

**TAYLORSVILLE, UTAH**  
**ORDINANCE NO. 13-34**

**AN ORDINANCE AMENDING TITLE 2 OF THE TAYLORSVILLE CODE OF  
ORDINANCES BY AMENDING CHAPTERS 2.16, 2.26, AND 2.20**

**WHEREAS**, the City Council (“Council”) met in regular meeting on December 4, 2013, to consider, among other things, amending Title 2 of the Taylorsville Code of Ordinances by amending Chapters 2.16, 2.26, and 2.20; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to amend Title 2 by amending Chapters 2.16, 2.26, and 2.20.

**NOW, THEREFORE, BE IT ORDAINED** by the Taylorsville City Council that the amendments made to Title 2 are hereby adopted and are designated by interlineating the words to be deleted and underlining the words to be added, as follows:

**CHAPTER 2.16**  
**MAYOR**

**2.16.010: FUNCTIONS AND DUTIES:**

The mayor shall be the chief executive ~~and administrative~~ officer of the city. He shall have the power and duty to:

- A. Enforce the laws and ordinances of the city;
- B. Execute the policies adopted by the city council;
- C. Appoint and remove administrative assistants, ~~including a chief administrative officer~~, and with the advice and consent of the council, appoint department heads, all statutory officers, commissions, boards, and committees of the city, except as may otherwise be specifically limited by law;
- D. Remove department heads and officers and employees, commissions, boards and committees;
- E. Exercise control of all departments, divisions, and bureaus within the city government;
- F. Attend all meetings of the council with the right to take part in all discussions and the responsibility to inform the council of the condition and needs of the municipality and

make recommendations and freely give advice to the council, except that the mayor shall not have the right to vote in council meetings;

- G. Appoint a budget officer to serve in place of the mayor for the purpose of conforming with the requirements of the uniform municipal fiscal procedures act for Utah cities and in all other respects fulfill the requirements of that act;
- H. Appoint with the advice and consent of the council a qualified person to each of the offices of recorder, treasurer, engineer and attorney; create any other offices as may be deemed necessary for good government, and make appointments to them; and regulate and prescribe the powers and duties of all other officers of the city, within the general provisions of law and ordinance;
- I. Furnish the city council with a report, periodically or as determined by ordinance, setting forth the amounts of all budget appropriations, the total disbursements to date from these appropriations, and the amount of indebtedness incurred or contracted against each appropriation (including disbursements and indebtedness incurred and not paid) and the percentage of the appropriations encumbered to date, which report shall be made available for public inspections;
- J. Execute agreements within certified budget appropriations on behalf of the city, or delegate by written executive order the power to execute such agreements to executive officials, subject to the procedure described in Utah Code Annotated Section 10-6-138;
- K. When necessary, call on the residents of the city over the age of twenty one (21) years to assist in enforcing the laws of the state and ordinances of the city;
- L. Perform such other duties as may be prescribed by this title or may be required by ordinance not inconsistent with the optional form of government; and
- M. Appoint a temporary judge currently holding office within the same jurisdictional judicial district to serve as a temporary judge when the permanent judge is absent or disqualified.

## **CHAPTER 2.26 CITY YOUTH COUNCIL**

### **2.26.030: SELECTION AND APPOINTMENT:**

- A. The positions of youth council chair and vice chair, youth mayor, youth city recorder, youth ~~city administrator~~ chief administrative officer shall be determined by the election process. The general election shall occur annually during the first regular city youth council meeting in March. Voters may have only one ballot and may vote only one at a time. Votes will be counted immediately and the results will be announced by

the mayor or his designated representative that same meeting. The newly elected positions will take office during the first regular youth city council meeting in April of every year.

- B. The city youth council and youth mayor may create subcommittees to accomplish their purposes.
- C. Members of the city youth council are required to be residents of the city and be in good standing academically and with regard to citizenship as determined by their school. Youth of senior high school age who are residents of the city who are homeschooled are also eligible.

**2.26.050: OFFICERS:**

Officers of the city youth council shall consist with the consent of the city council as follows:

- A. Youth Mayor: Shall be elected annually with the advice and consent of the city council. The youth mayor shall be a junior and will serve as the youth mayor from April to April of each year.
- B. City Youth Council Chair And Vice Chair: Shall be elected annually with the advice and consent of the youth city council and vice chair. The city youth council chair and vice chair shall be juniors and will serve as the city youth council chair and vice chair from April to April of each year.
- C. Youth City ~~Administrator~~ Chief Administrative Officer: Shall be elected annually with the advice and consent of the city youth council. The youth ~~city administrator~~ chief administrative officer shall be a junior and will serve as the youth ~~city administrator~~ chief administrative officer from April to April of each year.
- D. Youth City Recorder: Shall be appointed annually by the youth mayor with the advice and consent of the youth city council and shall serve as the secretary of the city youth council and record all proceedings of the city youth council meetings.
- E. Youth City Treasurer: Shall be appointed annually by the youth mayor with a unanimous consent of the youth city council and shall account for expenditures within the established city budget guidelines.
- F. Youth Director of Administrative Services: Shall be appointed annually by the youth mayor with a unanimous consent of the youth city council and shall address interpersonal issues in the body of the city youth council and assist the youth mayor as needed.

- G. Youth Director of Community Development: Shall be appointed annually by the youth mayor with a unanimous consent of the youth council and will discuss and recommend policy to the city youth council based on the needs and desires of the youth of the city.
- H. Youth City Council Support Staff: Shall be appointed by the youth council chair and vice chair with unanimous consent of the remaining three (3) youth council and will provide support to the youth city council.
- I. Other Officers: Other officers deemed necessary by the youth mayor, youth city council chair, and youth city recorder shall be appointed annually by the unanimous consent of the youth mayor, youth city council chair, and youth city recorder and shall function as directed.
- J. City Support Staff: The city council shall provide the city youth council with such administrative staff support and advisors as it deems necessary to assist the city youth council in carrying out its duties and responsibilities.
- K. City Youth Council Advisor: A city council member shall serve as an advisor to the city youth council and attend meetings of the city youth council and provide leadership and support to the program.

**CHAPTER 2.20  
DEPARTMENTAL ORGANIZATION**

**2.20.010: DEFINITIONS:**

The following terms shall be defined as follows for the purposes of the administrative code:

~~DEPARTMENT: The designation within the organizational structure of the administrative branch of city government which groups a broad classification of similar functions, services, and duties.~~

~~OFFICE: A designation within the organizational structure of a department which specifies a limited range of unique functions and duties.~~

**2.20.0210: APPOINTED OFFICERS:**

- A. The following officers are heads of municipal departments, are exempt from the protections described in Utah Code Ann. § 10-3-1105(1)(a), as amended, and occupy appointed positions within the administrative executive branch of city government. The employment standards and job descriptions pertaining to such appointed officers shall be created, modified and implemented by the mayor, ~~subject to council approval:~~

1. ~~City administrator~~Chief administrative officer;
  2. Community services division director;
  3. Administrative services division director;
  4. ~~Director of e~~Community development director;
  5. City recorder;
  6. City treasurer;
  7. City attorney; and
  8. ~~Director of e~~Economic development director; and,
  - ~~8. Chief of police.~~
- B. All appointments to the ~~position of department head of municipal departments~~ or to other appointive office as required by state law shall be made by the mayor after advice and consent of the city council.
- C. All ~~department~~ heads of municipal departments and other appointed officers shall keep original copies of all official records pertaining to their office in the public buildings where their official office is maintained and shall not remove such records therefrom. Each of the ~~department heads and appointed officials~~ shall also, within five (5) days of notification or request, deliver to his successor in office all properties, books and effects of every description in his possession belonging to the city or appertaining to his office. ~~Any refusal to do so shall be deemed unlawful and punishable as a misdemeanor.~~

**2.20.0320: OFFICE OF CITY ADMINISTRATORCHIEF ADMINISTRATIVE OFFICER:**

The office of chief administrative officer is hereby created. The office of ~~city administrator~~chief administrative officer shall be the administrative head of the city government under the direction and control of the mayor and city council. The responsibilities of the ~~city administrator~~chief administrative officer include, but are not limited to, the followingshall perform the following duties:

- A. Supervise the administration and enforcement of all laws, this code, and other ordinances of the city as they affect the administrative departments;
- B. Execute the policies affecting the administrative departments that are adopted by the city council;
- C. Recommend to the mayor the hiring, disciplining, or terminating of city employees, including department heads;
- D. Conduct performance evaluations and administrative pay adjustments as prescribed by this code and other city ordinances or policy;
- E. Administer and exercise control of all departments of the city and all other subordinate offices and employees of the city through their department heads;
- F. Supervise (manage/administer) all contract district services, including public safety (police, fire, animal services, emergency management);
- G. Authorize the issuance of administrative rules and outline general administrative procedures;
- H. Attend official city council meetings;

- I. Investigate, examine or inquire into the affairs or operations of any department or office; and when authorized by the city council, employ consultants and professional counsel to aid such investigations or inquiries;
- J. Recommend to the mayor merit pay increases and bonuses for city employees;
- K. Exercise general supervision over all public buildings, parks, and other public property under the control and jurisdiction of the city;
- L. Assist in preparation of the annual budget;
- M. Manage the day-to-day operations of the city;
- N. Direct activities relating to contracts for services for the city;
- O. Examine performance requirements, delivery schedules, and estimates of costs of various contracts involving the city, to ensure completeness and accuracy;
- P. Prepare information to receive bids, specifications, progress reports, and other items that may be required in connection with contracts, or proposed contracts, involving the city;
- Q. Review bids and proposals from other agencies for conformity to contract requirements and help determine acceptable bids and proposals;
- R. Assist in negotiating various contracts;
- S. Coordinate scheduling for implementation and fulfillment of contracts and may act as liaison between city and contract provider;
- T. Perform such other duties as may be delegated to the ~~city administrator~~ chief administrative officer from time to time.

**2.20.0430: DESIGNATION OF DIVISIONS, DEPARTMENTS, DIVISION HEADS, AND DEPARTMENT HEADS:**

The following shall be divisions and/or departments within the ~~administrative~~ executive branch of city government. The appointed officials designated herein shall act as division and/or department heads and be responsible for the administrative direction of the respective divisions and/or departments:

- A. The community services division shall be headed by a division director.
- B. The ~~division of~~ administrative services ~~division~~ shall be headed by the ~~city administrator, and shall include, among others, the office of city recorder and the office of city treasurer~~ division director and shall also serve as the chief financial officer.
- C. The ~~community development~~ department of ~~community development~~ shall be headed by a department director of community development.
- D. The economic development department shall be headed by the economic development director.
- E. The public works department shall be headed by the city engineer or other designee of the mayor.

**2.20.0540: FUNCTIONS OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES DIVISION AND DUTIES OF APPOINTED OFFICERS:**

A. Department of Administrative Services Division: The administrative services division is hereby created. The department of administrative services division consolidates the majority of designated staff functions and support services of the city under one head as a means of facilitating coordination and control. This department division shall be financed by the general fund. The department administrative services division shall be responsible to provide central support required by all city operations, which shall include, but not be limited to, the following:

- A. 1.—Finance: Budget preparation and control, purchasing, billing, accounts receivable and payable, general ledger accounting and payroll, financial management and reporting.
- B. 2.—Information Services: Records management, community services, clerical support, and internal telephone system.
- C. 3.—Management Administrative Services: Contract administration, research, special management reports and data processing Volunteer events, receptionist, accountant, cemetery personnel, and van drivers.
- D. 4.—Personnel: Recruiting, administration of the personnel ordinance and such other personnel functions as may be necessary for the proper operation of the city.
- E. 5.—Building Maintenance: Operation and maintenance of all city offices and facilities.

**2.20.050: COMMUNITY SERVICES DIVISION AND DUTIES OF APPOINTED OFFICERS:**

Community Services Division: The community services division consolidates designated staff functions and support services of the city under one head as a means of facilitating coordination and control. The division shall be financed by the general fund. The division shall be responsible to provide central support required by all city operations, which shall include, but not be limited to, the following:

- A. Economic Development: Administer and exercise control of the department of economic development.
- B. Community Development: Administer and exercise control of the department of community development.
- C. Public Works: Administer and exercise control of the department of public works.

**2.20.60: DEPARTMENT OF PUBLIC WORKS AND DUTIES OF APPOINTED OFFICERS:**

- A. Department of Public Works: The department of public works and its director shall have charge of and be responsible for:

2. The development, administration, and enforcement of all offended laws, codes, ordinances, and related regulations, including, but not limited to, building and housing codes.
  3. Administration of their functions and duties in such a manner to assist the city's administrator, the city council, and mayor to:
    - a. Facilitate public works contracts and engineering contracts;
    - b. Develop and enforce standards for the design, construction, alterations, occupancy, use, repair of building, and structures within the city;
    - c. Administration of the city's building and safety inspection; and
    - d. Administration of the city's physical facilities.
- B. Public Works Director: The public works director shall perform the following duties:
1. Administer the department of public works;
  2. Supervise the personnel of the department of public works;
  3. Provide the mayor, the city council, the city's board of adjustment, and city planning commission with technical assistance and advice;
  4. Administer building and public works inspections and issue building and developer permits;
  5. Supervise care of physical facilities and government information system functions;
  6. Administer public works controls and other engineering and construction controls;
  7. Perform such other duties and functions as assigned.

**2.20.070: FUNCTIONS OF THE OFFICE OF CITY RECORDER:**

~~A.~~ City Recorder: The office of city recorder shall be under the direction of the city administrator chief administrative officer. The city recorder shall perform the following duties:

- ~~A.~~ 1.—Serve as custodian of official city records and public documents and provide public records and information to citizens, civic groups, the media and other agencies as requested.
- ~~B.~~ 2.—Attend regular and special council meetings; oversee or perform an accurate recording of the proceedings.
- ~~C.~~ 3.—File ordinances and resolutions and oversee the codification of ordinances into the city municipal code.
- ~~D.~~ 4.—Assure that the oath of office is administered to public officials by an authorized individual.
- ~~E.~~ 5.—Supervise and maintain records regarding the city's personnel and purchasing functions.
- ~~F.~~ 6.—Serve as the ex officio city auditor and perform the duties of that office.
- ~~G.~~ 7.—Countersign all contracts made on behalf of the city and maintain a properly indexed record of all such contracts.

- H. ~~8.~~—Preaudit all claims and demands against the city before they are allowed; prepare the necessary checks in payment of those claims and demands; and follow all procedures as outlined in Utah Code Annotated Section 10-6-139.
- I. ~~9.~~—Keep the corporate seal of the city.
- J. ~~10.~~—Seal and attest all legal documents of the city.
- K. ~~11.~~—Coordinate and process city elections.

**2.20.080: FUNCTIONS OF THE OFFICE OF CITY TREASURER:**

~~C.~~—City Treasurer: The office of city treasurer shall be under the direction of the city ~~administrator~~chief administrative officer. The city treasurer shall perform the following duties:

- A. ~~1.~~Serve as the custodian of all monies, bonds, and other securities of the city.
- B. ~~2.~~Determine the cash requirements of the city and provide for the investment of all idle cash as directed by the governing body in accordance with the Utah state money management act.
- C. ~~3.~~Prepare revenue estimates as required by the mayor, council, or department heads.
- D. ~~4.~~Interface with bank and financial institutions and other agencies who work with the city or who provide investment opportunities to the city.
- E. ~~5.~~Assist in the preparation of the overall city budget.
- F. ~~6.~~Receive all public funds and monies payable to the city, including all taxes, license fees, fines, etc., and deposit said money in appropriate accounts.
- G. ~~7.~~Keep an accurate detailed account of all monies received in accordance with the uniform fiscal procedure act for Utah cities and reconcile those accounts.
- H. ~~8.~~Cosign all city checks. Prior to affixing his signature, the treasurer shall determine that a sufficient amount is on deposit in the appropriate bank account of the city to honor the check. **Error! Hyperlink reference not valid.**

**2.20.0690: DEPARTMENT OF COMMUNITY DEVELOPMENT AND DUTIES OF APPOINTED OFFICERS:**

- A. Department of Community Development: The department of community development and its director shall have charge of and be responsible for:
  - 1. Providing the assistance necessary to city administration, the city council and the city's planning commission in the development of a master land use plan and public facility plan for the city.
  - 2. The development, administration and enforcement of all attendant laws, codes, ordinances and relative regulations, including, but not limited to, future land use plans, zoning ordinances, and subdivision regulations, ~~and building and housing codes intended to serve the implementation of said plans.~~

3. Administration of their functions and duties in such a manner as to assist the city's administration, the city council, and the city's planning commission to:
  - a. Facilitate, in conjunction with the city's engineering contractor, the lessening of congestion in the city's streets and roads.
  - b. ~~Develop standards for the design, construction, alteration, occupancy, use, repair, and maintenance of buildings, structures, and certain equipment within the city.~~
  - eb. Classify land uses within the city.
  - dc. Protect the tax base of the city.
  - ed. Secure economy in the city's expenditures by proper land use planning.
  - fe. Foster the city's industrial, business and residential development.
  - gf. Develop standards for property rehabilitation.
4. ~~Direction of the city's division of building and safety.~~
- B. Boards and Commissions: The following boards and commissions are hereby established for the city. Their organization, duties and powers are outlined elsewhere within the city's ordinances. These boards and commissions shall, where appropriate, coordinate with the city administration through the director of community development and the mayor:
  1. Planning commission; and
  2. Board of adjustment.
- C. Community Development Director: The community development director shall perform the following duties:
  1. Administer the department of community development.
  2. Supervise the personnel of the department of community development.
  3. Recommend long range and short range land use plans, goals, policies, and frameworks for land use.
  4. Provide the mayor, the city council, the city's board of adjustment and the city's planning commission with technical assistance and advice.
  5. Review all zoning petitions and conditional use permit applications.
  6. Prepare and coordinate the agendas for meetings of the planning commission and the board of adjustment.
  7. Review all plats of subdivisions and site plans of commercial and industrial developments to ensure compliance with city ordinances and the city's general plan.
  8. ~~Issue building and development permits.~~
  98. Assist and advise the public with respect to the application and approval process.
  109. Administer and ensure compliance with the city's planning ordinances.
  110. Administer and ensure compliance with the city's business license ordinances.
  1211. ~~Abate nuisances and other unsightly, deleterious, or noxious objects or conditions in the city~~ Administer code compliance.
  12. Administer neighborhood services.

**2.20.065100: DEPARTMENT OF ECONOMIC DEVELOPMENT AND DUTIES OF APPOINTED OFFICERS:**

- A. Department of Economic Development: The department of economic development and its director shall have charge of and be responsible for the following:
1. Determine the needs of the city in connection with economic development, and propose solutions and an economic development plan for the city.
  2. Promote the location, development, relocation, and improvement of industries, businesses, and related activities in the city.
  3. Coordinate with federal, state, and other local government agencies on economic matters as assigned.
  4. Promote the dissemination of news and information regarding economic development within the city and conduct such other consistent public relation activities.
  5. Assemble and maintain current accurate information on city characteristics such as available sites, buildings, transportation, labor market, utility service, and cost of living conditions within the city.
  6. Conduct business retention activities to promote and retain businesses in the city.
  7. Provide referral services to business and potential entrepreneurs.
  8. Perform such other duties and functions as assigned.
- B. Economic Development Director: The economic development director shall perform the following duties:
1. Administer the department of economic development.
  2. Supervise any personnel in the department of economic development.
  3. Recommend long-range and short-range plans, goals, etc.
  4. Provide the mayor and the city council with assistance and advice.
  5. Perform such other duties and functions as assigned.

**2.20.070110: OFFICE OF CITY ATTORNEY:**

- A. Functions:
1. The city attorney shall be the chief legal officer of the city and shall be responsible to the mayor and city council for the proper administration of the legal affairs of the city.
  2. The mayor and city council shall enjoy equal and independent access to the services of the office of the city attorney with reference to their respective functions and duties. The city attorney and his staff shall perform in such a manner which will enable the mayor and the city council to fulfill their respective duties in a timely fashion.
  3. The foregoing notwithstanding, the city attorney shall not in any instance, either personally, or by his deputies, act as both prosecutor and advocate

before (and at the same time advisor to) any board, commission, agency, officer, official or body of the city. In cases where such a conflict shall arise, special counsel may be employed who shall not be subject to the control or direction of the city attorney in such matter, and who shall provide the legal service to or before such board, commission, agency, officer, official, or body.

B. Separate Counsel: Nothing in this chapter shall be construed to prohibit either the council or mayor from retaining separate counsel from appropriated funds.

**2.20.075: POLICE DEPARTMENT:**

A. ~~Functions: The police department and its chief, by and through its sworn officers, shall be responsible for the following:~~

- ~~1. Preserving the public peace.~~
- ~~2. Preventing crime with a major effort towards the adoption of programs for crime prevention.~~
- ~~3. Detecting and arresting criminal offenders.~~
- ~~4. Protecting the rights of persons and property.~~
- ~~5. Regulating and controlling motorized, bicycle, and pedestrian traffic, with a major emphasis on adoption of programs to prevent traffic accidents.~~
- ~~6. Training of sworn personnel.~~
- ~~7. Providing and maintaining police records and communication systems.~~
- ~~8. Supervising all related functions.~~

B. ~~Duties: The chief of police shall have command over all of the officers, members and employees of the police department. It shall be the duty of the chief of police, subject to the approval of the mayor, to make and adopt rules and procedures for the operation and administration of the police department. The chief of police, acting by himself or the sworn officers of the police department, shall have the following powers:~~

- ~~1. Execute and return all writs and process as directed by a court of competent jurisdiction. In criminal cases, quasi criminal cases, or in a case of violation of city ordinances he may serve the same as authorized by law.~~
- ~~2. Suppress all riots, disturbances, and breaches of the peace.~~

~~3. Apprehend all disorderly persons in the city.~~

~~4. Pursue and arrest any persons fleeing from the jurisdiction in any part of the state.~~

~~5. Apprehend any person in the act of committing any offense against the laws of the state or ordinances of the city and bring such person before a court of competent jurisdiction for examination and trial consistent with law.~~

~~6. Have like powers and be subject to like responsibilities as a sheriff or constable in similar cases.~~

~~7. Be responsible for prevention of accidents, crimes and other incidents prohibited by statute or ordinance.~~

~~8. Be responsible for the protection of life and property, all pursuant to and as provided by statute and ordinance.~~

~~Adopt a written policy regarding high speed chases, use of deadly force, racial profiling, and use of nondeadly force (for example, tasers and clubs).~~

**2.20.080120: ORGANIZATIONAL RESPONSIBILITY:**

Chart 2.20.120 of this section graphically displays the organizational responsibility within the administrative branch of city government.

***CHART 2.20.080120***  
***ORGANIZATIONAL CHART***

This Ordinance, assigned Ordinance No. 13-34, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2013.

**TAYLORSVILLE CITY COUNCIL**

By: \_\_\_\_\_  
Dama Barbour, Chairman

**SEAL**

**VOTING:**

Dama Barbour	Yea	___	Nay	___
Ernest Burgess	Yea	___	Nay	___
Larry Johnson	Yea	___	Nay	___
Kristie Overson	Yea	___	Nay	___
Brad Christopherson	Yea	___	Nay	___

**PRESENTED** to the Mayor of the City of Taylorsville for approval this \_\_\_\_ day of \_\_\_\_\_, 2013.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2013.

**ATTEST:**

\_\_\_\_\_  
**Mayor Jerry Rechtenbach**

\_\_\_\_\_  
**Cheryl P. Cottle, City Recorder**

**DEPOSITED** in the Recorder's office this \_\_\_\_ day of \_\_\_\_\_, 2013.

**POSTED** this \_\_\_\_ day of \_\_\_\_\_, 2013.