UTILITIES IN SOUTH SALT LAKE CITY.

WHEREAS, The South Salt Lake City Council (the “City Council”) is authorized to enact and amend ordinances establishing regulations related to the health, safety, and welfare of the residents of the City of South Salt Lake (the “City”); and

WHEREAS, the City Council finds that, after a review and assessment of the City’s costs and needs, the City’s consolidated fee schedule, codified in South Salt Lake Municipal Code 3.11.100(B) relating to Sewer and Industrial Waste Fees, should be updated to reflect the current economic status of the City’s services and costs in maintenance and administration of its utilities;

WHEREAS, the City has considered the impact this ordinance may have on the health, safety, and welfare of the City and the impact this ordinance may have on family health, stability, and formation and finds that this ordinance is in the best interest of the City; and

WHEREAS, the City Council hereby determines that amending section 3.11.100(B) of the South Salt Lake Municipal Code to modify utilities fees as shown in “Exhibit A,” which is attached hereto and incorporated by this reference, is in the best interest of the health, safety, and welfare of the residents of South Salt Lake City.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of South Salt Lake as follows:

SECTION 1. Enactment. Section 3.11.100(B) is hereby amended, as attached hereto and incorporated by reference in “Exhibit A.”

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

SECTION 4. Effective Date. This ordinance shall become effective upon Mayor’s signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

(signatures appear on separate page)

DATED this _____ day of _____, 2026.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

ATTEST:

Ariel Andrus, City Recorder

City Council Vote as Recorded:

Glad	_____
Thomas	_____
Bynum	_____
Mitchell	_____
Jones	_____
deWolfe	_____
Williams	_____

Transmitted to the Mayor's office on this _____ day of _____ 2026.

Ariel Andrus, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2026.

Cherie Wood, Mayor

Attest: _____
Ariel Andrus, City Recorder

Exhibit A:

3.11.100 Utilities.

B. Sewer and Industrial Waste.

User fee (all users)	Base fee
Base User Fee (calculated using average winter water usage or actual usage, whichever is greater)*	\$10.00 \$14.00 per 1,000 gallons
Beginning July 1, 2020, Base User Fee (calculated using average winter water usage or actual usage, whichever is greater)* Service of delinquent payment notice within 12 months of prior notice	\$10.00 per 1,000 gallons \$15.00

* New residential accounts are charged based on actual usage or for 5,000 gallons per unit per month until an average winter water usage amount is determined, whichever is greater. New accounts for multi-family residential dwellings are calculated using previous average winter water usage or 5,000 gallons per unit per month, whichever is greater. New business accounts are charged based on the average winter consumption for the previous business or the actual monthly consumption if the business type has changed, until a winter average history can be obtained. Average winter water usage may be prospectively adjusted during the year if the customer provides proof of leakage, repair, and data supporting lower water usage.

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL AMENDING SECTION 3.11.050(C) OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE TO MODIFY ADMINISTRATIVE ENFORCEMENT FEES RELATING TO STORM WATER SYSTEM VIOLATIONS IN SOUTH SALT LAKE CITY.

WHEREAS, The South Salt Lake City Council (the “City Council”) is authorized to enact and amend ordinances establishing regulations related to the health, safety, and welfare of the residents of the City of South Salt Lake (the “City”); and

WHEREAS, the City Council finds that, after a review and assessment of the City’s costs and needs, the City’s consolidated fee schedule, codified in South Salt Lake Municipal Code 3.11.050(C) relating to Administrative Enforcement Fees for storm water system violations, should be updated to reflect the current economic status of the City’s services and costs in maintenance and administration of its utilities;

WHEREAS, the City has considered the impact this ordinance may have on the health, safety, and welfare of the City and the impact this ordinance may have on family health, stability, and formation and finds that this ordinance is in the best interest of the City; and

WHEREAS, the City Council hereby determines that amending section 3.11.050(C) of the South Salt Lake Municipal Code to modify utilities fees as shown in “Exhibit A,” which is attached hereto and incorporated by this reference, is in the best interest of the health, safety, and welfare of the residents of South Salt Lake City.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of South Salt Lake as follows:

SECTION 1. Enactment. Section 3.11.050(C) is hereby amended, as attached hereto and incorporated by reference in “Exhibit A.”

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

SECTION 4. Effective Date. This ordinance shall become effective upon Mayor’s signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

(signatures appear on separate page)

DATED this _____ day of _____, 2026.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

ATTEST:

Ariel Andrus, City Recorder

City Council Vote as Recorded:

Glad	_____
Thomas	_____
Bynum	_____
Mitchell	_____
Jones	_____
deWolfe	_____
Williams	_____

Transmitted to the Mayor's office on this _____ day of _____ 2026.

Ariel Andrus, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2026.

Cherie Wood, Mayor

Attest: _____
Ariel Andrus, City Recorder

Exhibit A:

3.11.050 Administrative Enforcement.

C. ~~Illicit Discharge or Connection into~~ Storm Water System **violations.**

Fine for negligent discharge of non-hazardous waste	\$75.00
Fine for negligent discharge of hazardous waste/sewage	\$250.00
Fine for intentional discharge of non-hazardous waste	\$150.00
Fine for intentional discharge of hazardous waste/sewage	\$500.00
Daily fines for failure to comply with notice of violation (each day represents a new violation)	
Non-hazardous discharge/connection	\$100.00
Hazardous or sewage discharge/connection	\$1,000.00
Construction site storm water runoff control*	
Performing work without an approved storm water permit	\$500.00
Tracking mud on road	\$300.00
Failure to clean up or report spills	\$250.00
Failure to conduct stormwater inspections	\$100.00
Failure to maintain storm water records	\$100.00
Failure to use general best management practices	\$500.00

* Per Utah Code § 19-5-108.3 these fines may be imposed for each occurrence and may be imposed for each business day the specific violation continues beginning on the day after day on which the authority issues the administrative fine and within 30 days after the day on which the applicant corrects the violation.

ORDINANCE NO. 2026-____

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL AMENDING SOUTH SALT LAKE MUNICIPAL CODE CHAPTER 2.22 TO UPDATE DEFINITIONS, ESTABLISH PROCEDURES FOR DEFAULT JUDGMENTS AND DISQUALIFICATION OF ADMINISTRATIVE LAW JUDGES, AND UPDATE REGULATIONS RELATED TO ADMINISTRATIVE HEARINGS.

WHEREAS, the South Salt Lake City Council (the “Council”) is authorized to enact, repeal and adopt ordinances governing the City of South Salt Lake (the “City”); and

WHEREAS, for specified municipal action where an adverse decision by a city official results in detriment to a Person, the Council intends to afford that Person due process of law by way of an administrative hearing; and

WHEREAS, the Council finds it necessary to update the administrative hearing process to include specific procedures for Default Judgments, the appointment of Reviewing Judges for disqualification motions, and to clarify the powers and duties of Administrative Law Judges; and

WHEREAS, the City has considered the impact this ordinance may have on the health, safety, and welfare of the City and the impact this ordinance may have on family health, stability, and formation; and

WHEREAS, the Council has determined that providing a fair and impartial administrative process, including the right to notice, the right to be heard, and the right to appeal to district court, is in the best interest of the City and its residents; and

WHEREAS, the Council reviewed the proposed changes and determined that these changes to Chapter 2.22 are necessary for the efficient administration of city justice and the protection of constitutional due process;

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of South Salt Lake as follows:

SECTION I: Amendment. Chapter 2.22 of the South Salt Lake City Municipal Code is hereby amended as shown in Exhibit A attached hereto, and incorporated herein by this reference, and is hereby adopted and incorporated into the South Salt Lake City Municipal Code.

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

SECTION III: Effective Date. This ordinance shall become effective upon Mayor’s signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

Dated this _____ day of _____, 2026.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

ATTEST:

Ariel Andrus, City Recorder

City Council Vote as Recorded:

Glad	_____
Thomas	_____
Bynum	_____
Mitchell	_____
Jones	_____
Williams	_____
deWolfe	_____

Transmitted to the Mayor's office on this _____ day of _____ 2026.

Ariel Andrus, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2026.

Cherie Wood, Mayor

ATTEST:

Ariel Andrus, City Recorder

Exhibit A

Chapter 2.22 ADMINISTRATIVE HEARINGS

Sections:

2.22.000 Purpose and intent.

For specified municipal action, as more particularly defined and designated in this code, in which an adverse decision by a city official results in detriment to a ~~P~~person, it is the purpose and intent of the city council to afford that ~~P~~person due process of law by way of an administrative hearing. Due process shall require proper notice of the nature of the violation and the opportunity to be heard, a hearing before a fair and impartial ~~A~~administrative ~~U~~law ~~J~~judge, the right to present evidence, the right to cross-examination, the right to be represented by an attorney or other advocate, the right to receive an adequate explanation of the reasons justifying any resulting ~~A~~administrative ~~O~~order and the right to appeal an ~~A~~administrative ~~O~~order to the district court.

2.22.010 Effect of headings.

Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning, or intent of the provisions of this chapter.

2.22.020 Severability.

If any section, subsection, sentence, clause, phrase, portion or provision of this chapter is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, portion or provision thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, portions or provisions be declared invalid or unconstitutional. This section shall apply to all amendments made to this chapter.

2.22.030 Definitions.

“Abatement” Any action the City may take to remove or alleviate a violation, including, but not limited to, demolition, removal, repair, boarding up, securing or replacement of property.

"Administrative ~~C~~eitation" means a citation issued to a ~~R~~esponsible ~~P~~erson that gives notice of a violation and the civil fee for such violation.

"Administrative ~~O~~order" means an order issued by an ~~A~~administrative ~~L~~aw ~~J~~udge. The order may include an order to enter upon private property to abate a violation of this code, to pay civil fees and administrative costs, to reverse or modify decisions of city officials as provided elsewhere in this code or take any other action as authorized or required by this chapter and applicable state codes.

"Administrative ~~L~~aw ~~J~~udge" means ~~the a~~ person(s) appointed by the mayor or ~~his the mayor's~~ designee to preside over administrative hearings.

“Default Judgment” means a final order issued by an Administrative Law Judge that imposes the full relief, fees, costs, and penalties requested by the City against a Responsible Person due to that person's failure to participate in the administrative hearing process as explained in 2.22.100.

“Discovery” The process of exchanging information between the parties about the witnesses and evidence to be presented at trial.

"Enforcement Official" means any person authorized by the city to enforce violations of law, including, but not limited to, zoning officers, police officers, code enforcement officers, building inspection officials, business licensing officials, fire marshals, and animal control officers.

“Good Cause” unavailability or inability due to unavoidable and unpreventable emergency or circumstance.

"Itemized ~~S~~statement of ~~C~~osts" means a written notice to a ~~R~~esponsible ~~P~~erson, itemizing the city's actual costs and administrative cost of abating a code violation, ordering payment of those costs and advising the ~~R~~esponsible ~~P~~erson of the right to contest the reasonableness of the costs at an administrative hearing.

"Municipal ~~A~~action" means a ~~N~~otice of ~~V~~iolation and ~~S~~summons, an ~~A~~administrative ~~C~~eitation, an itemized statement of costs, a ~~N~~otice of ~~E~~mergency ~~A~~abatement or other notice of any other adverse municipal decision for which the right to an administrative hearing is specifically provided by ordinance.

"Notice of ~~E~~mergency ~~A~~abatement" means a written notice that informs a ~~R~~esponsible ~~P~~erson of emergency ~~A~~abatement actions taken by the city and provides and itemized statement of costs for those actions.

"Notice of ~~V~~iolation and ~~S~~summons" means a written notice that informs a ~~R~~esponsible ~~P~~erson of code violations, orders certain steps to correct the violations, demands appearance at an administrative hearing and sets forth a date and time for the hearing.

"Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization or the manager, lessee, agent, sergeant, officer or employee of any of them or any other entity that is recognized by law as the subject of rights or duties. For purposes of this chapter, "person" also indicates a person whose interest is adverse to the city at an administrative hearing.

“Performance Bond” A bond posted by a Responsible Person to ensure compliance with this Code, applicable state law, a judicial action, or an Administrative Order.

“Responsible Person” means the person(s) determined by the city who is responsible for causing, maintaining, or allowing the continuation of a violation of this code. Responsible Person shall include, but is not limited to, a property owner, agent, tenant, lessee, occupant, architect, builder, contractor, business owner, or other person who individually or together with another person is responsible for causing, maintaining, or allowing the continuation of a violation of any provision of this code.

“Reviewing Judge” means an Administrative Law Judge appointed by the City for the limited purpose of hearing and ruling upon a motion for disqualification based on alleged bias or prejudice. The Reviewing Judge may be an existing Administrative Law Judge appointed by the City or an Administrative Law Judge employed by a different Utah municipality.

“Variance” means a waiver or modification of a zoning requirement made necessary because some unique aspect of a parcel makes the enforcement of the requirement an unreasonable hardship as outlined in applicable law.

2.22.040 Request for administrative hearing.

- A. Where the right to an administrative hearing has been established under this code, a **P**erson having that right may request an administrative hearing, if the request is filed within ten **(10)** calendar days from the date of service of one of the following:
1. Itemized statement of costs as defined in Chapter 8.14;
 2. **Notice of Weed Growth, Litter violations, and Sidewalk and Road Obstruction according to Chapter 8.09;**
 23. Administrative **C**itation as defined in Chapter 8.14;
 34. Notice of **E**mergency **A**abatement as defined in Chapter 8.14; or
 45. Notice of any other municipal action where the right to an administrative hearing is provided under any other title and chapter of this code.
- B. The request for an administrative hearing shall be made in writing, and shall be accompanied by a filing fee to be established in the consolidated fee schedule. This fee shall not be waived.
- C. The request shall comply with the following requirements:
1. It shall be in writing;
 2. It shall contain a legible, plain statement of the reason or reasons that the **P**erson requesting the hearing is entitled to relief from the **M**municipal **A**action;
 3. It shall be accompanied by a copy of the itemized statement of costs, **A**administrative **C**itation, **N**notice of **E**mergency **A**abatement or other notice of **M**municipal **A**action for which the hearing is requested;
 4. It shall contain the name of the **P**erson requesting the hearing and the address to which all notices and orders shall be mailed;
 5. It shall be dated and signed by the **P**erson requesting the hearing; and
 6. It shall be filed with the city recorder.
- D. The city may initiate an administrative hearing **for the purpose of compelling a Responsible Person to comply with correction required on the notice or Administrative Citation or** by service and filing of a **N**notice of **V**violation and **S**summons as provided in Chapter 8.14. Service of the notice **for these city requests for administrative hearings of violation and summons** shall be made as provided in Section 8.14.120.
- E. Within twenty (20) days after receiving a request for an administrative hearing or the service of a **N**notice of **V**violation and **S**summons, the **A**administrative **L**law **J**judge shall schedule a date, time, and place for the administrative hearing. Failure to hold the hearing within twenty (20) days of the request shall not be a basis for reversal of the municipal action. No adverse action, except a **n** **Notice of E**mergency **A**abatement pursuant to Section 8.14.410, shall be taken pending the administrative hearing.

- F. Failure to request an administrative hearing within ten calendar days from the date of service of any of the notices in subsection (A) above shall constitute a waiver of the right to an administrative hearing and the right to an appeal.
- G. **If a Responsible Person fails to request a hearing, after being issued service of the notice described in subsection (A)(2), the corrective action detailed on the notices shall be considered the Administrative Order and will be subject to the entry of a Default Judgement upholding the notices in subsection (A)(2) for compliance and directing and imposing the actions, penalties, fees, and costs associated therewith. This Default Judgment will be final and non-appealable.**

2.22.050 Notification of administrative hearing.

- A. Notice of the date, time, and place of the administrative hearing shall be served upon the **P**erson requesting the hearing no later than five city business days in advance of the hearing. ~~Failure to provide timely notice of the hearing shall result in the continuation of the hearing. No adverse action will be taken or imposed by the City, with the exception of emergency abatement action pursuant to 8.14.410, pending the hearing.~~
- B. ~~Except in the case of a notice of violation and summons, T~~he notice **of the date, time and place of the administrative hearing** shall be served by mailing **or emailing** it to the address **or email address** designated in the request for hearing and shall be deemed to have been served on the third day following the date of mailing **or email**. Notice of ~~the city's request for an administrative hearing violation and summons~~ shall be served in accordance with Section 8.14.120.
- C. Upon service of the notice **of the administrative hearing or notice of violation and summons** the **P**erson receiving the service shall be required to attend the administrative hearing at the appointed date and time.

2.22.060 Appointment and qualifications of the ~~A~~administrative ~~L~~law ~~J~~judge.

- A. The mayor, with the consent of the city council, shall appoint **one or more an A**administrative ~~L~~law ~~J~~judge(s) to preside at administrative hearings.
- B. ~~An The A~~administrative ~~L~~law ~~J~~judge shall serve for a term of two years and, during that two-year term, shall be subject to removal by the mayor only for cause.
- C. Cause for removal may be for any conduct unbecoming a hearing officer, dereliction of assigned duties or the existence of a bias or conflict of interest that might affect impartiality of decisions. The ~~A~~administrative ~~L~~law ~~J~~judge may appeal a removal for cause to the city council which shall uphold the removal if there is substantial evidence to support the mayor's decision.
- D. A person appointed to serve as an ~~A~~administrative ~~L~~law ~~J~~judge shall ~~either be law trained or have significant experience with the requirements and operation of administrative hearing processes~~. The person shall be free from any bias or conflict of interest that might affect impartiality of decisions.
- E. An ~~A~~administrative ~~L~~law ~~J~~judge is subject to disqualification for bias, prejudice, interest or any other reason for which a judge may be disqualified in a court of law. ~~The administrative law judge shall promulgate rules and procedures for disqualification and replacement.~~
- F. **If there is a request or a motion for disqualification of an Administrative Law Judge based on an allegation of bias or prejudice, the proceedings on the underlying matter shall be stayed. The city, shall promptly assign a Reviewing Judge for the sole purpose of hearing and ruling on the motion to disqualify.**
 1. **The Reviewing Judge shall conduct any proceedings necessary, which may include reviewing written submissions or holding a hearing, to make a determination on the merits of the motion.**
 2. **If the Reviewing Judge grants the motion and determines that disqualification for bias or prejudice is warranted, the Reviewing Judge shall be assigned to the case for all further**

proceedings or the Reviewing Judge shall assign the case to a different Administrative Law Judge, and the stay shall be lifted.

3. **The Reviewing Judge must make a finding of a reasonable appearance of bias or prejudice for the motion to disqualify to be granted. If the Reviewing Judge denies the motion, the matter shall be returned to the originally assigned Administrative Law Judge and the stay shall be lifted.**

2.22.070 Powers of Administrative Law Judge.

- A. An Administrative Law Judge shall have authority to hold an administrative hearing for violations of this code and such other matters as specifically designated by ordinance.
- B. The Administrative Law Judge is designated as the hearing officer, to hear City utility dispute appeals according to 13.74.040(H)6.**
- CB.** An Administrative Law Judge may continue a hearing for good cause shown by one of the parties or if the Administrative Law Judge independently determines that due process has not been adequately afforded to a party.
- DC.** At the request of any party to an administrative hearing, an Administrative Law Judge may sign subpoenas for witnesses, documents, and other evidence where the attendance of the witness or the admission of evidence is deemed helpful by the Administrative Law Judge to decide issues at the hearing. All costs related to the subpoena, including witness and mileage fees, shall be borne by the party requesting the subpoena.
- ED.** The Administrative Law Judge may modify civil fees or fines upon a finding of Good Cause. The Administrative Law Judge may reduce the fines to what is just and equitable under the circumstances; however, in connection with an appeal regarding an itemized statement of costs, the Administrative Law Judge may not order the Responsible Person to pay less than actual costs incurred by the city and shall require the Responsible Person to pay the administrative costs as established in the consolidated fee schedule.
- FE.** The Administrative Law Judge shall have the authority to reverse or modify the decision of a city Enforcement Official.
- FG.** An Administrative Law Judge has continuing jurisdiction over the subject matter of an administrative hearing for the purposes of: granting a continuance; ordering compliance by issuing an Administrative Order; ensuring compliance of that order; authorizing the city to enter upon private property to abate a violation; **authorizing inspection of the property;** modifying an Administrative Order, assessing costs of Abatement, assessing civil fines; or, where extraordinary circumstances exist, granting a new hearing.
- GH.** An Administrative Law Judge may require a Responsible Person to post a Performance Bond to ensure compliance with an Administrative Order, but only if agreed to by the Enforcement Official handling the matter for the city.
- I. The Administrative Law Judge may not hear or decide an appeal of any legislative act of the City Council, including, without limitation, zoning ordinance amendments.**
- HJ. Except as expressly provided in Chapter 17.12 of this code for granting Variances, an Administrative Law Judge shall not make any order that would require or allow a Person to violate any lawstate-law-or-city ordinance.**

2.22.080 Procedures at administrative hearing.

- A. Administrative hearings are intended to be informal in nature. Formal rules of evidence and Discovery shall not apply; however, upon request made in writing reasonably in advance of a hearing, **an informal exchange of Discovery may be required at the discretion of the Administrative Law Judge in order to** ~~the city shall~~ provide to a Person and the city ~~requesting a hearing~~ the opportunity to review documents, photographs,

lists of expected witnesses or other tangible evidence it intends to present at the hearing ~~and shall provide a list of the witnesses it intends to call at the hearing.~~ Failure to request ~~D~~discovery shall not be a basis for a continuance. Complainant information shall not be disclosed or released unless the complainant is a witness at the hearing. The procedure and format of the administrative hearing shall follow duly adopted policies and procedures.

- B.** The Person requesting a Variance bears the burden to establish that all the conditions justifying a Variance have been met according to chapter 17.12 of this code.
- BC.** If not specifically designated in this code the city shall bear the burden of proof to establish the existence of a violation of this code, such proof shall be established by preponderance of the evidence.
- ~~C.~~ ~~Such proof shall be established by a preponderance of the evidence.~~
- D.** In an administrative hearing request to review the costs associated with an involuntary Abatement according to 8.14.390, the Responsible Person has the burden of proof that one or more costs were improper or excessive. Such proof shall be established by preponderance of the evidence.
- E.** In any hearing on a motion to set aside a Judgment, the Responsible Person bears the burden of proving Good Cause by a preponderance of the evidence.
- DF.** Each party shall have the opportunity to cross-examine witnesses and present evidence in support of his case. A written declaration signed under penalty of perjury may be accepted in lieu of a personal appearance. Testimony may be given by telephone or other electronic means.
- EG.** Administrative hearings shall be held at City Hall, open to the public and shall be recorded ~~by audiotape~~; however, at the discretion of the ~~A~~administrative ~~L~~law ~~J~~judge, administrative hearings may be held at the location of a violation as long as adequate provision is made to preserve a verbatim record of the hearing.
- FH.** The ~~P~~person requesting an administrative hearing or the Responsible Person subject to the administrative hearing shall have the right to be represented by an attorney or other advocate. If an attorney will be representing a ~~R~~esponsible ~~P~~person at a hearing, notice of the attorney's name, address, and telephone number shall be given to the city attorney at least ~~one day~~ **seventy-two (72) hours** prior to the hearing. If such notice is not given, the hearing may be continued at the city's request, and all costs of the continuance shall be assessed to the ~~P~~person **or Persons** requesting the hearing.
- GI.** The burden to prove any raised defenses shall be upon the party raising any such defense and shall be established by a preponderance of the evidence.
- HJ.** Administrative hearings may be held on Mondays through Fridays, excluding city holidays, between the hours of eight a.m. and nine p.m.

2.22.090 Failure to attend administrative hearing.

A ~~R~~esponsible ~~P~~person who fails to appear at an administrative hearing shall be deemed to have waived all rights in connection with the hearing, including **adjudication of issues related to the hearing and** the right to appeal. Provided that proper notice of the hearing has been given as provided in Section 2.22.050, an ~~A~~administrative ~~O~~order **and if applicable a Default Judgment** may be entered against a **Responsible P**person based upon the failure to appear.

2.22.100 DEFAULT JUDGMENTS.

- A.** If a Responsible Person fails to timely request an administrative hearing according to 2.22.050(H) of this code, if specifically designated in this code, or once any administrative hearing is requested and the Responsible Person fails to attend the hearing, Default Judgment shall be entered by the Administrative Law Judge imposing the relief requested in the request for compliance and assessing fees, costs and penalties as appropriate.

- B. Except as provided for in subsection D of this section, a Default Judgment is a final order and may not be appealed. Following the issuance of a Default Judgment, the City may proceed forthwith to abate a violation and may take any other appropriate action. The city may use all appropriate legal means to recover the civil penalties and administrative costs to obtain compliance.
- C. A copy of a signed Default Judgment shall be served, according to Section 8.14.120, on all applicable Responsible Persons promptly following execution by the Administrative Law Judge.
- D. Within ten (10) calendar days following service of a Default Judgment in favor of the City, a responsible party may prepare and submit a written request that the Default Judgment be set aside. The moving party will have the burden of proof and persuasion. The Administrative Law Judge may set aside the Default Judgment if Good Cause is shown. If the Administrative Law Judge decides to set aside a Default Judgment, the Administrative Law Judge shall cause an administrative hearing to be scheduled and noticed according to the requirements of this code.
- E. The decision of an Administrative Law Judge to decline or set aside a Default Judgment is final and non-appealable.

2.22.1100 Administrative Order.

- A. A Responsible Person and the city may enter into a stipulated agreement, which shall be signed by both parties. Such agreement may be entered as an Administrative Order. Entry of such agreement shall constitute a waiver of the right to an administrative hearing and the right to appeal.
- B. Within ten days after all evidence and testimony are presented, the Administrative Law Judge shall issue a written Administrative Order that affirms, rejects or modifies the Notice of Violation and Summons, itemized statement of costs, Administrative Citation, Notice of Emergency Abatement, appeals from land use decisions applying the land use ordinances, variance requests, or other municipal action.
- C. If affirmed, the Administrative Order shall specify the evidence supporting the Administrative Law Judge's decision and the action required to satisfy the order.
- D. The Administrative Law Judge may assign the party who prevails at the administrative hearing to prepare findings of fact and conclusions of law.
- E. An Administrative Law Judge may issue an Administrative Order that requires a Responsible Person to cease from violating this code and to take any necessary corrective action.
- F. An Administrative Law Judge may order the city to enter the property and abate all violations, including the removal of animals in violation of an applicable code requirement. Whenever an order of Abatement is entered, the Administrative Law Judge shall order the Responsible Person to pay to the city the actual costs of the Abatement and the administrative costs of the city to perform the Abatement.
- G. An Administrative Law Judge may revoke a kennel permit, an animal license, or the right to possess animals as provided in this code.
- H. for a Variance determination an Administrative Law Judge shall issue an Administrative Order explaining why the Variance was or was not granted according to 17.12.050 of this code.
- HI. As part of an Administrative Order, an Administrative Law Judge may establish specific deadlines for the payment of fees and costs, and condition the total or partial assessment of civil fees on the Responsible Person's ability to take necessary corrective actions by specified deadlines. Such fees shall continue to accrue until the Responsible Person complies with the Administrative Law Judge's decision and corrects the violation.
- IJ. An Administrative Order imposing civil fines for failure to abate a violation of the city code by a stated deadline, shall continue to accrue additional fines until the Responsible Person complies with the Administrative Law Judge's decision and corrects the violation. ~~But shall not exceed one thousand dollars (\$1,000.00).~~

- JK.** An ~~A~~administrative ~~L~~aw ~~J~~udge may schedule subsequent review hearings as may be necessary or as requested by the city to ensure compliance with an ~~A~~administrative ~~O~~order.
- KL.** An ~~A~~administrative ~~L~~aw ~~J~~udge may order a ~~R~~esponsible ~~P~~erson to post a performance bond to ensure compliance with an ~~A~~administrative ~~O~~order, but only if agreed to by the city attorney~~enforcement official~~ handling the matter for the city.
- LM.** An ~~A~~administrative ~~L~~aw ~~J~~udge may revoke or suspend a business license, a building permit, or permits for any alteration, repair, or construction pertaining to any existing or new structures or signs on the property, or any permits pertaining to the use and development of real property or a structure where a violation is located as provided in this code.
- MN.** An ~~A~~administrative ~~O~~order shall become final on the date ~~of~~ ~~signed~~ing by an ~~A~~administrative ~~L~~aw ~~J~~udge.
- NO.** An ~~A~~administrative ~~O~~order shall be served on all parties as provided in Section ~~8.14.120~~ or the order shall be served by mailing it to the address or email address designated in the request for hearing ~~2-22-030~~.
- OP.** An ~~A~~administrative ~~L~~aw ~~J~~udge may take any action reasonably necessary to obtain compliance with the applicable city ordinances.
- PQ.** An ~~A~~administrative ~~L~~aw ~~J~~udge may assess civil fines and costs of ~~A~~abatement and administrative costs to a ~~R~~esponsible ~~P~~erson.

2.22.1210 Failure to comply.

- A. It shall be unlawful for any ~~R~~esponsible ~~P~~erson to fail to comply with the terms and deadlines set forth in a final ~~A~~administrative ~~O~~order.
- B. A violation of this section shall be a class B misdemeanor.
- C. Upon failure of a ~~R~~esponsible ~~P~~erson to comply with the terms and deadline set forth in the Administrative Order, the city may use all appropriate legal means to recover the civil penalties and administrative costs to obtain compliance.

2.22.1320 Appeal.

- A. ~~Default Judgments and a decision by an Administrative Law Judge to deny a motion to set aside a Default Judgment are final and non-appealable.~~
- B. Any ~~Responsible P~~erson adversely affected by a final ~~A~~administrative ~~O~~order made in the exercise of the provisions of this chapter may file a petition for review in the district court.
- BC.** The petition shall be barred unless it is filed within thirty (30) days after the ~~A~~administrative ~~O~~order is final.
- CD.** In the petition, the ~~Responsible P~~erson may only allege that the ~~A~~administrative ~~O~~order was arbitrary, capricious or illegal.
- DE.** The court shall:
 - 1. Presume that the ~~A~~administrative ~~O~~order is valid;
 - 2. Review the record to determine whether the order was arbitrary, capricious, or illegal; and
 - 3. Affirm the ~~A~~administrative ~~O~~order if it is supported by substantial evidence in the record.
- EF.** Within one hundred twenty (120) days after submitting the petition, the party petitioning for appeal shall request a copy of the record of the proceedings, including minutes, findings, orders and, if available, a true and correct transcript of the hearing when necessary.
 - 1. The city shall not submit copies of files or transcripts to the reviewing court until the party petitioning for appeal has paid all required costs.

2. The petitioning party's failure to properly arrange for copies of the record, or to pay the full costs for the record, within one hundred eighty (180) days after the petition for review was filed shall be grounds for dismissal of the petition.
 3. Upon receipt of the payment of all required costs the city will transmit a true and correct copy of the administrative hearing transcript.
- FG.** If the proceeding was tape recorded, a transcript of such tape recording shall be deemed a true and correct transcript for purposes of this subsection. If a transcript of a hearing cannot be prepared because the tape recording is incomplete or unintelligible, the district court may, in its discretion, remand the matter to the ~~A~~administrative ~~L~~law ~~J~~judge for a supplemental proceeding to complete the record. The district court may limit the scope of the supplemental proceeding to issues that, in the court's opinion, need to be clarified.
- GH.** If there is a record, court review shall be limited to the record of the proceeding. The court may not accept or consider any evidence outside such record unless that evidence was offered to the ~~A~~administrative ~~L~~law ~~J~~judge and the court determines that the ~~A~~administrative ~~L~~law ~~J~~judge improperly excluded it. The court may call witnesses and take evidence if there is no record.
- HI.** The filing of a petition for review with the district court does not stay execution of an ~~A~~administrative ~~O~~order. Before filing a petition, a ~~R~~esponsible ~~P~~erson may request the ~~A~~administrative ~~L~~law ~~J~~judge to stay an ~~A~~administrative ~~O~~order. Upon receipt of a request to stay, the ~~A~~administrative ~~L~~law ~~J~~judge may order the ~~A~~administrative ~~O~~order to be stayed pending district court review if the ~~A~~administrative ~~L~~law ~~J~~judge finds such stay to be in the best interest of the city.



MEETING DATE: September 23, 2026

REQUEST: An ordinance amending South Salt Lake Municipal Code Chapter 2.22 to update definitions, establish formal procedures for default judgments and the disqualification of Administrative Law Judges (ALJs), and update regulations governing administrative appeals.

DIVISION REQUESTING THE CHANGE: South Salt Lake City Attorney's Office

TYPE OF REQUEST: Legislative – Ordinance Amendment

SYNOPSIS: The City Administration has proposed multiple changes, additions and corrections of Chapter 2.22 (Administrative Hearings) of the South Salt Lake Municipal Code. The existing code requires modernization to establish mechanisms for handling instances where cited parties fail to participate in the administrative process, and to codify procedures that safeguard constitutional due process when conflicts of interest or allegations of bias arise.

The proposed amendments will update definitions and make technical corrections. Further, the additions to the code details the exact documentation, timelines, and legal burdens required for municipal enforcement actions, default judgments, motions to set aside, and subsequent judicial reviews in district court.

The City Council is the legislative authority empowered to adopt and amend these administrative ordinances.

STAFF RECOMMENDATION:

Staff recommends approval of the amendments. Staff's recommendation is based upon its analysis and findings included below.

GENERAL INFORMATION:

WHAT IS BEING DONE DIFFERENTLY IN THE NEW CODE?

The proposed text amendment updates definitions, makes technical corrections, and modernizes the City's administrative judicial procedures by introducing three major procedural changes that were absent or poorly defined in the prior iteration of the code:

1. **Establishment of Formal Default Judgment Procedures for weeds and trash accumulation (Section 2.22.100):**
 - **The Change:** The new code explicitly defines and outlines the mechanism for entering a "Default Judgment." If a Responsible Person fails to timely request an administrative hearing within ten (10) calendar days, or requests a hearing but completely fails to attend, the

Administrative Law Judge (ALJ) is empowered to issue a final order imposing the full relief, fees, costs, and penalties requested by the City.

- **The Set-Aside Safe Harbor:** To balance city efficiency with fairness, a responsible party is given a strict ten (10) calendar day window following the service of a Default Judgment to file a written request to set it aside. The moving party bears the burden of proving “Good Cause” (defined as an unavoidable, unpreventable emergency) by a preponderance of the evidence.

2. **Creation of a “Reviewing Judge” Framework for Disqualification Motions (Section 2.22.060):**

- **The Change:** The revised code builds in an explicit operational protocol when a party files a motion to disqualify an ALJ based on alleged bias or prejudice (like a conflict of interest).
- **The Process:** Upon the filing of a disqualification motion, the underlying administrative proceedings are immediately stayed. The City will promptly assign a "Reviewing Judge"—who may be another ALJ appointed by the City or an ALJ employed by a different Utah municipality—for the sole purpose of ruling on the motion. The stay is only lifted once the Reviewing Judge makes a specific finding regarding whether a reasonable appearance of bias exists.

3. **Refinement of Evidence, Continuances, and Legal Burdens (Section 2.22.070 & 2.22.080):**

- **The Change:** While hearings remain inherently informal and formal rules of discovery do not apply, the code now allows the ALJ the discretion to require an informal exchange of expected witness lists, photographs, and tangible evidence if requested reasonably in advance.
- **Burdens of Proof:** The amended code explicitly specifies who holds the legal burden of proof during a dispute. The City bears the burden to prove a violation exists by a preponderance of the evidence. However, the Responsible Person holds the burden of proof if they are requesting a zoning variance, challenging the excessiveness of an involuntary property abatement bill, or attempting to set aside a Default Judgment.

REASON FOR AMENDMENTS

- **Protecting Due Process:** As declared in Section 2.22.000, when a municipal action results in a detriment to a person, the city council is dedicated to affording that individual proper due process of law. By clearly codifying how an attorney must notify the city prior to a hearing, how telephone/electronic testimony can be given, and how an impartial Reviewing Judge handles claims of prejudice, the City insulates its administrative systems from constitutional challenges.
- **Resolving Administrative Enforcement:** The newly established Default Judgment processes allow the City to finalize orders, clear up zoning and health violations via property abatements, and actively deploy legal tools to recover civil penalties from non-cooperative violators.
- **Administrative Clarity and Finality:** The ordinance provides explicit, non-waivable deadlines—such as the 10-day limit to request a hearing and the 30-day limit to petition the district court for review. This ensures that municipal issues are resolved swiftly rather than lingering in administrative limbo, protecting both neighborhood character and city resources.

CITY COUNCIL AUTHORITY:

Per South Salt Lake Municipal Code Section 2.08.060(A), as the legislative authority the City Council possesses the legislative power to pass and amend ordinances to adopt and repeal the city code.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the ordinance amending Chapter 2.22 “Administrative Hearings” based on the following reasons set forth below:

1. The proposed text amendment updates Chapter 2.22 to uniformly govern all applicable administrative hearings within South Salt Lake City jurisdictions.

2. The revised code establishes an objective framework for entering Default Judgments when cited parties fail to participate, while preserving a fair safe-harbor window to set aside judgments for Good Cause.
3. The addition of a Reviewing Judge mechanism provides a clear, constitutional path to evaluate allegations of judicial bias without derailing or invalidating city enforcement actions.

CITY COUNCIL OPTIONS:

Option 1: Approval (Staff Recommendation)

Move to approve the ordinance amending Chapter 2.22 “Administrative Hearings” as presented in Exhibit A of the ordinance.

Option 2: Denial

Move to deny the request to amend Chapter 2.22, maintaining the current administrative hearing guidelines of record.

Option 3: Continuance

Move to table the decision on Chapter 2.22 to a specified date to allow staff to make further revisions or to address specific inquiries raised by the Council.