

ORDINANCE NO. 2021- 11

**AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL TO AMEND TITLE 12 CHAPTER 52 OF THE SOUTH SALT LAKE CITY CODE REPEALING SECTION 12.52.110, THE TREE ABATEMENT GRANT FUND.**

**WHEREAS**, the City Council of the City of South Salt Lake (the “City Council”) is authorized to enact ordinances for the protection of the health, safety, and welfare of its citizens;

**WHEREAS**, the City enacted South Salt Lake City Code Section 12.52.110 – Tree Abatement Grand Fund on June 6, 2015 setting forth the City Council’s ability to establish a fund to assist residents in the abatement of nuisance trees;

**WHEREAS**, the City Council finds that no funding has ever been allocated to the Tree Abatement Fund since the ordinance enactment; and

**WHEREAS**, the City Council finds that ordinances should be clear, current, purposeful and enacted for the protection of the health, safety, and welfare of its citizens; and

**WHEREAS**, the City Council finds Section 12.52.110 is outdated and should be removed to alleviate confusion and promote efficiency to serve the best interests of the general public and its citizens.

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

**SECTION I. Repeal.** Repeal Chapter 52 Section 110 of Title 12 of the South Salt Lake Municipal Code as attached in “Exhibit A.”

**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. 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 IV. 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)

## EXHIBIT A

### ~~[12.52.110 Tree abatement grant fund.~~

- ~~A. The city council may establish a fund from which low income residents may apply for assistance in abating a tree on owner occupied property which has been deemed a nuisance, up to one thousand dollars (\$1,000.00) per property in a fiscal year.~~
- ~~B. The mayor or a designee shall establish qualifications and procedures for disbursements from this fund, but in no case shall grant funds be expended on property which is being used for commercial purposes.~~
- ~~C. For purposes of this section, "low income" means a person whose income is eighty (80) percent or less of the median income for the city, as determined by the most recent census conducted by the United States Census Bureau.~~
- ~~D. Nothing in this section requires the city to allocate budget to this fund. ]~~

~~(Ord. No. 2015-15, 6-10-2015)~~

DATED this 28<sup>th</sup> day of July, 2021.

BY THE CITY COUNCIL:

Sharla Bynum  
Sharla Bynum, Council Chair

ATTEST:

Craig D. Burton  
Craig D. Burton, City Recorder

City Council Vote as Recorded:

- Bynum YES
- deWolfe YES
- Huff YES
- Mila ABSENT
- Pinkney YES
- Thomas YES
- Siwik YES

Transmitted to the Mayor's office on this 29<sup>th</sup> day of July, 2021.

Craig D. Burton  
Craig D. Burton, City Recorder

MAYOR'S ACTION: Approve

Dated this 30<sup>th</sup> day of July, 2021.

Cherie Wood  
Cherie Wood, Mayor

ATTEST:

Craig D. Burton  
Craig D. Burton, City Recorder



