ORDINANCE NO. 2021-_____

AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL AMENDING CHAPTER 2.48.050 IN AN EFFORTTO MODERNIZE THE SOUTH SALT LAKE CITY CODE TO CONFORM WITH UPDATES TO STATE LAW REGARDING ELECTION ELIGIBILITY REQUIREMENTS

WHEREAS, the City Council of the City of South Salt Lake (the "City") finds that the City ordinance governing elections is impacted by state law;

WHEREAS, the City Council finds that a provision in state code prohibiting a person from being eligible for elected office if that person is a "defaulter to the municipal corporation" is preempted by state law prohibiting cities from adding requirements for candidacy; and

WHEREAS, the City Council finds that the "defaulter" language in question is outdated and unclear.

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

SECTION 1. **Enactment**. The amendment to Section 2.48.050 of the South Salt Lake Municipal Code is hereby enacted 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, the provision shall be deemed a separate, distinct, and independent provision, and the 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 the Mayor's signature and publication, or fifteen days after the transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

EXHIBIT A

2.48.050 - Eligibility of officers.

(1) All elective officers of the city of South Salt Lake shall be chosen by the registered voters therein.

(2) No person shall be eligible for elective office who is not a registered voter of the City of South Salt Lake~~[, nor shall any person be eligible to any office who is a defaulter to the municipal corporation.]~~**.**

(3) No person who is elected to office in the city of South Salt Lake may simultaneously be employed by the city in any capacity other than the one to which the person is elected.

DATED this_____day of_____2021.

BY THE CITY COUNCIL:

_____
Sharla Bynum, Council Chair

City Council Vote as Recorded:

Bynum: _____
deWolfe: _____
Huff: _____
Mila: _____
Pinkney: _____
Siwik: _____
Thomas: _____

Transmitted to the Mayor's office on this___day of _____2021.

_____
Craig D. Burton, City Recorder

MAYOR'S ACTION:_____

Dated this_____day of_____, 2021.

_____
Cherie Wood, Mayor

ATTEST:

_____
Craig D. Burton, City Recorder