



NOTICE AND AGENDA
SOUTH OGDEN CITY COUNCIL
WORK SESSION
TUESDAY, OCTOBER 6, 2026- 5PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled work session at 5 pm Tuesday, October 6, 2026. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the EOC. The meeting is open to the public; anyone interested is welcome to attend. No action will be taken on any items discussed during the pre-council work session. Discussion of agenda items is for clarification only. Some members of the council may be attending the meeting electronically.

WORK SESSION AGENDA

I. CALL TO ORDER – Mayor Russell Porter

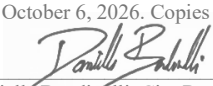
II. REVIEW OF COUNCIL MEETING AGENDA

III. DISCUSSION ITEMS

- A. Review of Resident Survey Questions
- B. Overview of Mid-Term Vacancy Procedures

IV. ADJOURN

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on October 6, 2026. Copies were also delivered to each member of the governing body.


Danielle Bendinelli, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2707 at least 24 hours in advance.



NOTICE AND AGENDA SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, OCTOBER 6, 2026- 6 PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled council meeting at 6 pm Tuesday, [October 6](#), 2026. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the city council chambers. The meeting is open to the public; anyone interested is welcome to attend. Some members of the council may be attending the meeting electronically. The meeting will also be streamed live via www.youtube.com/@southogdencity.

CITY COUNCIL MEETING AGENDA

I. OPENING CEREMONY

- A. **Call to Order** – Mayor Russell Porter
- B. **Prayer/Moment of Silence** -
- C. **Pledge of Allegiance** – Council Member Peterson

- II. **PUBLIC COMMENTS** – This is an opportunity to address the mayor and council with any concerns, suggestions, or praise regarding any item that is NOT on the agenda. No action can or will be taken at this meeting on comments made.
Please limit your comments to three minutes.

III. RESPONSE TO PUBLIC COMMENT

IV. CONSENT AGENDA

- A. Approval of September 15, 2026 Council Minutes
- B. Proclamation Declaring October 11-17, 2026 as WSU Homecoming Week in South Ogden City

V. DISCUSSION / ACTION ITEMS

- A.** Consideration of **Resolution 26-28** - City Council Mid-Term Vacancy Procedure
- B.** Consideration of **Ordinance 26-08** - Amending City Code For Vacancies

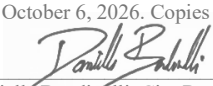
VI. NOMINATION AND ELECTION OF MAYOR PRO TEM

VII. REPORTS/DIRECTION TO CITY MANAGER

- A.** City Council Members
- B.** City Manager
- C.** Mayor

VIII. ADJOURN

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on October 6, 2026. Copies were also delivered to each member of the governing body.


Danielle Bendinelli, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2707 at least 24 hours in advance.

2026 Citizen Feedback Survey

COUNCIL WORK SESSION REVIEW GUIDE

WORK SESSION PURPOSE

Review the 2025 survey questions and determine what should be kept, modified, removed, or added before launching the 2026 Citizen Feedback Survey. The goal is to preserve useful year-to-year trend data while improving clarity and ensuring the survey captures Council's current information needs.

Suggested discussion lens: Is the question still useful? • Is it clear and neutral? • Does it produce actionable information? • Is the response format appropriate? • Is there something important missing?

Items to Resolve Before Launch

COMMUNICATION CHANNELS

Review the information-source options. The 2025 list includes Council meetings, newsletter, website, Facebook, Twitter, and Other. Confirm the channels that should appear in 2026.

DEMOGRAPHICS

Confirm which demographic questions are still useful for analysis and whether all should remain optional.

NEW PRIORITIES

Identify any 2026 policy, service, infrastructure, recreation, public safety, communication, or quality-of-life topics Council wants measured this year.

A. Community & Overall Direction

Question / Prompt	Response
Are you a resident of South Ogden?	Yes / No
Would you recommend our City to your friends and family as a place to work and live?	Definitely Yes → Definitely Not
Where would you like the South Ogden City Council to focus more of their efforts in the upcoming year?	Write-in
If you were in charge, what would you change about South Ogden?	Write-in
Overall would you say the City of South Ogden is headed in the right or wrong direction?	Right Direction / Unsure / Wrong Direction

Council direction: ☐ Keep as-is ☐ Modify one or more questions ☐ Remove question(s) ☐ Add question(s)

Notes / proposed changes:

B. Experiences with City Departments & Facilities

Question / Prompt		Response
	Thinking back over the past 12 months, have you had contact with the South Ogden City Police Department? (For example, filed a police report or called to report a problem.)	Yes / No
	How would you rate your experience with the South Ogden Police Department?	Excellent → Terrible
	What factors influenced your Police Department rating?	Write-in
	Thinking back over the past 12 months, have you had contact with the South Ogden City Fire Department? (For example, an incident involving a fire or medical call.)	Yes / No
	How would you rate your experience with the South Ogden Fire Department?	Excellent → Terrible
	What factors influenced your Fire Department rating?	Write-in
	Thinking back over the past 12 months, have you had contact with the South Ogden City Building Department? (For example, applied for a building permit or reported a zoning violation.)	Yes / No
	How would you rate your experience with the South Ogden Building Department?	Excellent → Terrible
	What factors influenced your Building Department rating?	Write-in
	Thinking back over the past 12 months, have you had contact with South Ogden City Hall Administration? (For example, paid a water bill, reserved a park/community room, or obtained a passport.)	Yes / No
	How would you rate your experience with South Ogden City Hall Administration?	Excellent → Terrible
	What factors influenced your City Hall Administration rating?	Write-in
	Thinking back over the past 12 months, have you had contact with the South Ogden Recreation Department? (For example, registered for or participated in football, baseball, or another recreation program.)	Yes / No
	How would you rate your experience with the South Ogden City Recreation Department?	Excellent → Terrible
	What factors influenced your Recreation Department rating?	Write-in
	Thinking back over the past 12 months, have you visited a park in South Ogden? (Burch Creek, Friendship, Glasmann, 40th Street, Madison, Meadows, Nature Park, Club Heights, or Club Heights Off-Leash Dog Park.)	Yes / No

	How would you rate your experience at South Ogden City Parks?	Excellent → Terrible
	What factors influenced your Parks rating?	Write-in

Council direction: ☐ Keep as-is ☐ Modify one or more questions ☐ Remove question(s) ☐ Add question(s)

Notes / proposed changes:

C. City Services

Question / Prompt	Response
How would you rate the quality of culinary water service in South Ogden?	Excellent → Terrible
What factors influenced your culinary water rating?	Write-in
How would you rate the quality of sewer service in South Ogden?	Excellent → Terrible
What factors influenced your sewer rating?	Write-in
How would you rate the trash service in South Ogden? (Republic Services)	Excellent → Terrible
What factors influenced your trash service rating?	Write-in
How would you rate the quality of the streets in South Ogden?	Excellent → Terrible
What factors influenced your streets rating?	Write-in

Council direction: ☐ Keep as-is ☐ Modify one or more questions ☐ Remove question(s) ☐ Add question(s)

Notes / proposed changes:

D. Resident Information & Communications

Question / Prompt	Response
Click on the map region which contains the location of your home.	Interactive map
In the future, would you be willing to complete additional surveys for South Ogden?	Yes / No
Please add your information below.	Email Address / First Name / Last Name
How are you most likely to stay informed with what is happening in South Ogden City?	Council Meetings / City Newsletter / City Website / Twitter / Other

	Please tell us your preferred method of gathering information about South Ogden City.	Write-in
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Council direction: ☐ Keep as-is ☐ Modify one or more questions ☐ Remove question(s) ☐ Add question(s)

Notes / proposed changes:

E. Demographics & Final Comments

Question / Prompt		Response
	What is your age?	Under 25 → 85 and Older
	What is your ethnic background?	List of options provided
	What is your highest level of education?	Less than high school → Doctorate
	What is your household annual income?	Less than \$10,000 → \$200,000 or more
	What other comments or insights would you like to share?	Write-in

Council direction: ☐ Keep as-is ☐ Modify one or more questions ☐ Remove question(s) ☐ Add question(s)

Notes / proposed changes:

Work Session Decisions & Follow-Up

Decision / Change	Owner	Follow-Up / Deadline

Final check before launch:

- ☐ Confirm communication-channel options
- ☐ Confirm demographic questions and privacy/optional language
- ☐ Test skip logic and mobile display in survey platform
- ☐ Confirm launch date, close date, promotion plan, and reporting timeline



MINUTES OF THE
SOUTH OGDEN CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 15, 2026

Note: The regularly scheduled City Council work session normally held at 5:00pm was canceled due to lack of agenda items. The City Council meeting was held at the normal time of 6:00pm.

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Mike Howard, Jeanette Smyth, Doug Stephens, and Council Member Jeremy Howe joined online.

COUNCIL MEMBERS EXCUSED

Council Member Clayton Peterson

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Assistant City Manager Summer Palmer, City Attorney Amy Hugie, Finance Director Peter Anjewierden, Public Works Director Jon Andersen, Fire Chief Cameron West, Police Chief Darin Parke, City Planner Alikea Murphy, Code Compliance Official Guillermo Garcia, Communications Manager Danielle Bendinelli, and Recorder Leesa Kapetanov

MEMBERS OF THE PUBLIC PRESENT

Karin Petrovich, Michelle Howard, Bruce and Joyce Hartman, BJ Whimpey, Janette Singelton, Roy Meadow

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking this link:

cms7files.revize.com/southogdennew/CC09152026.mp3?t=202609161351490

or by requesting a copy from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

- A. Mayor Porter began the meeting at 6:03pm by excusing Council Member Peterson and recognizing Council Member Howard who was attending online.

00:00:00

36 B. Prayer/Moment of Silence

- 37 • The mayor led those present in a moment of silence

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39 C. Pledge Of Allegiance

- 40 • Council Member Stephens led everyone through the Pledge of Allegiance

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42 D. Mayor Porter motioned to open the meeting. 00:01:33

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44 Council Member Smyth so moved. The motion was seconded by Council Member
45 Howard. In a voice vote Council Members Howard, Smyth, Stephens, and Howe all voted
46 aye.

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49 II. RECOGNITION OF EMPLOYEES

50 A. City Recorder Oath of Office 00:01:47

- 51 • Leesa Kappetoanov is retiring after 19 years of service and 17 years as the City Recorder.
52
53 • Mayor Porter appointed Danielle Bendinelli to the position of South Ogden City Recorder
54 and asked for a motion to give its advice and consent to the appointment.
55

56 Council Member Smyth moved, followed by a second from Council Member Stephens. In
57 a voice vote Council Members Howard, Smyth, Stephens, and Howe all voted aye.

- 58
59 • City Recorder Kapetanov then administered Mrs. Bendinelli through her Oath of Office.
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61 B. Leesa Kapetanov – Recognition for Years of Service

- 62 • Mayor Porter thanked Leesa for her service, integrity and professionalism throughout the
63 years and presented her with small gift of appreciation.

64 00:03:54

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66 III. PUBLIC COMMENT

- 67 • Mayor Porter invited anyone who wished to make a comment to come forward.
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69 ○ Karin Petrovich 00:04:38 Provided public service announcements for
70 entering into agreements with the city and its
71 construction contractors
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73 ○ Janette Singleton 00:07:33 Inquiring on Fox Chase trail upkeep
74

- Joyce Hartman 00:10:09 Special thanks to Leesa Kapetanov for her years of service

IV. RESPONSE TO PUBLIC COMMENT

- Mayor Porter will follow up with staff on the issues brought up by Ms. Petrovich and Ms. Singleton

00:10:47

V. CONSENT AGENDA

Approval of August 18, 2026 Council Minutes

- Mayor Porter asked if any corrections needed to be made to the minutes. Seeing none, he called for a motion to approve the consent agenda as is.

00:11:32

Council Member Howard so moved. The motion was seconded by Council Member Smyth. The voice vote was unanimous in favor of the motion. Minutes approved.

VI. DISCUSSION / ACTION ITEMS

A. Consideration of Resolution 26-27 – Approving the Intercounty Automatic Aid Fire Agreement

- The mayor invited Fire Chief Cameron West to address the renewal agreement.
- Comments & Questions by Mayor Porter and Council Member Stephens
- Mayor Porter entertained a motion to approve Resolution 26-27

00:11:52

00:12:45

00:13:39

Council Member Howard so moved, followed by a second from Council Member Stephens. The mayor asked if there was further discussion, and seeing none, he called the vote:

Council Member Howard -	Yes
Council Member Smyth-	Yes
Council Member Stephens -	Yes
Council Member Howe-	Yes

Resolution 26-27 was adopted.

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120 **VII. DISCUSSION ITEMS**

121 A. City Council Mid-Term Vacancy Procedures

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- City Attorney Amy Hugie went over procedures, timelines and options to fill a Mid-Term City Council Vacancy effective September 30, 2026 when Council Member Mike Howard will be moving outside of South Ogden City limits.

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- Discussion from council on preferences of open and transparent options for a tiebreaking procedure and the candite submission process. Council recommended to staff that the application should be simple and include contact information and letters of interest.

00:18:02

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City Attorney Hugie will research clarity on timelines and draft a Resolution for approval at the October 6th Council Meeting. The election and approval of a new Council Member will be held on October 20, 2026.

139 B. Review City Center Plan Recommendations

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- City Planner Aliko Murphy gave an overview of the presentation slides providing general Form Base Code recommendations and Kiesel specific recommendations and other items for consideration along with the anticipated timeline for Planning Commission.

00:28:29

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- Question/Clarification from Mayor Porter 00:37:01

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- City Planner Murphy continued with other items not related to code for consideration along with the anticipated timeline for Planning Commission.

00:37:43

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- Question/Comments from Council and discussion on priorities

00:42:01

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156 C. Proposed Changes to update Moderate-Income Housing Strategies/Timelines

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- Planner Murphy presented an overview of definitions, strategies and timeline changes.

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- Questions/Comments by Council

00:54:37

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VIII. REPORTS/DIRECTION TO CITY MANAGER

- A. City Council Members**
- Council Member Smyth – Nothing to report
- Council Member Howe – Nothing to report
- Council Member Stephens - 00:55:54
- Council Member Howard - 01:01:34
- B. City Manager** 01:13:21
- C. City Recorder Leesa Kapetanov** 01:19:26
- D. Mayor** 01:20:36

IX. ADJOURN

- At 7:24 pm, Mayor Porter entertained a motion to adjourn 01:23:01

Council Member Smyth so moved, followed by a second from Council Member Stephens. The voice vote was unanimous in favor of the motion.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Work Session and Council Meeting held Tuesday, September 15, 2026.



Danielle Bendinelli, City Recorder

Date Approved by the City Council

**DECLARING OCTOBER 10-17, 2026 AS
“WEBER STATE UNIVERSITY HOMECOMING WEEK”
IN SOUTH OGDEN CITY**

- WHEREAS,** Weber State University, founded in 1889, and South Ogden City have been close neighbors since the City was founded in 1936; and
- WHEREAS,** South Ogden City and Weber State University have an ongoing cooperative and supportive relationship; and
- WHEREAS,** Homecoming week is a long-standing American tradition that brings communities together to rally behind the hometown team; and
- WHEREAS,** Everyone, including South Ogden business owners, alumni, fans, and community members can show their Wildcat pride in many ways, including wearing purple, prominently displaying a Weber State flag, participating or volunteering in Homecoming events, or donating to Weber State University programs; and
- WHEREAS,** the City of South Ogden now wishes to show its support on behalf of Weber State University;

NOW, THEREFORE the South Ogden City Council and Mayor Russell L. Porter hereby proclaim October 10-17, 2026 as

WEBER STATE UNIVERSITY HOMECOMING WEEK

in South Ogden City and encourage all South Ogden residents to join them in showing their Wildcat Pride in support of Weber State University.

PASSED AND ADOPTED this 6th day of October 2026.

Russell L. Porter, Mayor

ATTEST:

Danielle Bendinelli,
City Recorder

RESOLUTION 26-28

A RESOLUTION DECLARING A VACANCY OF A MEMBER OF THE SOUTH OGDEN CITY COUNCIL AND IDENTIFYING THE FAIR AND TRANSPARENT METHOD THAT THE CITY COUNCIL WILL USE TO FILL THAT VACANCY

SECTION I – RECITALS:

WHEREAS, the City of South Ogden ("City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with Utah Code ("UC") §10-3-717, and UC §10-3- 701, the governing body of the city may exercise administrative powers by resolution; and,

WHEREAS, on September 14, 2026, South Ogden City Councilmember Michael Howe submitted to the City Council and City Administration a letter of resignation effective September 30, 2026, and being irrevocable, stating that he will no longer be able to serve in the position of city councilmember; and

WHEREAS, the City Council discussed this city councilmember vacancy at the City Council Meeting held on September 15, 2026, under Discussion Items titled, “City Council Mid-Term Vacancy Procedures”, which the City Recorder was present at that meeting; and

WHEREAS, the City Council needs to fill this city councilmember vacancy; and

WHEREAS, the City Council will follow the requirements of UC §20A-1-510 in order to fill this midterm city councilmember vacancy; and

NOW, THEREFORE, be it resolved by the South Ogden City Council of South Ogden City, Utah, as follows:

SECTION II. :

1. The South Ogden City Council hereby declares that the city councilmember position of Michael Howe is vacant, effective September 30, 2026. This is a midterm vacancy and the term of this city councilmember seat shall end January 2028.
2. The City has given public notice of this vacancy on September 22, 2026, when it was posted to the South Ogden City website and also on the Utah Public Notice Website.
3. The City Council hereby gives public notice again of this city councilmember vacancy and that the City Council shall hold interviews and shall fill this vacancy at their City Council meeting to be held on **October 20, 2026, with the meeting starting at 6:00 P.M., to be held at City Hall located at 3950 Adams Ave., South Ogden, Utah.**
4. Any person interested in this vacancy shall submit, in person, their contact information (including name, address, phone, and email); a letter of interest; conflict of interest disclosure form; and a campaign finance disclosure report to the following address:

**South Ogden City Council Vacancy
c/o South Ogden City Recorder's Office
3950 Adams Ave, Suite 1
South Ogden City, UT 84403**

5. Any person interested in this vacancy shall submit their information by the **deadline of 4:00 P.M. on Friday, October 14, 2026.**
6. The City Council shall hold interviews with interested persons, whose names have been submitted for consideration and who meet the qualifications for office in South Ogden City, in person or by Zoom on October 20, 2026, during the city council meeting.
7. According to Utah Code §20A-1-510, the City Council identifies the following fair and transparent method that the City Council shall use to select an individual to fill the vacancy:
 - a. The City Council and Mayor (hereinafter “City Council”) shall take an initial vote to fill the vacancy from among the candidates interviewed. If a candidate receives a majority of the votes of the City Council, then that candidate shall be appointed to fill the city councilmember vacancy until January 2028.
 - b. If no candidate receives a majority vote of the City Council in the initial vote, then the City Council shall take another vote between the two candidates who received the most votes in the initial vote.
 - c. If due to a tie in the initial vote and the City Council cannot identify only two candidates receiving the most votes in an initial vote, then the City Council shall follow the process outlined in §20A-1-510(e)(ii) when in the event that one candidate receives the most votes, but not the majority of the votes, and two or more candidates tie for receiving the most votes, then to eliminate candidates tied for receiving the second most votes, the City Council shall vote by lot regarding the two tied candidates, where each tied candidate has an equal chance of elimination, until only one of the tied candidates remains. The City Council shall then take another vote between the candidates who received the most votes but not a majority in the initial vote and the winner of the tied candidates.
 - d. If neither candidate receives a majority vote of the City Council, the vacancy shall then be determined by a coin toss between the two candidates. The coin toss shall be conducted by the City Recorder during the October 20, 2026 city council meeting in the presence of the City Council.
 - e. All votes taken by the City Council during this process shall be immediately disclosed to the public during the City Council meeting and shall disclose how each member voted.
 - f. An individual appointed shall take office the day after the individual is appointed.
8. This resolution shall become effective immediately upon its adoption.
9. That the Mayor is authorized to sign this Resolution.
10. The foregoing Recitals are fully incorporated herein.

SECTION III. PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION IV. REPEALER OF CONFLICTING ENACTMENTS:

All orders, and Resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative, or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the City Council of South Ogden City.

SECTION VI. DATE OF EFFECT:

This Resolution shall be effective immediately upon its passage on the 6th day of October 2026.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, STATE OF UTAH, on this 6th day of October 2026.

SOUTH OGDEN CITY

Mayor Russell Porter

ATTEST:

Danielle Bendinelli
City Recorder

ORDINANCE NO. 26-08

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, AMENDING THE CITY CODE REGARDING VACANCIES IN OFFICE; MAKING CERTAIN AND NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES.

Section 1. Recitals:

WHEREAS, South Ogden City (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the City may revise, codify, and compile from time to time and to publish in book, pamphlet, or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

WHEREAS, South Ogden City has adopted and promulgated City ordinances and rules regarding vacancies in office and certain requirements of candidates to hold public office; and,

WHEREAS, the City Council finds that the City now wishes to have certain changes to the City Code be made to coincide better with the Utah State Code; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH that:

1. Certain portions of the South Ogden Code Title 1, Chapter 5 shall be amended, which changes to the language are in red and are attached as Attachment “A” to this Ordinance.
2. The foregoing Recitals are fully incorporated herein.

Section 2. Repealer of Conflicting Enactments:

All orders, ordinances, and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with the provisions of this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order, or resolution, or part thereof, heretofore repealed.

Section 3. Prior Ordinances and Resolutions:

The body and substance of any prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative, or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative, or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of South Ogden City.

Section 5 - Date of Effect:

BE IT FURTHER ORDAINED this Ordinance will become effective on the 6th day of October 2026 and after publication or posting as required by law.

DATED this 6th day of October 2026.

SOUTH OGDEN, a municipal corporation

by: _____
Mayor Russell Porter

Attested and Recorded

Danielle Bendinelli, City Recorder

RECORDER'S CERTIFICATION

STATE OF UTAH)
 : ss.
County of Weber)

I, DANIELLE BENDINELLI, the City Recorder of South Ogden, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 does hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. 26-08, entitled “AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, AMENDING THE CITY CODE REGARDING VACANCIES IN OFFICE; MAKING CERTAIN AND NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES.”** adopted and passed by the City Council of South Ogden, Utah, at a regular meeting thereof on October 6, 2026 which appears of record in my office, with the date of posting or publication being October 6, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of _____ 2026.

Danielle Bendinelli
City Recorder

(city seal)

ATTACHMENT “A”

Attached to Resolution 26-28

AMENDMENTS TO TITLE 1, CHAPTER 5 OF THE SOUTH OGDEN CITY CODE

1-5-5: Vacancies In Office

Vacancies occurring in the Office of Mayor or City Council shall be filled as provided in Utah Code Annotated section 20A-1-510. ~~(2001 Code)~~

1-5-6: Residence Required

- A. Definitions.** For purposes of this section, “absent”, “principal place of residence”, and “secondary residence” have the meaning provided in the Utah Code §10-3-301, as amended.
- B. Residence Requirement.** Each elected officer of the City shall maintain a principal place of residence within the City during the officer's term of office.
- C. Vacancy.** Except as provided in ~~subsection C~~ **Subsection D** of this section, an elected City office is automatically vacant if the officer elected to the City office, during the officer's term of office:
1. Establishes a principal place of residence outside the City,
 2. Resides at a secondary residence outside the City for a continuous period of more than sixty (60) days while still maintaining a principal place of residence within the City,
 3. Is absent from the City for a continuous period of more than sixty (60) days; or,
 4. Fails to respond to a request, within thirty (30) days after the day on which the elected officer receives the request, from the County Clerk or Lieutenant Governor seeking information to determine the officer's residency.
- D. Temporary Absence or Secondary Residence.**
1. Notwithstanding anything in ~~subsection B~~ **Subsection C** of this section to the contrary, if an elected City officer obtains the consent of the City's legislative body as set out below, before the expiration of the sixty (60) day period described in ~~subsections B2 and B3~~ **Subsections C(2) and C(3)** of this section, the elected City officer may:
 - a. Reside at a secondary residence outside the City while still maintaining a principal place of residence within the City for a continuous period of up to one year during the officer's term of office; or,

- b. Be absent from the City for a continuous period of up to one year during the officer's term of office.
- 2. At a public meeting, the City's legislative body may give consent as described in ~~subsections C1a and C1b~~ Subsections D(1)(a) and D(1)(b) of this section by majority vote after taking public comment regarding:
 - a. Whether the legislative body should give consent; and
 - b. The length of time to which the legislative body should consent.