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WHITE CITY COUNCIL MEETING AGENDA

November 12, 2026
6:00 PM
White City Water Improvement District
999 E Galena Drive, White City 84094

PUBLIC NOTICE IS HEREBY GIVEN that the White City Council will hold a regular meeting on the **12th day of November, 2026** at the White City Water Improvement District, 999 E Galena Drive, White City, Utah as follows:

This meeting will be held at the anchor location and electronically for members of the staff and/or public that cannot attend. Those interested in attending electronically should follow the information noted at the end of this agenda. **Portions of the meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.

6:00 p.m. – WORKSHOP

1. **Public Comments** -- (*Limited to 3 minutes per person)* Any person wishing to comment on any item not otherwise scheduled for a public hearing on the agenda may address the Council at this point by coming to the table and giving their name for the record. *Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Governing Body.)*
2. Discussion/Clarification of Agenda Items
3. Introduction of new Emergency Management Planner Madeline Burnham ***[Rori Andreason, City Administrator]***
4. Presentation and Discussion on Accessory Structure current Code with a focus on Carport regulations ***[Daniele Begnini, Long Range Planner; Lori Jessop, Associate Building Official; Brian Tucker, Planning Manager; Mike Milne, Code Enforcement Supervisor]***
5. Discuss future agenda items
6. Close Workshop Meeting

BUSINESS MEETING

1. Welcome and Determine Quorum

2. Discuss Financial Report ***[Mayor Allan Perry]***

3. Unified Fire Authority Report ***[Chief Ken Aldridge]***

4. Unified Police Department Report ***[Chief April Morse, Detective Bowen Hayes]***

5. **ACTION ITEMS**

   5.1 Approve Minutes of October 1, 2026 ***[Rori Andreason, City Administrator]***

   5.2 Discussion and Consideration of **Ordinance No. 2026-O-08** Amending Title 2 of the White City Municipal Code regarding Elections ***[Cameron Platt, Attorney]***

5.3 Discussion and Consideration of **Ordinance No. 2026-O-09** Amending Title 3 of the White City Municipal Code regarding Procurement ***[Cameron Platt, Attorney]***

5.4 Discuss and Consider Adoption of **Resolution No. 2026-11-01** Authorizing the Mayor to Sign the Lease Agreement between White City and the White City Water Improvement District ***[Cameron Platt, Attorney]***

6. DISCUSSION ITEMS

6.1 Discuss Sego Lily Speed Limit and Traffic Study ***[Richard Stephens, Engineer]***

7. COUNCIL REPORTS

7.1 Mayor Allan Perry

- Greater Salt Lake Municipal Services District
- Council of Governments
- Unified Police Department/SLVLESA

7.2 Council Member Linda Price

- Mosquito Abatement
- Salt Lake County Animal Control

7.3 Council Member Greg Shelton

- Wasatch Front Waste & Recycling District

7.4 Council Member Neil Mahoney

- White City Community Council

7.5 Council Member Howard Van Horn II

- UFA and UFSA

8. CITY ADMINISTRATOR REPORT

- Communications Plan
- Technical Strategy
- New City Website

9. ATTORNEY REPORT

10. CLOSED SESSIONS IF NEEDED AS ALLOWED UNDER UTAH CODE ANN. 52-4-205)

10.1 Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual.

10.2 Strategy sessions to discuss pending or reasonably imminent litigation.

10.3 Strategy sessions to discuss the purchase, exchange, or lease of real property.

10.4 Discussion regarding deployment of security personnel,

10.5 Other lawful purposes as listing in Utah Code 52-4-205

11. ADJOURN

ZOOM MEETING

Topic: White City Council Meeting

When: Nov 12, 2026 06:00 PM Mountain Time (US and Canada)

Join from PC, Mac, iPad, or Android: https://us06web.zoom.us/j/88691771932?pwd=aaRuSrwDkW6ojaXgcDbqabLVNuA0wd.1

Passcode:670313

A copy of the foregoing agenda was posted at the following locations on the date posted below: White City website at whitecity.utah.gov and the State Public Notice Website at http://pmn.utah.gov . Pursuant to State Law and White City Ordinance, Councilmembers may participate electronically. Pursuant to Utah Code Ann. § 52-4-205, Parts of Meetings may be Closed for Reasons Allowed by Statute.

POSTED: November 10, 2026

White City
Workshop #1
Accessory Structures – Car Ports

Presenters:

Lori Jessop, Associate Building Official

Brian Tucker, Planning Manager

Mike Milne, Code Enforcement Supervisor

Daniele Benigni, Long Range Planner

Date: November 12th, 2026

Purpose of Today's Discussion

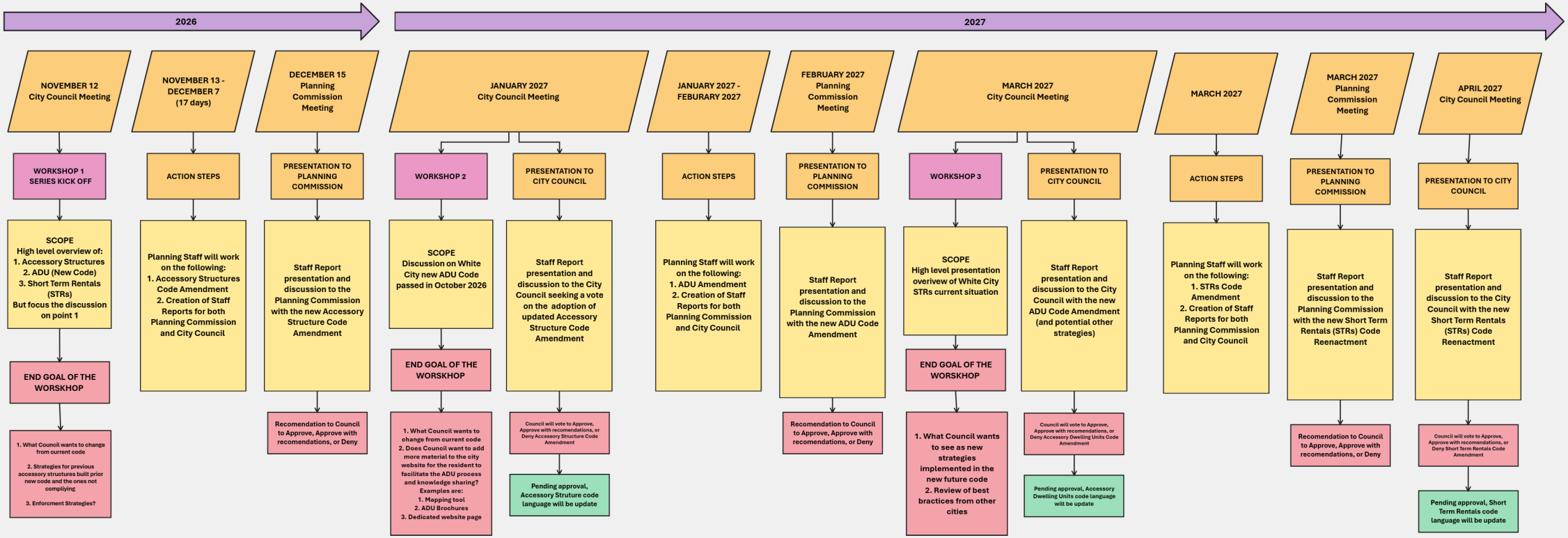
- **Introduction** of Workshops Series and **Timeline**
- Quick **review** of **land use** topics White City wants to fix
- **Accessory Structures – Car Ports**: Discussion, Q&As, City Council Solutions

Desired Outcomes from this Workshop #1

- Discussion/review of the **current** zoning **code** ordinance with a case study

- **Identify** potential **policy** changes and **receive** direction from City Council for any code amendments

Workshops Series: Purpose & Tentative Timeline



Land Use Topics Quick Summary

- Accessory Structures – Carports (today's presentation)

- Accessory Dwelling Units (ADUs)
  - New Code passed on October 1st
  - New code needs additional review in terms of sqft allowance, zones like Agricultural, ADU dimensions, etc..
  - Help White City residents learn and be aware of new changes (Tools)

- Short Term Rentals (STRs)
  - Current Code needs adjustments to create a better structure to regulate STRs in the city

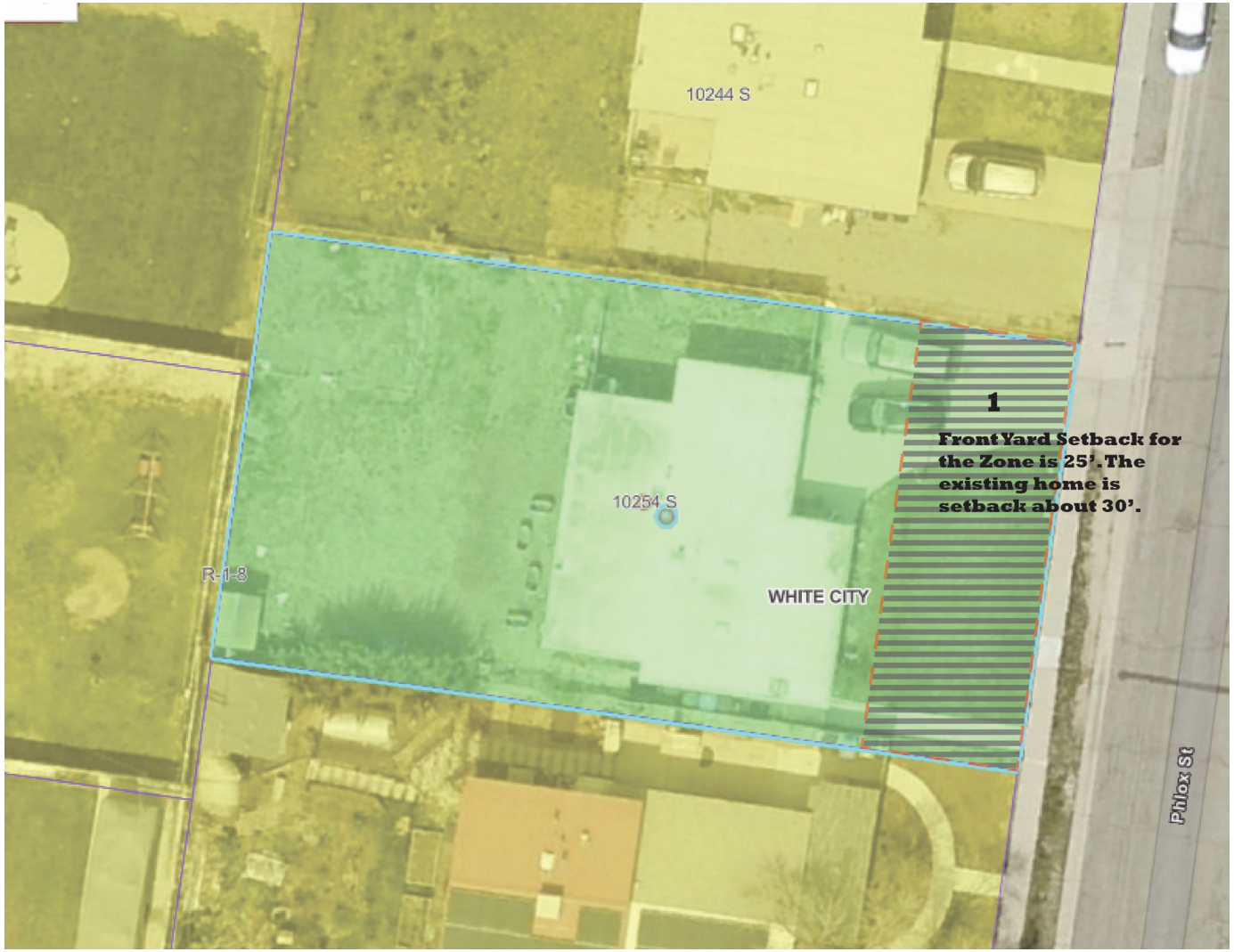
Accessory Structures (Carports) Current Code & Case Study Discussion with Q&As

Current Code & Case Study

1. **Front Yard Setback**

Front Yard Setback for the Zone is 25’.

The existing home is setback about 30’.



Current Code & Case Study

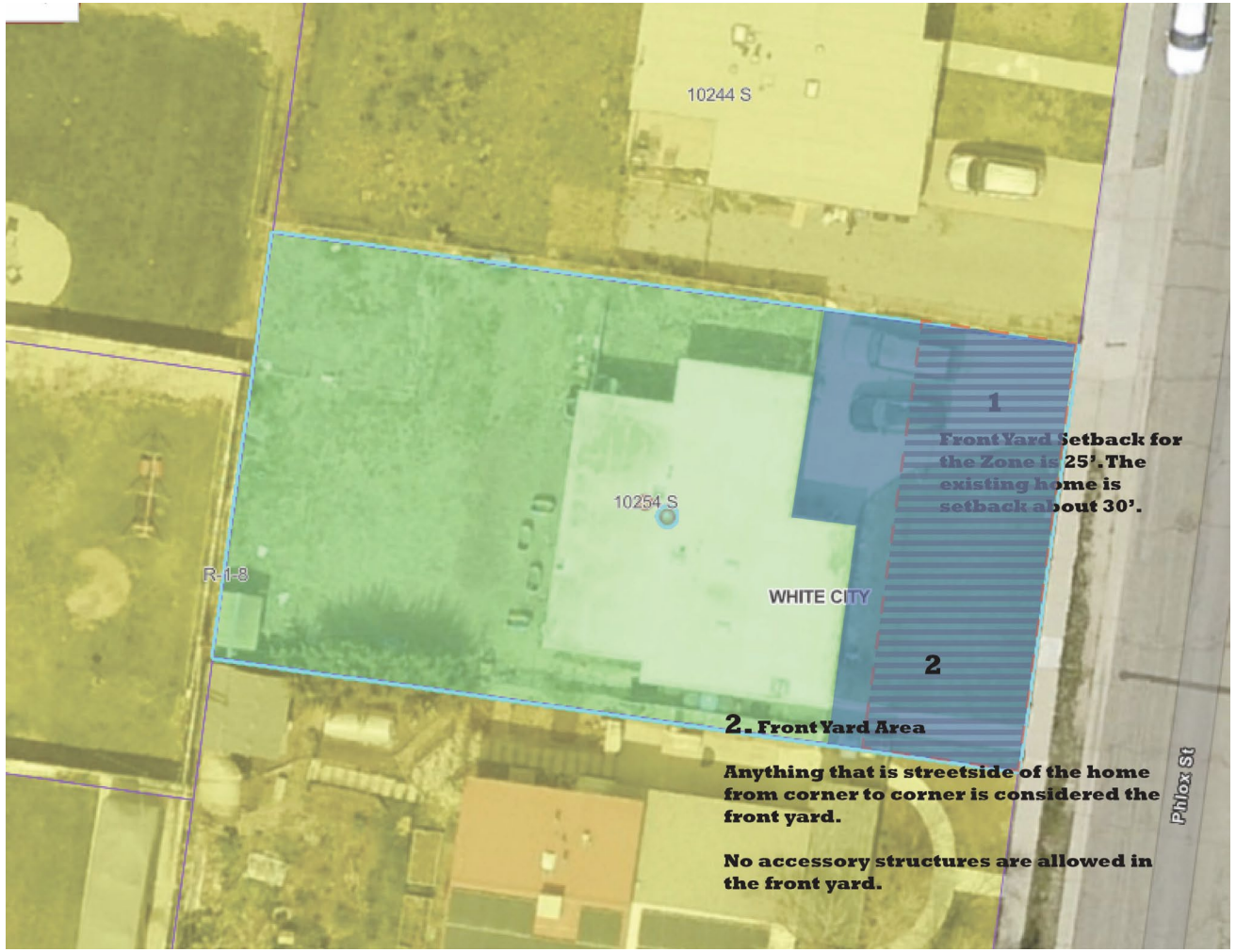
2. Front Yard Area

Anything that is streetside of the home from corner to corner is considered the front yard.

No accessory structures are allowed in the front yard under the current code.

This is an area in which White City could amend the code to allow for carports in the front yard setback.

Staff would not recommend this adjustment.

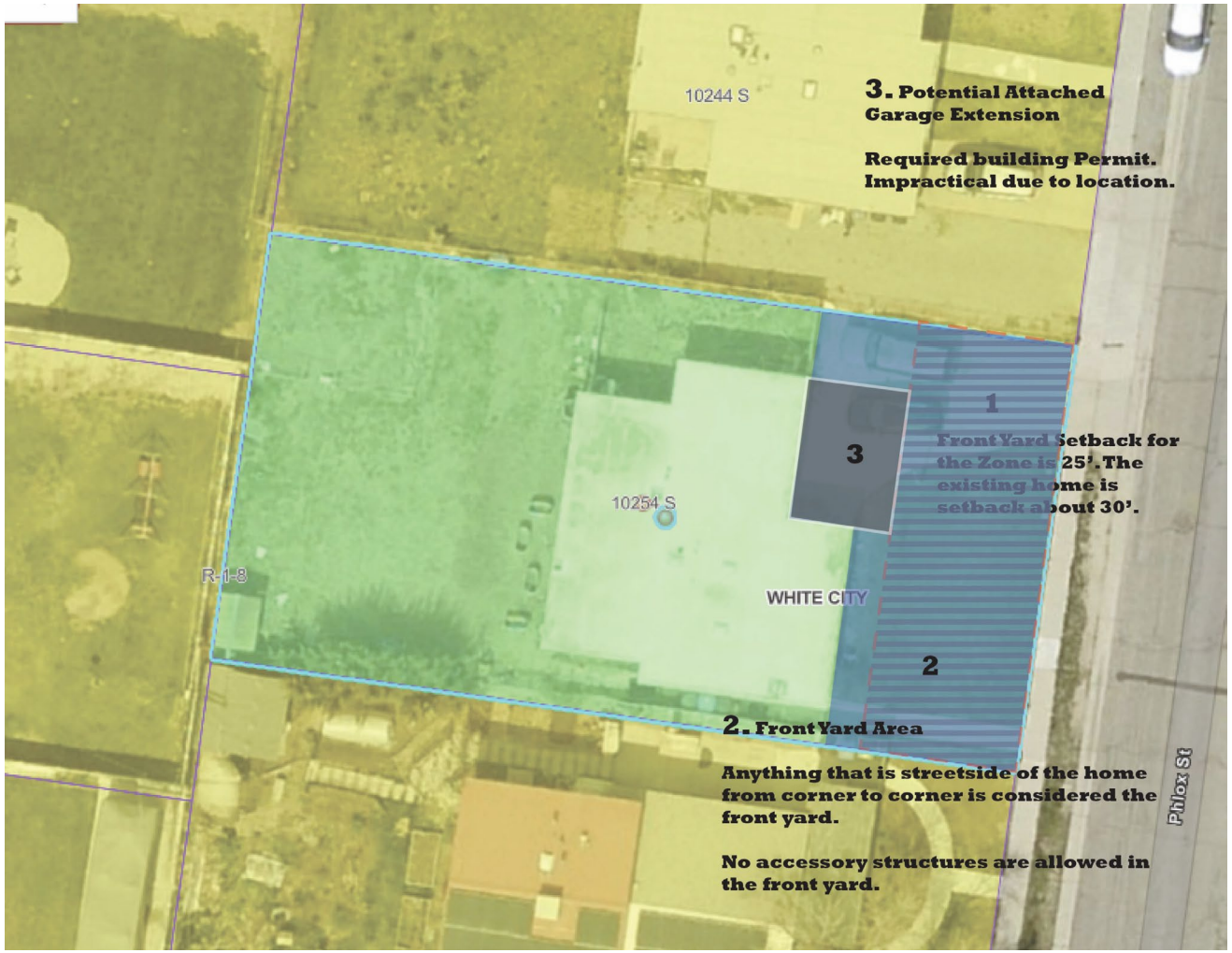


Current Code & Case Study

3. Potential Attached Garage Extension

Would required building Permit.

Impractical due to location in this case and most locations.



Current Code & Case Study

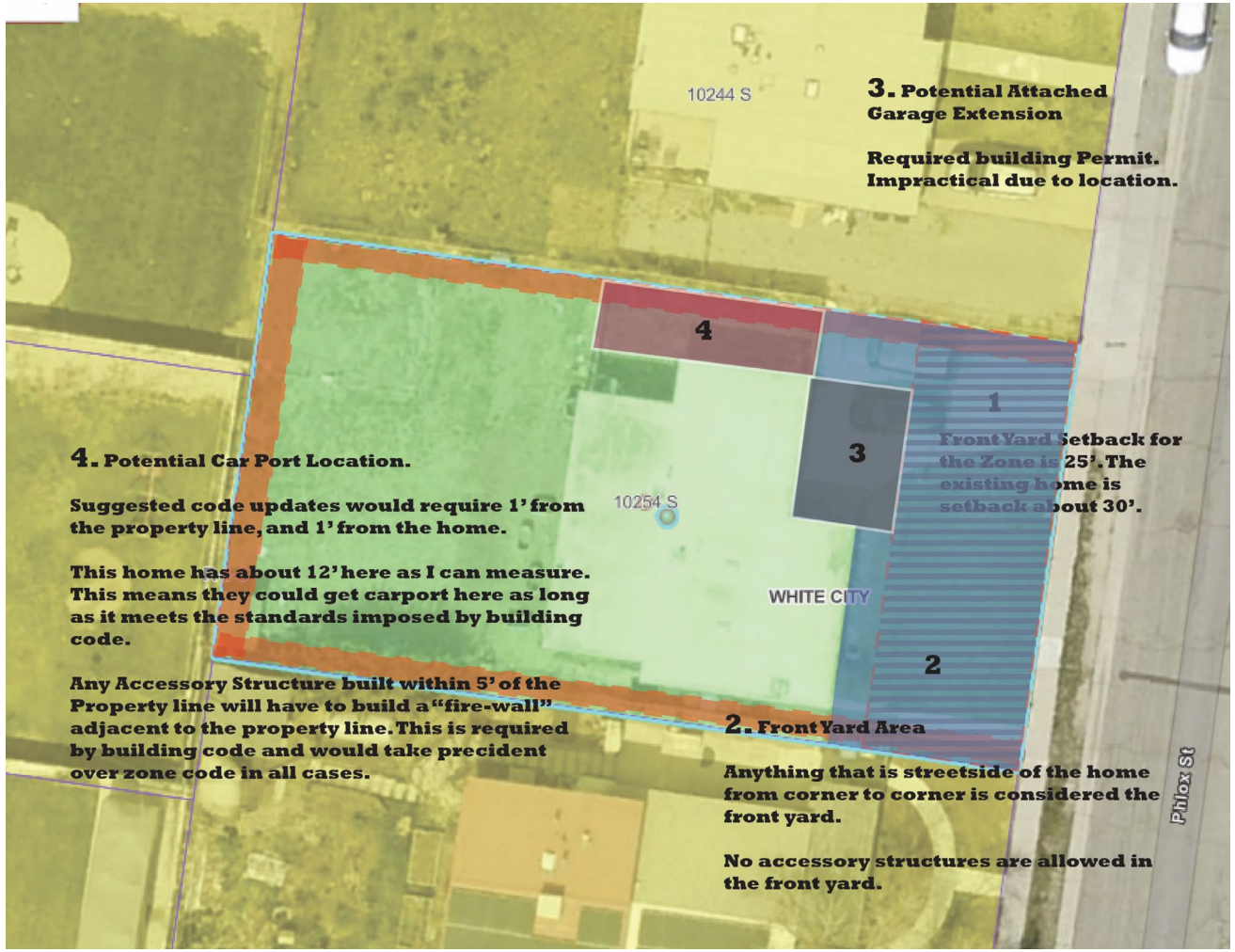
4. Potential Carport Location #1 | < 200 sqft

Suggested code updates would require 1’ Foot from the property line, and 1’ Foot from the home.

This home has about 12’ Feet here as I can measure. This means they could get a carport here as long as it meets the standards imposed by building code.

If the carport is under 200 sqft. There is no permit required. The carport should be built to code, but without a permit there is no mechanism for enforcement.

Car would need to be parked on an impervious surface.



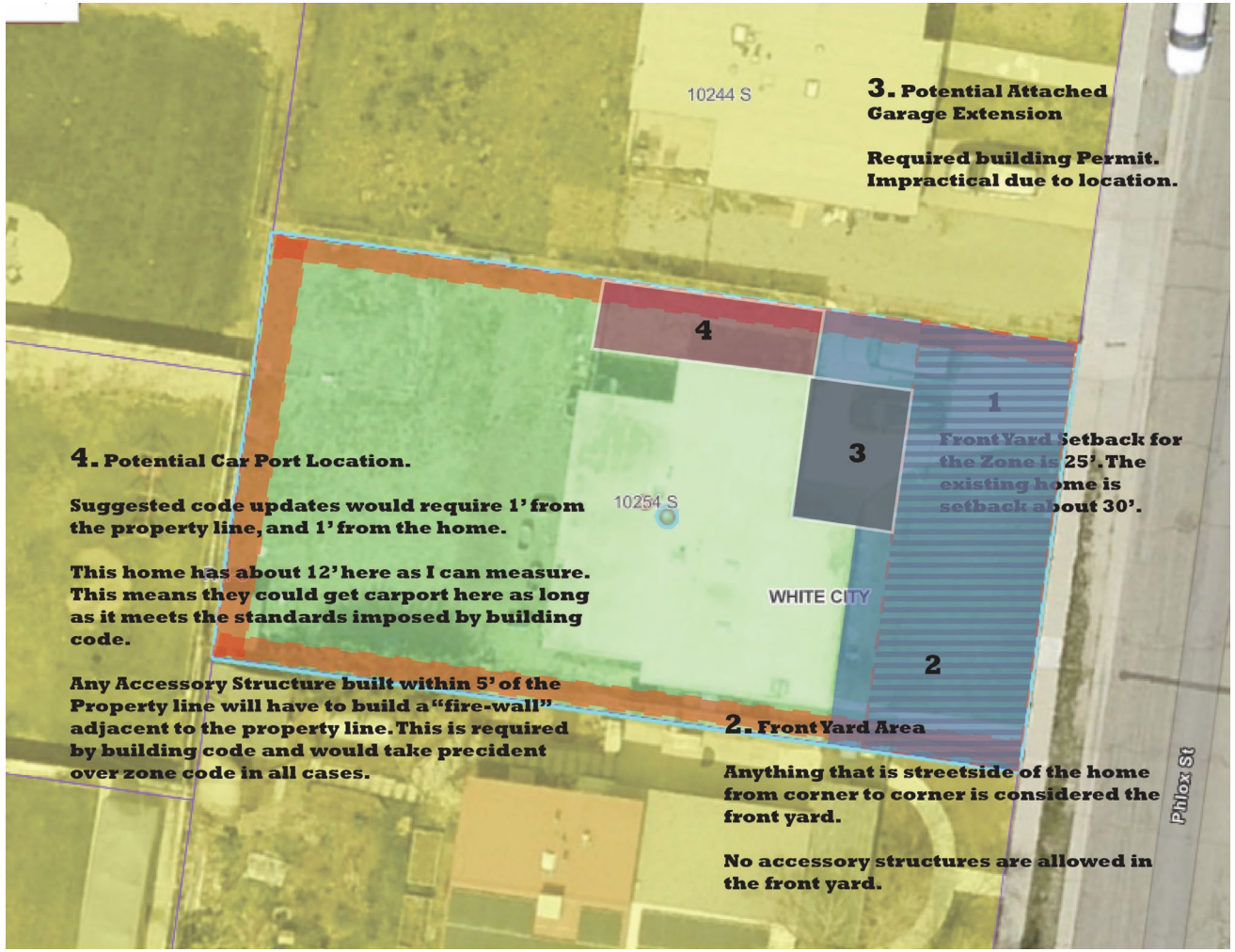
Current Code & Case Study

4. Potential Car Port Location #1| >200 sqft

Suggested code updates would require 1’ Foot from the property line, and 1’ Foot from the home.

This home has about 12’ here as I can measure. This means they could get carport here as long as it meets the standards imposed by building code.

Any Accessory Structure built within 5’ of the Property line will have to build a “fire-wall” adjacent to the property line. This is required by building code and would take precedent over zone code in all cases.



Car Port Example

With Firewall





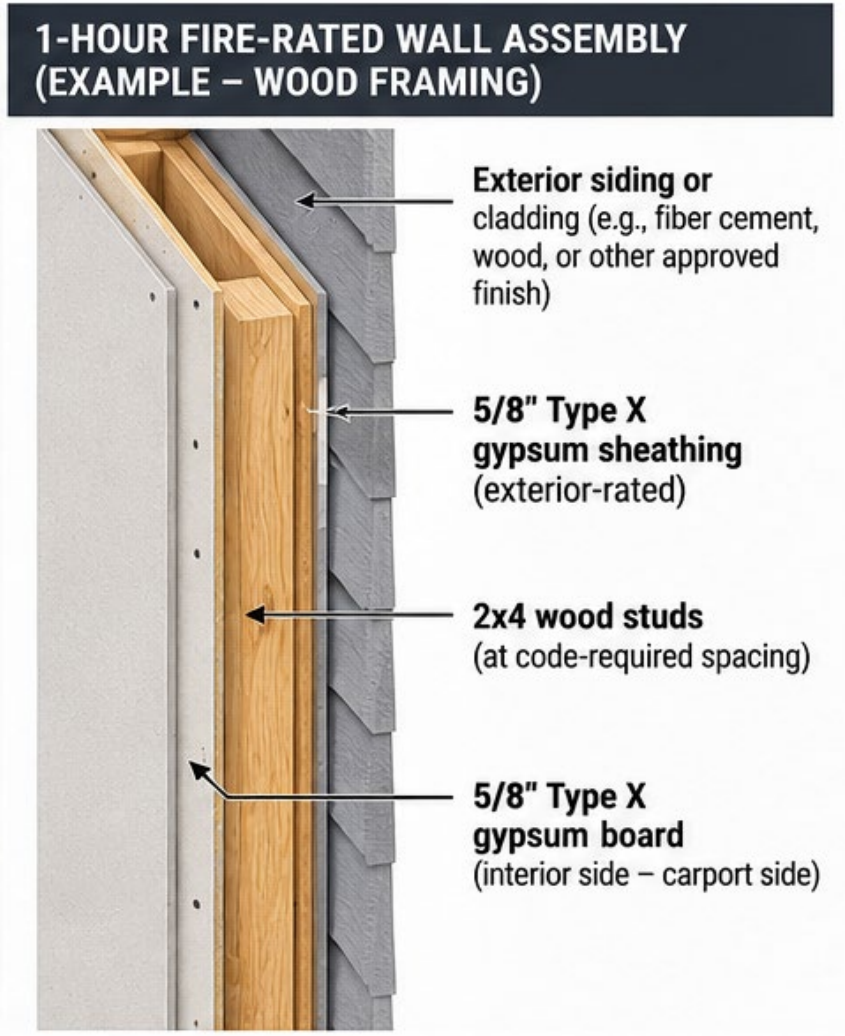
Car Port Example

With Firewall

What is a 1-Hour Fire-Rated Wall?

A 1-hour fire-rated wall is a tested and certified wall assembly that resists the passage of fire, smoke, and excessive heat for at least **60 minutes** under standardized laboratory conditions (such as ASTM E119).

- **Purpose:** It acts as a passive safety barrier to slow fire spread, compartmentalize buildings, and give occupants extra time to evacuate.
- **System Integrity:** The entire assembly, including studs, fastener spacing, gypsum board type, insulation, and penetrations, must be built to a recognized design (such as UL or Intertek listings). Modifying any single component can invalidate the rating.

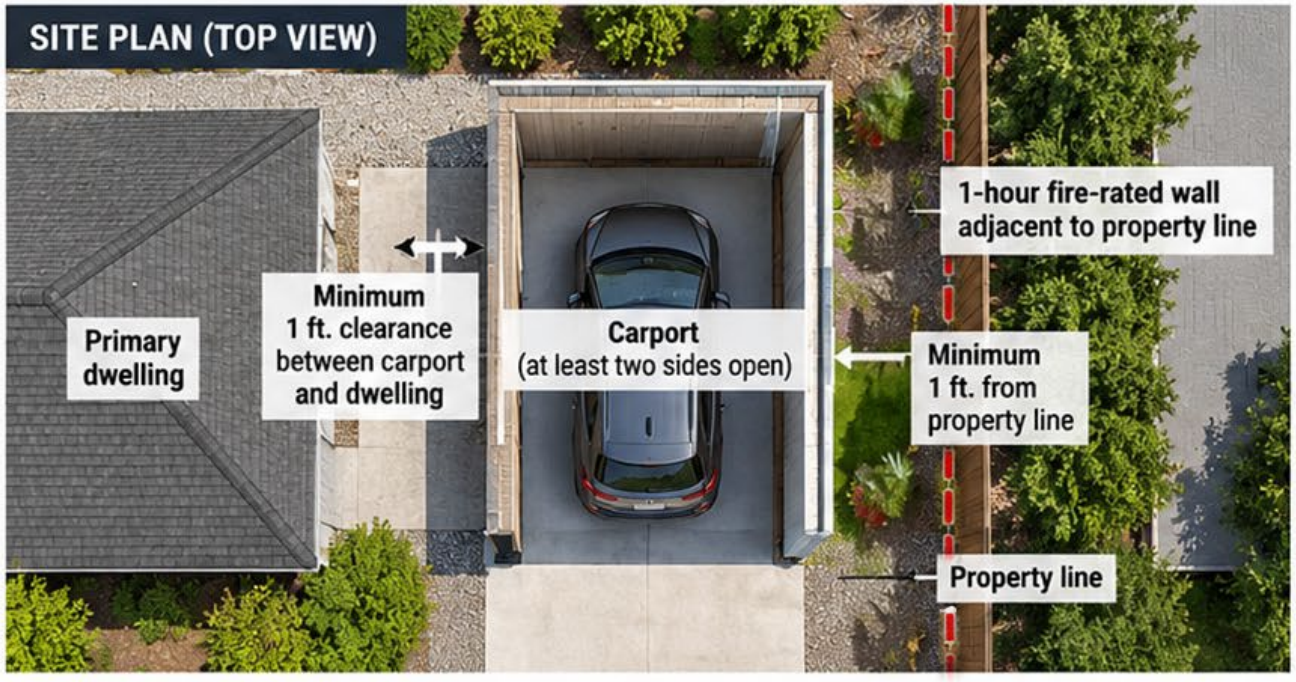


Car Port Example

With Firewall

Fire 1-hour fire-rated wall required on the wall adjacent to the property line.

- Required within 5’ of the property line.



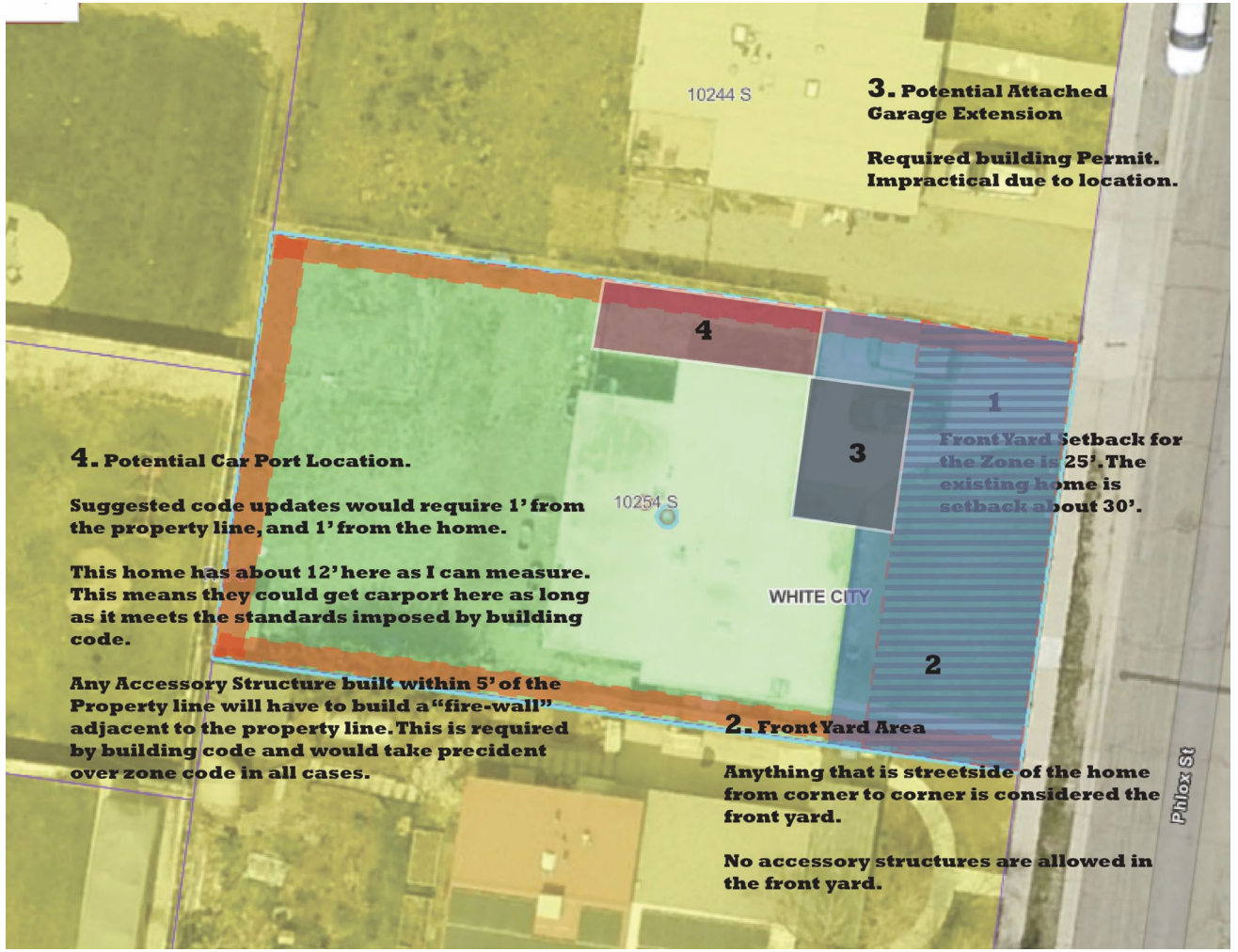


Current Code & Case Study

4. Alternate Solution: Attached Garage/carport

There is potential to adjust the code to allow for attached garages in the side yard.
Recommendations would be:

- Limit height of any structure within the current side yard setback to 14’ in height. As measured at the midpoint of the roof.
- No bedrooms or living spaces would be allowed within the side yard setback.
- This exception would be limited in use to only attached garages and carports.

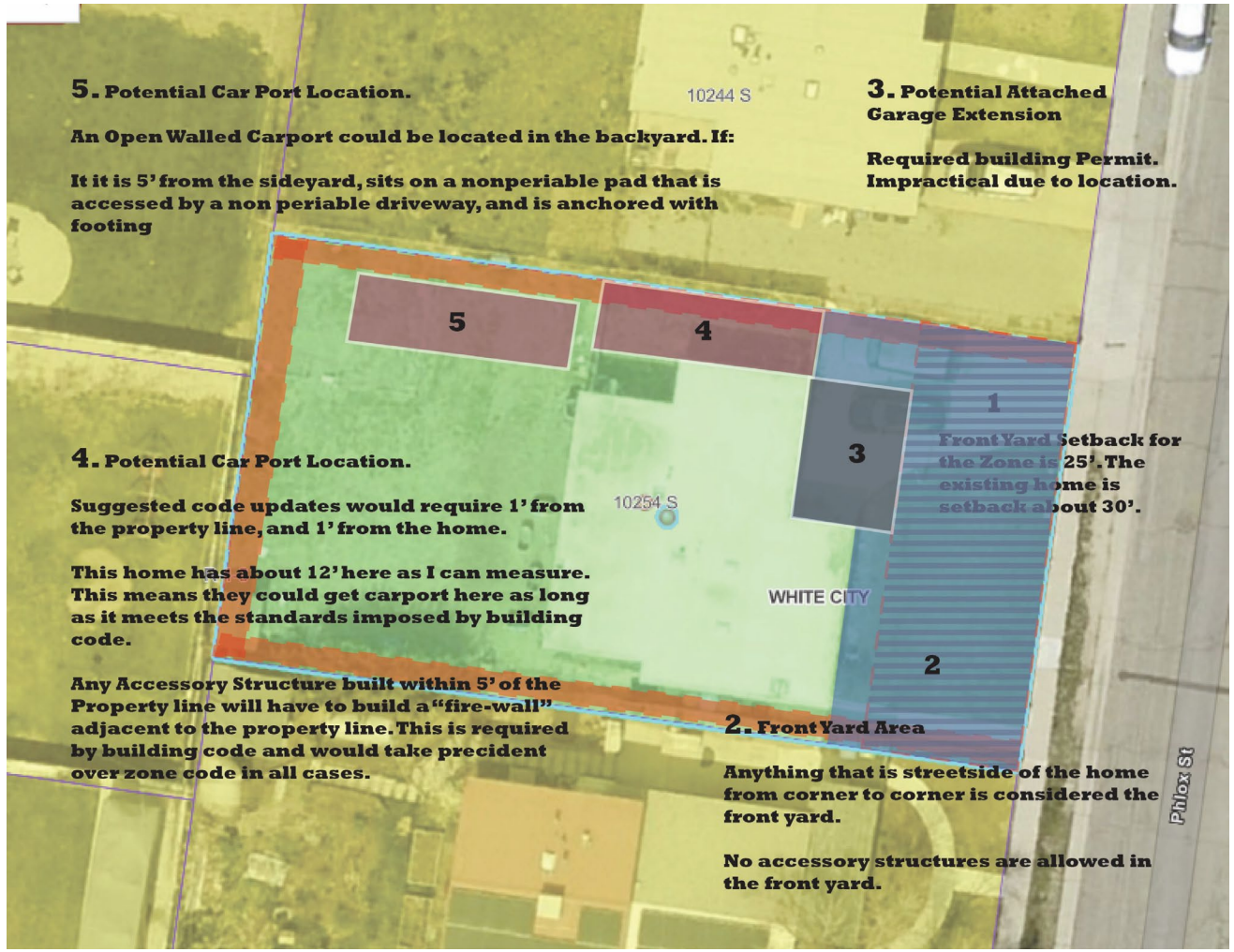


Current Code & Case Study

5. Potential Car Port Location.

An Open Walled Carport could be located in the backyard. If:

It is 5’ Feet from the side yard, sits on an impervious pad that is accessed by an impervious driveway, and is anchored with footing.



Car Port Example

These are examples of carports that are not Fire 1-hour fire-rated

- These can be placed in the side yard and backyard as long as they are at least 5’ from the property line.
- Any car parked in White City will need to access and park on an impervious surface.





!!! Reminder !!! - What Authority does the Council Have?

- Council has broad authority under LUDMA to regulate accessory structures.
- Council can create compliance programs.
- Council can modify setbacks, create size caps, restructure definitions, allow transitional allowances, create aesthetic guidelines, etc.

City Council Feedback/Solutions

What does the City Council wants to Change?

- Open Feedback Discussion and Recommendation for MSD Planning Staff

- Enforcement Options
  - Option1: Legal non-compliant option under Code section 19.06
    - 10 years rules
  - Option 2: Safety-First Compliance Program
  - Others?

Next Steps

- November to December 2026 - Draft ordinance amendments
- December 15 – Staff Report presentation to Planning Commission
- January 2027 – Staff Report presentation to City Council
- After January 2027:
  - Community advertisement
    - Good Examples: West Jordan Brochure

Appendix for Reference

- October Presentation - Accessory Structure – How Does the Current Code Works?

How does the current Code work?

How does the current Code Work?

As pointed out in the June 28, 2026 memorandum, the existing White City Code describes three main zones where accessory structures are allowed in the city and how **“Sizes”** are regulated today:

1. **Single Family Residential Zones: No specific** size/square footage. The size is controlled through the different requirements. City Attorney’s Memorandum indicated that this is a **gap** in the existing code ordinance.

2. **Medium Density Residential Zones:** Code only mentioned that the accessory structure **may not** cover **more than 25%** of the rear yard.

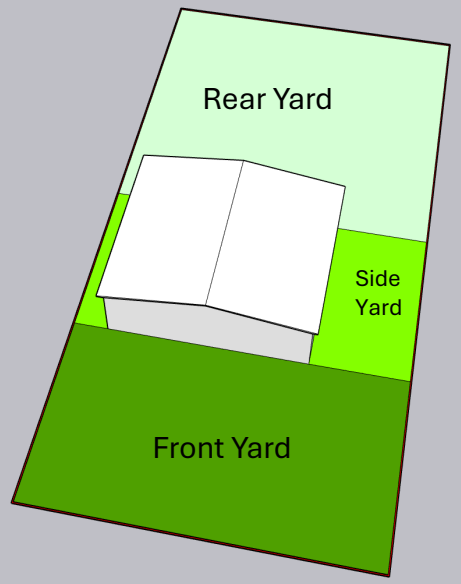
3. **Agricultural Zones:** Up to **14,000 sq ft** per accessory structure.

How does the current Code Work?

Typical White City Property

- **Front Yard / Side Yard / Rear Yard**

Single Family Residential



Justification / Explanation:

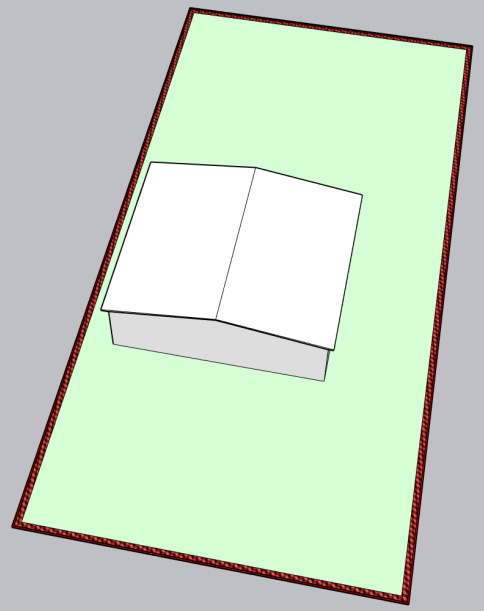
- This is the way residential properties are described in many sections of the municipal code.
  - The **front yard** starts at the street facing property line and ends at the front corner of the home.
  - The **side yard** runs from the front corner of the home to the back corner of the home.
  - **Rear yard** runs from the back corner of the home to the end of the property line.

How does the current Code Work?

Shall be located:

- at least **one foot (1’)** from an interior side property line,
- at least **one foot (1’)** from the rear property line.

Single Family Residential



Justification / Explanation:

- This way we ensure that we do not have any shared-wall structures between properties.

Can White City adjust this regulation?

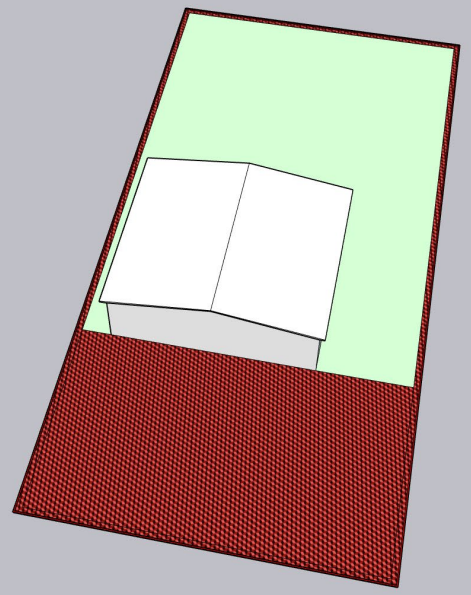
- Yes, however, staff would not recommend that they do so.

How does the current Code Work?

Shall be located:

- in the **side or rear yard**,
- **twenty feet (20')** from a street facing side property line.

Single Family Residential



Justification / Explanation:

- This is very typical in residential zones.
  - **Protects** the setback established for homes on the street.
  - **Keeps** front yards **clear, improving** visibility and safety
  - **Protects** the **aesthetical** value of the neighborhood.

Can White City adjust this regulation?

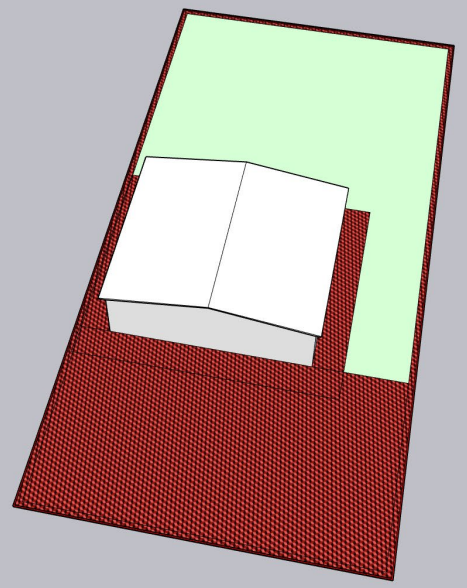
- Yes, however, staff would not recommend that they do so.

How does the current Code Work?

Shall be located:

- **6' feet** away from the dwelling.

Single Family Residential



Justification / Explanation:

- There was once a building code provision that became a standard. However, that building code regulation has since become more accommodating.

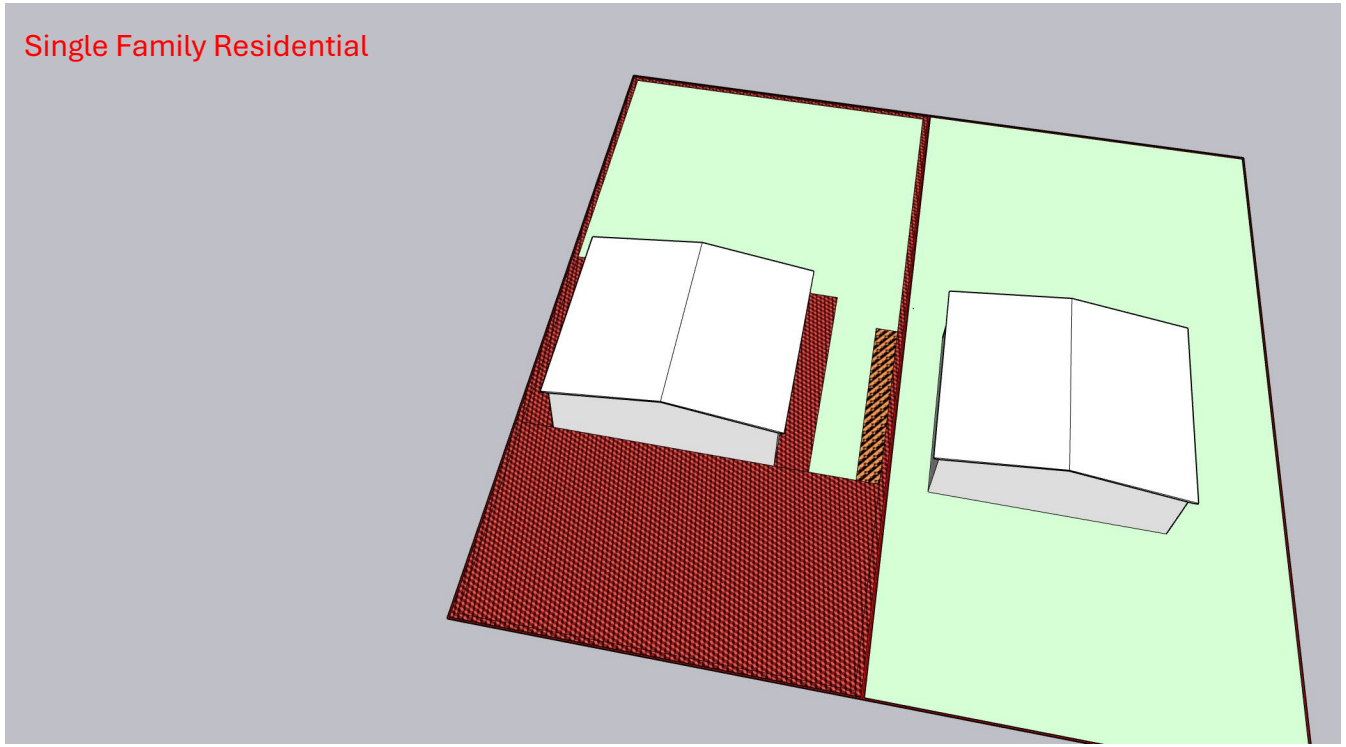
Can White City adjust this regulation?

- Yes, this would be a great place to consider an adjustment.
- White City **could reduce** this buffer to **1'** (one foot)
    - With the **requirement** that any accessory structure **pass** all Building Inspection Requirements for the accessory structure in question including; wind, fire, and snow load.

How does the current Code Work?

If the property is adjacent to a property that also contains a primary dwelling;

- the side yard setback increases to **5' Feet**.
- This conditional setback is required only in the side yard area.



Justification / Explanation:

- The **previous** county code that the city adopted **did not allow** for accessory structures in side yards in White City. When the planning team was updating the zoning ordinance, we wanted to create an opportunity for accessory structures in side yards but did not want encumbered the neighboring property with a bulky structure at the side yard.

Can White City adjust this regulation?

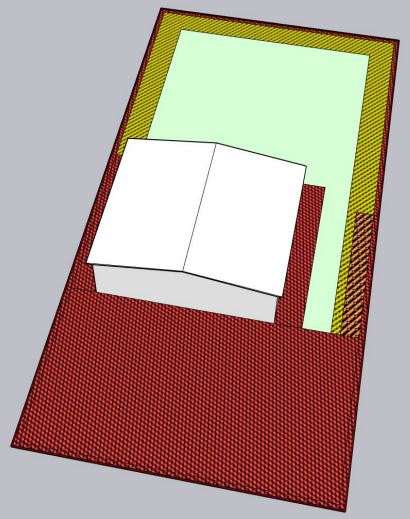
- Yes, this is also a regulation that you could adjust. It probably bears discussion from community Leadership.

How does the current Code Work?

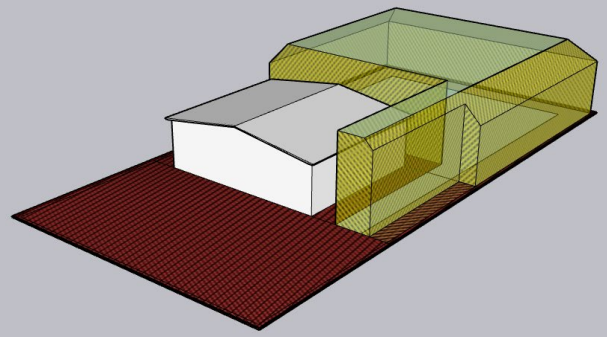
Any accessory structure taller than 14’ feet:

- Shall be **set back an additional 1’ (one foot) from the property line for every foot in height greater than 14’ feet.**
- All accessory structures are **limited to 20’feet in height in residential zones.** In **agricultural zones** the max height is **35’ feet** with **additional** requirements in **setbacks**.

Single Family Residential



Single Family Residential



20’ Feet Height Max Example

Justification / Explanation:

- This limits how much an accessory structure can “loom” over adjacent properties.
- Protects viewscapes for adjacent properties.

Can White City adjust this regulation?

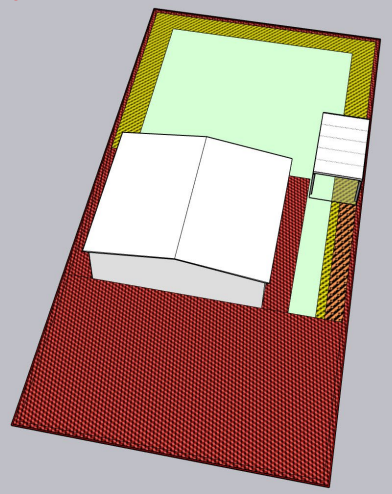
- Yes, if there is a desire to revisit this rule the city could adjust the regulation.

How does the current Code Work?

Locating any accessory structure under 14’ tall in this example:

- would need to be located within the areas that remains **green or are patterned yellow**.

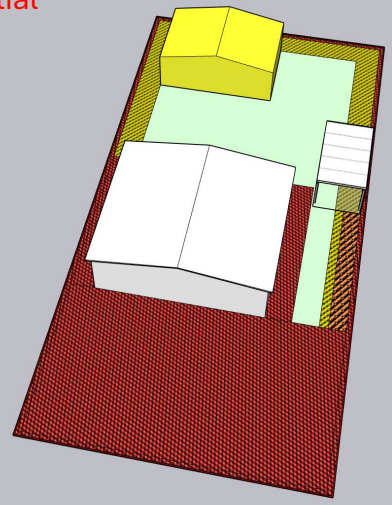
Single Family Residential



Locating any accessory structure greater than 14’ tall in this example:

- Would need to be located within the area that remains **green**.

Single Family Residential



Greater Salt Lake Municipal Services District
Standard Financial Report
70 White City - 07/01/2026 to 09/30/2026
25.00% of the fiscal year has expired

	2026 Year-End Actual	2027 YTD Actual
Net Position		
Assets:		
Current Assets		
Cash and cash equivalents		
10100 Cash - Zions Checking	(1,074.51)	(133,531.64)
10110 Cash - Xpress Bill Pay	3,872.49	6,293.28
10200 Cash - PTIF	873,371.41	1,241,843.51
10401 Zions Credit Card	(1,902.47)	(1,902.47)
10750 Undeposited Receipts	0.00	(0.04)
Total Cash and cash equivalents	**874,266.92**	**1,112,702.64**
Receivables		
12500 Due From Other Gov.	227,532.92	69,415.68
Total Receivables	**227,532.92**	**69,415.68**
Other current assets		
12600 Prepaid	0.00	1,060.70
Total Other current assets	**0.00**	**1,060.70**
Total Current Assets	**1,101,799.84**	**1,183,179.02**
Non-Current Assets		
Restricted assets		
10102 Cash - Zions Bond Escrow	653.00	653.00
Total Restricted assets	**653.00**	**653.00**
Total Non-Current Assets	**653.00**	**653.00**
Total Assets:	**1,102,452.84**	**1,183,832.02**
Liabilites and Fund Equity:		
Liabilities:		
Current liabilities		
21000 Accounts Payable	23,323.29	12,994.35
23450 Performance Bonds Payable	653.00	653.00
Total Current liabilities	**23,976.29**	**13,647.35**
Total Liabilities:	**23,976.29**	**13,647.35**
Equity - Fund Balance		
29000 Unassigned Net Position (Fund Bal)	132,236.71	223,944.83
29010 Assigned Capital Fund	946,239.84	946,239.84
Total Equity - Fund Balance	**1,078,476.55**	**1,170,184.67**
Total Liabilites and Fund Equity:	**1,102,452.84**	**1,183,832.02**
Total Net Position	**0.00**	**0.00**

	2026 Year-End Actual	2027 YTD Actual	2027 Budget	Unearned/ Unused Budget	% Earned/ Used
Change In Net Position					
Revenue:					
Taxes					
Sales Taxes					
3100.300 Sales Tax	916,980.07	232,984.04	925,000.00	692,015.96	25.19%
Total Sales Taxes	**916,980.07**	**232,984.04**	**925,000.00**	**692,015.96**	**25.19%**
SB 136 Sales Tax					
3100.350 SB 136 Sales Tax	85,531.52	21,289.70	92,500.00	71,210.30	23.02%
Total SB 136 Sales Tax	**85,531.52**	**21,289.70**	**92,500.00**	**71,210.30**	**23.02%**
Franchise Taxes					
3100.401 Google Franchise Fee	0.00	3,881.00	0.00	(3,881.00)	0.00%
Total Franchise Taxes	**0.00**	**3,881.00**	**0.00**	**(3,881.00)**	**0.00%**
Total Taxes	**1,002,511.59**	**258,154.74**	**1,017,500.00**	**759,345.26**	**25.37%**
Intergovernmental revenue					
Road Funds					
3100.560 B&C Road Fund Allotment	265,183.72	36,912.83	280,000.00	243,087.17	13.18%
3100.562 County Public Transit Tax	45,126.80	10,578.54	30,000.00	19,421.46	35.26%
Total Road Funds	**310,310.52**	**47,491.37**	**310,000.00**	**262,508.63**	**15.32%**
Total Intergovernmental revenue	**310,310.52**	**47,491.37**	**310,000.00**	**262,508.63**	**15.32%**
Licenses and permits					
Business licenses					
3100.130 Business Licenses	3,081.00	1,188.00	4,000.00	2,812.00	29.70%
Total Business licenses	**3,081.00**	**1,188.00**	**4,000.00**	**2,812.00**	**29.70%**
Building permits					
3100.260 Building Permit	34,603.44	6,482.31	35,000.00	28,517.69	18.52%
Total Building permits	**34,603.44**	**6,482.31**	**35,000.00**	**28,517.69**	**18.52%**
Other license and permits					
3100.250 Dog Licenses	100.00	0.00	0.00	0.00	0.00%
3100.262 Plumbing & Electric Permits	181.80	0.00	0.00	0.00	0.00%
Total Other license and permits	**281.80**	**0.00**	**0.00**	**0.00**	**0.00%**
Total Licenses and permits	**37,966.24**	**7,670.31**	**39,000.00**	**31,329.69**	**19.67%**
Charges for services					
Charges other					
3100.420 Engineering Services	13,899.50	375.00	7,500.00	7,125.00	5.00%
3100.450 Planning Services	1,205.00	175.00	1,500.00	1,325.00	11.67%
3100.800 Interlocal Revenue	0.00	2,788.51	0.00	(2,788.51)	0.00%
Total Charges other	**15,104.50**	**3,338.51**	**9,000.00**	**5,661.49**	**37.09%**
Total Charges for services	**15,104.50**	**3,338.51**	**9,000.00**	**5,661.49**	**37.09%**
Fines and forfeitures					
Code enforcement fines and fees					
3100.240 Code Enforcement Fines and Fees	0.00	0.00	9,000.00	9,000.00	0.00%
3100.860 Code Enforcement Abatements	372.55	0.00	0.00	0.00	0.00%
Total Code enforcement fines and fees	**372.55**	**0.00**	**9,000.00**	**9,000.00**	**0.00%**
Justice court fines/forfeitures					
3100.500 Justice Court Fines/Forfeitures	37,343.92	7,489.65	0.00	(7,489.65)	0.00%
Total Justice court fines/forfeitures	**37,343.92**	**7,489.65**	**0.00**	**(7,489.65)**	**0.00%**
Total Fines and forfeitures	**37,716.47**	**7,489.65**	**9,000.00**	**1,510.35**	**83.22%**
Miscellaneous revenue					
Interest					
3600.100 Interest Earnings	41,118.66	2,898.07	35,000.00	32,101.93	8.28%
Total Interest	**41,118.66**	**2,898.07**	**35,000.00**	**32,101.93**	**8.28%**
Miscellaneous other					
3100.870 Donations	1,200.00	0.00	0.00	0.00	0.00%
3600.900 Other Revenue	151.59	226.89	0.00	(226.89)	0.00%
3600.910 Other Revenue - Parking Violations	0.00	873.30	0.00	(873.30)	0.00%
Total Miscellaneous other	**1,351.59**	**1,100.19**	**0.00**	**(1,100.19)**	**0.00%**
Total Miscellaneous revenue	**42,470.25**	**3,998.26**	**35,000.00**	**31,001.74**	**11.42%**
Contributions and transfers					

Greater Salt Lake Municipal Services District
Standard Financial Report
70 White City - 07/01/2026 to 09/30/2026
25.00% of the fiscal year has expired

	2026 Year-End Actual	2027 YTD Actual	2027 Budget	Unearned/ Unused Budget	% Earned/ Used
3800.100 Contribution from GF	543,339.00	135,000.00	540,000.00	405,000.00	25.00%
Total Contributions and transfers	**543,339.00**	**135,000.00**	**540,000.00**	**405,000.00**	**25.00%**
Total Revenue:	**1,989,418.57**	**463,142.84**	**1,959,500.00**	**1,496,357.16**	**23.64%**
Expenditures:					
Administration					
4100.100 Wages	75,625.00	17,116.94	82,500.00	65,383.06	20.75%
4100.150 Social Security Tax	4,688.75	1,061.25	5,200.00	4,138.75	20.41%
4100.160 Medicare	1,096.59	248.19	1,200.00	951.81	20.68%
4100.190 FUTA	588.15	188.30	0.00	(188.30)	0.00%
4100.200 Awards, Promotional & Meals	7,127.83	0.00	8,000.00	8,000.00	0.00%
4100.210 Subscriptions/Memberships	3,537.93	3,216.03	3,500.00	283.97	91.89%
4100.220 Printing/Publications/Advertising	5,230.17	2,679.31	7,500.00	4,820.69	35.72%
4100.240 Office Expense and Supplies	806.90	0.00	18,000.00	18,000.00	0.00%
4100.255 Computer Equip/Software	128.94	0.00	0.00	0.00	0.00%
4100.310 Attorney-Civil	73,755.43	15,316.17	80,000.00	64,683.83	19.15%
4100.320 Attorney-Land Use	0.00	0.00	10,000.00	10,000.00	0.00%
4100.330 Training and Seminars	0.00	0.00	5,000.00	5,000.00	0.00%
4100.360 Web Page Development/Maintenance	11,123.00	5,271.62	30,000.00	24,728.38	17.57%
4100.370 Software/Streaming	2,398.50	11,662.35	8,000.00	(3,662.35)	145.78%
4100.390 Payroll Processing Fees	1,221.46	620.70	2,400.00	1,779.30	25.86%
4100.410 Communications	0.00	0.00	7,500.00	7,500.00	0.00%
4100.420 Contributions/Special Events	55,700.00	9,680.81	67,500.00	57,819.19	14.34%
4100.430 City Elections and Voting	9,360.97	0.00	0.00	0.00	0.00%
4100.510 Insurance	9,113.34	8,823.69	20,000.00	11,176.31	44.12%
4100.520 Workers Comp Insurance	958.89	816.75	2,500.00	1,683.25	32.67%
4100.590 Postage	1,437.53	0.00	7,500.00	7,500.00	0.00%
4100.600 Professional and Technical	97,962.05	21,000.00	120,000.00	99,000.00	17.50%
4100.635 Election Support Services	500.00	0.00	0.00	0.00	0.00%
4100.640 Grant Related	19,598.00	0.00	40,000.00	40,000.00	0.00%
4100.740 Equipment/Computer Purchases	0.00	2,297.72	0.00	(2,297.72)	0.00%
4100.870 Rent	3,100.00	0.00	4,000.00	4,000.00	0.00%
4100.880 Non-Classified Expenses	0.00	0.00	9,700.00	9,700.00	0.00%
Total Administration	**385,059.43**	**99,999.83**	**540,000.00**	**440,000.17**	**18.52%**
Planning and development					
4155.450 Engineering & Planning Services Expense	0.00	0.00	124,544.00	124,544.00	0.00%
Total Planning and development	**0.00**	**0.00**	**124,544.00**	**124,544.00**	**0.00%**
Transfers					
4100.928 Contribution to General Fund	1,445,555.43	271,434.89	1,294,956.00	1,023,521.11	20.96%
Total Transfers	**1,445,555.43**	**271,434.89**	**1,294,956.00**	**1,023,521.11**	**20.96%**
Total Expenditures:	**1,830,614.86**	**371,434.72**	**1,959,500.00**	**1,588,065.28**	**18.96%**
Total Change In Net Position	**158,803.71**	**91,708.12**	**0.00**	**(91,708.12)**	**0.00%**

Greater Salt Lake Municipal Services District
Standard Financial Report
72 White City Beer Tax Special Fund - 07/01/2026 to 09/30/2026
25.00% of the fiscal year has expired

	2026 Year-End Actual	2027 YTD Actual
Net Position		
Assets:		
Current Assets		
Cash and cash equivalents		
10200 Cash - PTIF	22.16	35.37
Total Cash and cash equivalents	**22.16**	**35.37**
Receivables		
12500 Due From Other Gov.	13.03	0.00
Total Receivables	**13.03**	**0.00**
Total Current Assets	**35.19**	**35.37**
Total Assets:	**35.19**	**35.37**
Liabilites and Fund Equity:		
Equity - Fund Balance		
29000 Unassigned Net Position (Fund Bal)	35.19	35.37
Total Equity - Fund Balance	**35.19**	**35.37**
Total Liabilites and Fund Equity:	**35.19**	**35.37**
Total Net Position	**0.00**	**0.00**

Greater Salt Lake Municipal Services District
Standard Financial Report
72 White City Beer Tax Special Fund - 07/01/2026 to 09/30/2026
25.00% of the fiscal year has expired

	2026 Year-End Actual	2027 YTD Actual	2027 Budget	Unearned/ Unused Budget	% Earned/ Used
Change In Net Position					
Revenue:					
Intergovernmental revenue					
State liquor fund					
3100.580 State Liquor Fund Allotment	3,479.40	0.00	5,000.00	5,000.00	0.00%
Total State liquor fund	**3,479.40**	**0.00**	**5,000.00**	**5,000.00**	**0.00%**
Total Intergovernmental revenue	**3,479.40**	**0.00**	**5,000.00**	**5,000.00**	**0.00%**
Miscellaneous revenue					
Interest					
3600.100 Interest	22.16	0.18	0.00	(0.18)	0.00%
Total Interest	**22.16**	**0.18**	**0.00**	**(0.18)**	**0.00%**
Total Miscellaneous revenue	**22.16**	**0.18**	**0.00**	**(0.18)**	**0.00%**
Total Revenue:	**3,501.56**	**0.18**	**5,000.00**	**4,999.82**	**0.00%**
Expenditures:					
Administration					
4100.850 Beer Funds	3,466.37	0.00	5,000.00	5,000.00	0.00%
Total Administration	**3,466.37**	**0.00**	**5,000.00**	**5,000.00**	**0.00%**
Total Expenditures:	**3,466.37**	**0.00**	**5,000.00**	**5,000.00**	**0.00%**
Total Change In Net Position	**35.19**	**0.18**	**0.00**	**(0.18)**	**0.00%**

Greater Salt Lake Municipal Services District
Standard Financial Report
75 White City Council Designated Fund - 07/01/2026 to 09/30/2026
25.00% of the fiscal year has expired

	2026 Year-End Actual	2027 YTD Actual
Net Position		
Assets:		
Current Assets		
Cash and cash equivalents		
10100 Cash - Zions Checking	132,749.91	193,098.21
10101 Cash - Zions CARES	567.16	567.16
10200 Cash - PTIF	259,346.10	268,344.98
10202 Cash - PTIF 9074 CARES	208,538.65	209,932.91
Total Cash and cash equivalents	**601,201.82**	**671,943.26**
Receivables		
12500 Due From Other Gov.	45,078.16	17,057.79
Total Receivables	**45,078.16**	**17,057.79**
Total Current Assets	**646,279.98**	**689,001.05**
Total Assets:	**646,279.98**	**689,001.05**
Liabilites and Fund Equity:		
Liabilities:		
Deferred revenue		
23455 CARES2 Deferred Revenue	184,684.55	184,684.55
Total Deferred revenue	**184,684.55**	**184,684.55**
Total Liabilities:	**184,684.55**	**184,684.55**
Equity - Fund Balance		
29000 Unassigned Net Position (Fund Bal)	461,595.43	504,316.50
Total Equity - Fund Balance	**461,595.43**	**504,316.50**
Total Liabilites and Fund Equity:	**646,279.98**	**689,001.05**
Total Net Position	**0.00**	**0.00**

Greater Salt Lake Municipal Services District
Standard Financial Report
75 White City Council Designated Fund - 07/01/2026 to 09/30/2026
25.00% of the fiscal year has expired

	2026 Year-End Actual	2027 YTD Actual	2027 Budget	Unearned/ Unused Budget	% Earned/ Used
Change In Net Position					
Revenue:					
Taxes					
MET Taxes					
3100.112 MET-Municipal Telecom	27,232.52	2,670.57	20,000.00	17,329.43	13.35%
3100.113 MET-Pacificorp/Rocky Mtn Power	126,414.96	33,027.59	125,000.00	91,972.41	26.42%
3100.114 MET-Questar Gas/Dominion Energy	64,039.87	3,930.10	70,000.00	66,069.90	5.61%
Total MET Taxes	**217,687.35**	**39,628.26**	**215,000.00**	**175,371.74**	**18.43%**
Franchise Taxes					
3100.401 Google Franchise Fee	15,850.00	0.00	12,000.00	12,000.00	0.00%
Total Franchise Taxes	**15,850.00**	**0.00**	**12,000.00**	**12,000.00**	**0.00%**
Total Taxes	**233,537.35**	**39,628.26**	**227,000.00**	**187,371.74**	**17.46%**
Intergovernmental revenue					
CARES Act					
3100.323 CARES2	0.00	0.00	184,685.00	184,685.00	0.00%
Total CARES Act	**0.00**	**0.00**	**184,685.00**	**184,685.00**	**0.00%**
Total Intergovernmental revenue	**0.00**	**0.00**	**184,685.00**	**184,685.00**	**0.00%**
Miscellaneous revenue					
Interest					
3600.100 Interest Earnings	17,118.85	3,092.81	15,000.00	11,907.19	20.62%
Total Interest	**17,118.85**	**3,092.81**	**15,000.00**	**11,907.19**	**20.62%**
Miscellaneous other					
3100.870 Donations	300.00	0.00	0.00	0.00	0.00%
Total Miscellaneous other	**300.00**	**0.00**	**0.00**	**0.00**	**0.00%**
Total Miscellaneous revenue	**17,418.85**	**3,092.81**	**15,000.00**	**11,907.19**	**20.62%**
Total Revenue:	**250,956.20**	**42,721.07**	**426,685.00**	**383,963.93**	**10.01%**
Expenditures:					
Non-Classified					
4100.780 Capital Improvements	0.00	0.00	242,000.00	242,000.00	0.00%
Total Non-Classified	**0.00**	**0.00**	**242,000.00**	**242,000.00**	**0.00%**
COVID Related Expenses					
4100.242 CARES 2 Expense and Supplies	0.00	0.00	184,685.00	184,685.00	0.00%
Total COVID Related Expenses	**0.00**	**0.00**	**184,685.00**	**184,685.00**	**0.00%**
Total Expenditures:	**0.00**	**0.00**	**426,685.00**	**426,685.00**	**0.00%**
Total Change In Net Position	**250,956.20**	**42,721.07**	**0.00**	**(42,721.07)**	**0.00%**

Greater Salt Lake Municipal Services District
General Ledger for White City - 7/1/2026 to 9/30/2026

Account / Date	Code	Description	Debit	Credit	Balance
4100.100 - Wages					**$0.00**
7/4/2026	AP	INV: PA 7-4-2026 Payroll Allocation - PDS & ENG Labor City Fees	322.99		322.99
7/31/2026	JE	Import: 1402 - Payroll Jul 2026 White City	5,866.94		6,189.93
8/31/2026	JE	Import: 1405 - Payroll Aug 2026 White City	5,625.00		11,814.93
9/30/2026	JE	Import: 1446 - Payroll Sept 2026 White City	5,625.00		17,439.93
			$17,439.93		**$17,439.93**
4100.150 - Social Security Tax					**$0.00**
7/31/2026	JE	Import: 1402 - Payroll Jul 2026 White City	363.75		363.75
8/31/2026	JE	Import: 1405 - Payroll Aug 2026 White City	348.75		712.50
9/30/2026	JE	Import: 1446 - Payroll Sept 2026 White City	348.75		1,061.25
			$1,061.25		**$1,061.25**
4100.160 - Medicare					**$0.00**
7/31/2026	JE	Import: 1402 - Payroll Jul 2026 White City	85.07		85.07
8/31/2026	JE	Import: 1405 - Payroll Aug 2026 White City	81.56		166.63
9/30/2026	JE	Import: 1446 - Payroll Sept 2026 White City	81.56		248.19
			$248.19		**$248.19**
4100.190 - FUTA					**$0.00**
7/31/2026	JE	Import: 1402 - Payroll Jul 2026 White City	64.54		64.54
8/31/2026	JE	Import: 1405 - Payroll Aug 2026 White City	61.88		126.42
9/30/2026	JE	Import: 1446 - Payroll Sept 2026 White City	61.88		188.30
			$188.30		**$188.30**
4100.210 - Subscriptions/Memberships					**$0.00**
7/1/2026	AP	INV: White City_FY2026-2027 Utah League of Cities and Towns - White City Membershipt Fee for FY 2026-2027	3,216.03		3,216.03
			$3,216.03		**$3,216.03**
4100.220 - Printing/Publications/Advertising					**$0.00**
7/16/2026	AP	INV: 32270 West Wind Litho - Postage for White City Postcards - July 2026	667.95		667.95
7/21/2026	AP	INV: 32270-Printing West Wind Litho - Printing White City Post Cards - July 2026	277.73		945.68
8/24/2026	AP	INV: 32580 West Wind Litho - TextMyGov Bookmarks - White City - Aug 2026	104.79		1,050.47
9/22/2026	AP	INV: 32857-Postage West Wind Litho - Postage - White City Fall Newsletter - Sept 2026	787.84		1,838.31
9/28/2026	AP	INV: 32857 West Wind Litho - Printing - White City Newsletter - Sept 2026	841.00		2,679.31
			$2,679.31		**$2,679.31**
4100.310 - Attorney-Civil					**$0.00**
7/31/2026	AP	INV: 2182 Shield Law, LLC - General Municipal Legal Service - White City - July 2026	5,072.80		5,072.80
8/31/2026	AP	INV: 2313 Shield Law, LLC - General Municipal Legal Service - White City - Aug 2026	5,090.02		10,162.82
9/30/2026	AP	INV: 2384 Shield Law, LLC - General Municipal Legal Service - White City - Sept 2026	5,153.35		15,316.17
			$15,316.17		**$15,316.17**
4100.360 - Web Page Development/Maintenance					**$0.00**
7/1/2026	AP	INV: 378161 CivicPlus, LLC - DocAccess Subscription - White City - July 2026	4,114.00		4,114.00
9/1/2026	AP	INV: 379797 CivicPlus, LLC - Municode Codification Annual Self-Publishing Software License Renewal - White City 9/1/26 - 6/30/27	1,157.62		5,271.62
			$5,271.62		**$5,271.62**
4100.370 - Software/Streaming					**$0.00**
7/1/2026	AP	INV: 378704 CivicPlus, LLC - Streamline - Operations Pro Renewal - 7/1/26 - 1/31/27	840.00		840.00
7/2/2026	AP	INV: T3WV4 ZOOM Video Communications Inc. - Online meeting software - White City - July 2026	10.76		850.76
7/13/2026	AP	VOID INV: PR9KY ZOOM Video Communications Inc. - Online meeting software - White City - Apr 2026		10.76	840.00
8/1/2026	AP	INV: 505586 Text My Gov - Premium, Set Up Cost, Software Support - White City 8/26 - 6/27	9,120.83		9,960.83
8/1/2026	AP	INV: 381792 CivicPlus, LLC - Streamline - Operations Pro Renewal - Aug 2026 (MO. Payment)	840.00		10,800.83
8/3/2026	AP	INV: H578320260804uvttvbqrj ZOOM Video Communications Inc. - Online meeting software - White City - Aug 2026	10.76		10,811.59
9/1/2026	AP	INV: 386345 CivicPlus, LLC - Streamline - Operations Pro Renewal - Sept 2026 (MO. Payment)	840.00		11,651.59
9/3/2026	AP	INV: H578320260904oyjfiiklh ZOOM Video Communications Inc. - Online meeting software - White City - Sept 2026	10.76		11,662.35
			$11,673.11	**($10.76)**	**$11,662.35**

Greater Salt Lake Municipal Services District
General Ledger for White City - 7/1/2026 to 9/30/2026

Account / Date	Code	Description	Debit	Credit	Balance
4100.390 - Payroll Processing Fees					**$0.00**
7/20/2026	AP	INV: INV3980482 Paylocity - Payroll Fees White City July 2026	213.50		213.50
8/21/2026	AP	INV: INV4073777 Paylocity - Payroll Fees White City Aug 2026	203.60		417.10
9/21/2026	AP	INV: INV4165403 Paylocity - Payroll Fees White City Sept 2026	203.60		620.70
			$620.70		**$620.70**
4100.420 - Contributions/Special Events					**$0.00**
8/21/2026	AP	INV: H578320260822hnbbcbmor Statue.com (Marblecast Products) - Statue of bear in Bear Park for recognition award for former Council Member Tyler Huish	1,900.00		1,900.00
9/3/2026	AP	INV: H578320260904wgyjlepcn Statue.com (Marblecast Products) - Purchased a stone statue, WC plans to use in the future for an award	2,062.00		3,962.00
9/20/2026	AP	INV: H578320260921cnjplhxul Steve's Black Sabbath BBQ - BBQ food order for White City appreciation held on Oct 2nd	5,331.25		9,293.25
9/30/2026	AP	INV: H578320261001pdgdeepvu Amazon.com - Coolers for appreciation BBQ held on Oct 2nd	257.86		9,551.11
9/30/2026	AP	INV: H578320261001ltivfpjnt Amazon.com - Water for appreciation BBQ held on Oct 2nd	129.70		9,680.81
			$9,680.81		**$9,680.81**
4100.510 - Insurance					**$0.00**
7/1/2026	AP	INV: M1627781 Utah Local Governments Trust - Liability Insurance - White City - 7/1/26 - 6/30/27	7,054.97		7,054.97
7/1/2026	AP	INV: M1627782 Utah Local Governments Trust - Property Insurance - White City - 7/1/26 - 6/30/27	1,768.72		8,823.69
			$8,823.69		**$8,823.69**
4100.520 - Workers Comp Insurance					**$0.00**
7/1/2026	AP	INV: M1627783 Utah Local Governments Trust - Workers Comp - White City - 7/1/26 - 6/30/27	816.75		816.75
			$816.75		**$816.75**
4100.600 - Professional and Technical					**$0.00**
7/31/2026	AP	INV: 137 Positive Impact Consulting, LLC - Servies as Administrator of White City - July 2026	7,000.00		7,000.00
8/31/2026	AP	INV: 138 Positive Impact Consulting, LLC - Servies as Administrator of White City - Aug 2026	7,000.00		14,000.00
9/30/2026	AP	INV: 139 Positive Impact Consulting, LLC - Servies as Administrator of White City - Sept 2026	7,000.00		21,000.00
			$21,000.00		**$21,000.00**
4100.740 - Equipment/Computer Purchases					**$0.00**
8/21/2026	AP	INV: AK7AF6V CDW-Government - HP CE 8G2I16AI - Laptop (WC) Aug 2026	2,082.12		2,082.12
8/23/2026	AP	INV: AK7BM1C CDW-Government - HP 3Y PREMIUM ONSITE ADP NB SUP (White City) - Aug 2026	215.60		2,297.72
			$2,297.72		**$2,297.72**
4100.928 - Contribution to General Fund					**$0.00**
7/31/2026	JE	Import: 1433 - Contribution to GF - Jul	103,765.27		103,765.27
8/31/2026	JE	Import: 1437 - Contribution to GF - Aug	77,069.62		180,834.89
9/30/2026	JE	Import: 1465 - Contribution to GF - Sept	90,600.00		271,434.89
			$271,434.89		**$271,434.89**
4155.450 - Engineering & Planning Services Expense					**$0.00**
7/4/2026	JE	Import: 1383 - PDS & ENG Labor City Fees		322.99	(322.99)
7/18/2026	AP	INV: AP 7-18-2026 Payroll Allocation - PDS & ENG Labor City Fees 7-18	1,329.01		1,006.02
7/18/2026	JE	Import: 1425 - PDS & ENG Labor City Fees 7-18		1,329.01	(322.99)
8/1/2026	JE	Import: 1428 - Payroll 8-1 PDS & ENG Labor City Fees		1,001.09	(1,324.08)
8/1/2026	AP	INV: AP 8-1-2026 Payroll Allocation - PDS & ENG Labor City Fees PPE 8-1	1,001.09		(322.99)
8/15/2026	JE	Import: 1429 - Payroll 8-15 PDS & ENG Labor City Fees		669.44	(992.43)
8/15/2026	AP	INV: AP 8-15-2026 Payroll Allocation - PDS & ENG Labor City Fees PPE 8-15	669.44		(322.99)
8/29/2026	JE	Import: 1430 - Payroll 8-29 PDS & ENG Labor City Fees		1,280.45	(1,603.44)
8/29/2026	AP	INV: PA 8-29-2026 Payroll Allocation - Payroll 8-29 PDS & ENG Labor City Fees	1,280.45		(322.99)
9/12/2026	JE	Import: 1431 - Payroll 9-12 PDS & ENG Labor City Fees		1,117.45	(1,440.44)
9/12/2026	AP	INV: AP 9-12-2026 Payroll Allocation - Payroll 9-12 PDS & ENG Labor City Fees	1,117.45		(322.99)
			$5,397.44	**($5,720.43)**	**($322.99)**
Report Total:					**$371,434.72**

Greater Salt Lake Municipal Services District
Check Register
Primary Checking - Zions 6647 - 07/01/2026 to 09/30/2026

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
CDW-Government	5014	AK7AF6V	08/21/2026	08/26/2026	2,082.12	HP CE 8G2I16AI - Laptop (WC) Aug 2026	704100.740 - Equipment/Computer P	
CDW-Government	5014	AK7BM1C	08/23/2026	08/26/2026	215.60	HP 3Y PREMIUM ONSITE ADP NB SUP (White Ci	704100.740 - Equipment/Computer P	
					$2,297.72			
					$2,297.72			
CivicPlus, LLC	4913	378704	07/01/2026	07/08/2026	840.00	Streamline - Operations Pro Renewal - 7/1/26 - 1/3	704100.370 - Software/Streaming	
CivicPlus, LLC	5016	378161	07/01/2026	08/26/2026	4,114.00	DocAccess Subscription - White City - July 2026	704100.360 - Web Page Developmen	
CivicPlus, LLC	5016	381792	08/01/2026	08/26/2026	840.00	Streamline - Operations Pro Renewal - Aug 2026 (	704100.370 - Software/Streaming	
					$4,954.00			
CivicPlus, LLC	5055	386345	09/01/2026	09/03/2026	840.00	Streamline - Operations Pro Renewal - Sept 2026 (	704100.370 - Software/Streaming	
CivicPlus, LLC	5084	379797	09/01/2026	09/21/2026	231.53	Municode Codification Annual Self-Publishing Soft	7012600 - Prepaid	
CivicPlus, LLC	5084	379797	09/01/2026	09/21/2026	1,157.62	Municode Codification Annual Self-Publishing Soft	704100.360 - Web Page Developmen	
					$1,389.15			
					$8,023.15			
Paylocity	EFT	INV3980482	07/20/2026	07/20/2026	213.50	Payroll Fees White City July 2026	704100.390 - Payroll Processing Fee	
Paylocity	EFT	INV4073777	08/21/2026	08/21/2026	203.60	Payroll Fees White City Aug 2026	704100.390 - Payroll Processing Fee	
Paylocity	EFT	INV4165403	09/21/2026	09/21/2026	203.60	Payroll Fees White City Sept 2026	704100.390 - Payroll Processing Fee	
					$620.70			
Payroll Allocation	EFT	AP 7-18-2026	07/18/2026	07/18/2026	1,329.01	PDS & ENG Labor City Fees 7-18	704155.450 - Engineering & Planning	
Payroll Allocation	EFT	AP 8-1-2026	08/01/2026	08/01/2026	1,001.09	PDS & ENG Labor City Fees PPE 8-1	704155.450 - Engineering & Planning	
Payroll Allocation	EFT	AP 8-15-2026	08/15/2026	08/15/2026	669.44	PDS & ENG Labor City Fees PPE 8-15	704155.450 - Engineering & Planning	
Payroll Allocation	EFT	AP 9-12-2026	09/12/2026	09/12/2026	1,117.45	Payroll 9-12 PDS & ENG Labor City Fees	704155.450 - Engineering & Planning	
Payroll Allocation	EFT	PA 7-4-2026	07/04/2026	07/04/2026	322.99	PDS & ENG Labor City Fees	704100.100 - Wages	
Payroll Allocation	EFT	PA 8-29-2026	08/29/2026	08/30/2026	1,280.45	Payroll 8-29 PDS & ENG Labor City Fees	704155.450 - Engineering & Planning	
					$5,720.43			
					$5,720.43			
Positive Impact Consulting, LLC	ACH.0701261256.429	136	06/30/2026	07/01/2026	7,000.00	Servies as Administrator of White City - June 2026	704100.600 - Professional and Techni	
Positive Impact Consulting, LLC	ACH.0806261314.429	137	07/31/2026	08/06/2026	7,000.00	Servies as Administrator of White City - July 2026	704100.600 - Professional and Techni	
Positive Impact Consulting, LLC	ACH.0903261337.429	138	08/31/2026	09/03/2026	7,000.00	Servies as Administrator of White City - Aug 2026	704100.600 - Professional and Techni	
					$21,000.00			
Shield Law, LLC	4908	1878	04/30/2026	07/01/2026	3,621.66	General Municipal Legal Services - White City - Ap	704100.310 - Attorney-Civil	
Shield Law, LLC	4908	2013	05/31/2026	07/01/2026	5,018.67	General Municipal Legal Services - White City - Ma	704100.310 - Attorney-Civil	
					$8,640.33			
Shield Law, LLC	4923	2119	06/30/2026	07/08/2026	5,115.10	General Municipal Legal Services - White City - Ju	704100.310 - Attorney-Civil	
Shield Law, LLC	4995	2182	07/31/2026	08/06/2026	5,072.80	General Municipal Legal Service - White City - July	704100.310 - Attorney-Civil	
Shield Law, LLC	ACH.0915261003.4986	2313	08/31/2026	09/15/2026	5,090.02	General Municipal Legal Service - White City - Aug	704100.310 - Attorney-Civil	
					$23,918.25			
Text My Gov	ACH.0819261543.4956	505586	08/01/2026	08/19/2026	829.17	Premium, Set Up Cost, Software Support - White	7012600 - Prepaid	
Text My Gov	ACH.0819261543.4956	505586	08/01/2026	08/19/2026	9,120.83	Premium, Set Up Cost, Software Support - White	704100.370 - Software/Streaming	
					$9,950.00			
					$9,950.00			
Utah League of Cities and Towns	4910	White City_FY202	07/01/2026	07/01/2026	3,216.03	White City Membershipt Fee for FY 2026-2027	704100.210 - Subscriptions/Members	
					$3,216.03			
Utah Local Governments Trust	ACH.0720261227.29	M1627781	07/01/2026	07/20/2026	7,054.97	Liability Insurance - White City - 7/1/26 - 6/30/27	704100.510 - Insurance	
Utah Local Governments Trust	ACH.0720261227.29	M1627782	07/01/2026	07/20/2026	1,768.72	Property Insurance - White City - 7/1/26 - 6/30/27	704100.510 - Insurance	
Utah Local Governments Trust	ACH.0720261227.29	M1627783	07/01/2026	07/20/2026	816.75	Workers Comp - White City - 7/1/26 - 6/30/27	704100.520 - Workers Comp Insuran	
					$9,640.44			
					$9,640.44			

Greater Salt Lake Municipal Services District
Check Register
Primary Checking - Zions 6647 - 07/01/2026 to 09/30/2026

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
West Wind Litho	ACH.0716261232.422	32270	07/16/2026	07/16/2026	667.95	Postage for White City Postcards - July 2026	704100.220 - Printing/Publications/Ad	
West Wind Litho	ACH.0728261228.422	32270-Printing	07/21/2026	07/28/2026	277.73	Printing White City Post Cards - July 2026	704100.220 - Printing/Publications/Ad	
West Wind Litho	ACH.0903261337.422	31833-Printing	06/17/2026	09/03/2026	957.10	White City Newsletter Printing - June 2026	704100.220 - Printing/Publications/Ad	
West Wind Litho	ACH.0903261337.422	32580	08/24/2026	09/03/2026	104.79	TextMyGov Bookmarks - White City - Aug 2026	704100.220 - Printing/Publications/Ad	
					$1,061.89			
West Wind Litho	ACH.0922261400.422	32857-Postage	09/22/2026	09/22/2026	787.84	Postage - White City Fall Newsletter - Sept 2026	704100.220 - Printing/Publications/Ad	
					$2,795.41			
White City Water Improvement Distri	5033	260819	06/04/2026	08/26/2026	1,600.00	WCWID Meeting Space Rental (WC) 7/25 - 6/26	704100.870 - Rent	
					$1,600.00			
					$88,782.13			

White City Finances

Fund Balances

City

Fund 70



Unassigned $ 223,945
Restricted $ 946,240

Beer Tax

Fund 72



Unassigned $ 35

City Council

Fund 75

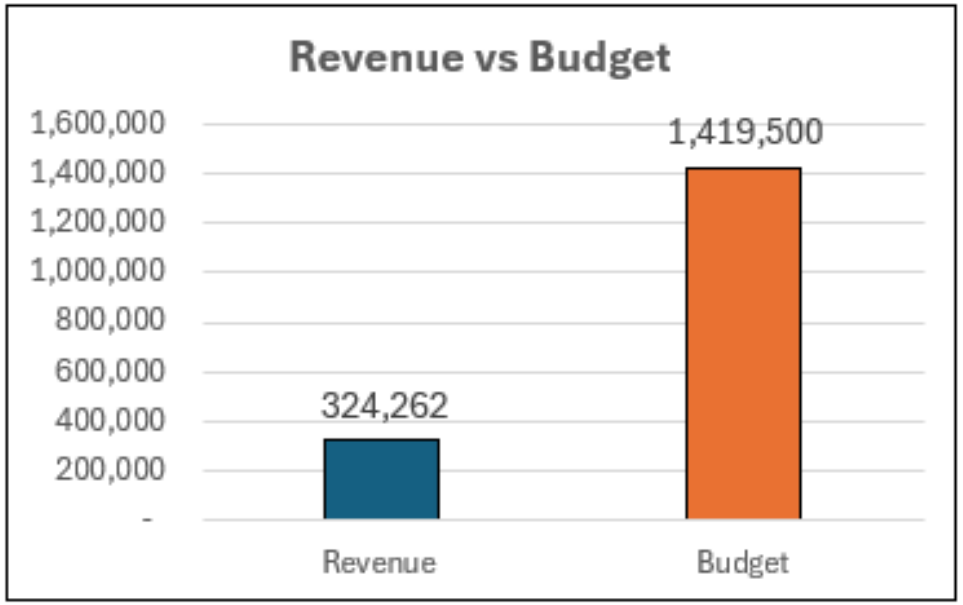


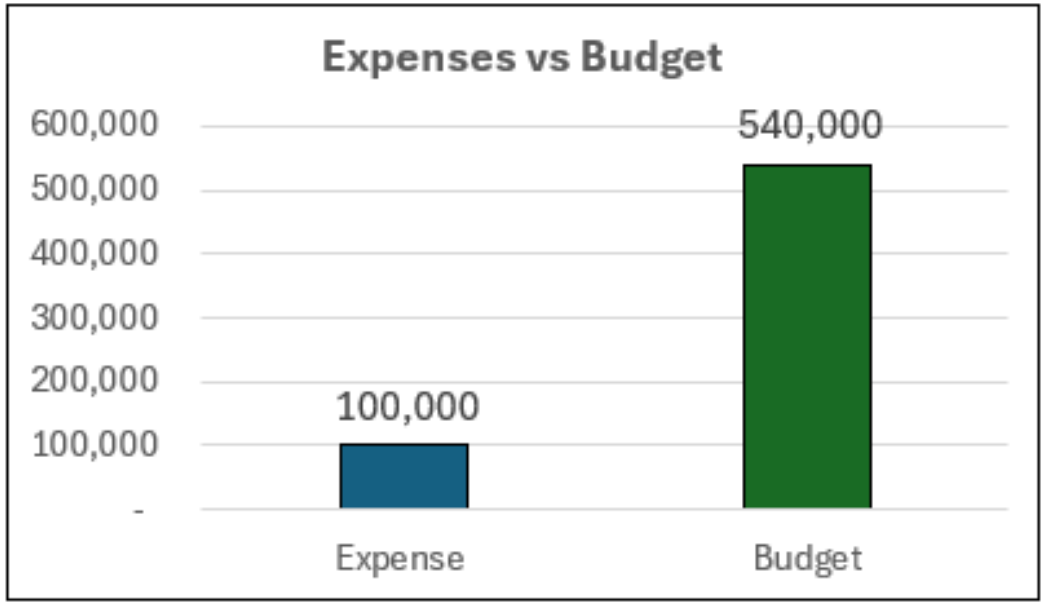
Unassigned $ 504,317

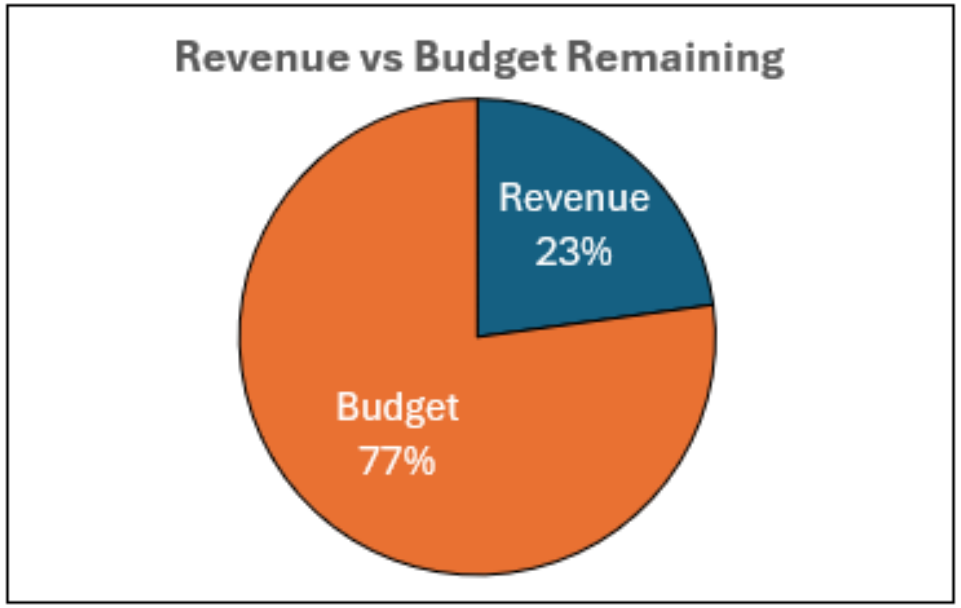
Totals Funds $ 1,674,537

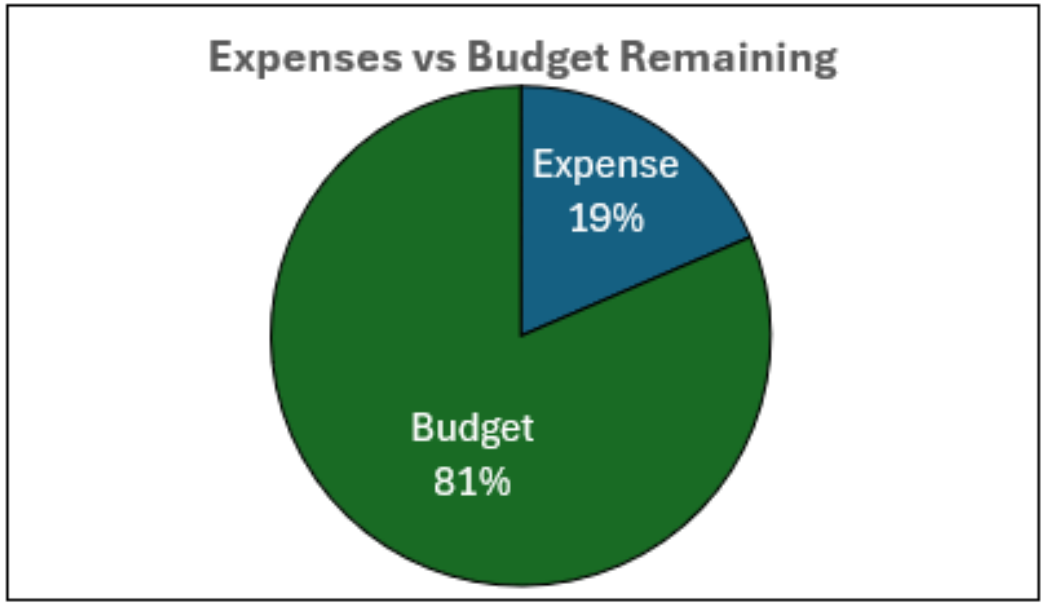
Unassigned = Use at Council Discretion
Restricted = Must be used for a specific purpose

White City - Financials Q1 September 2026



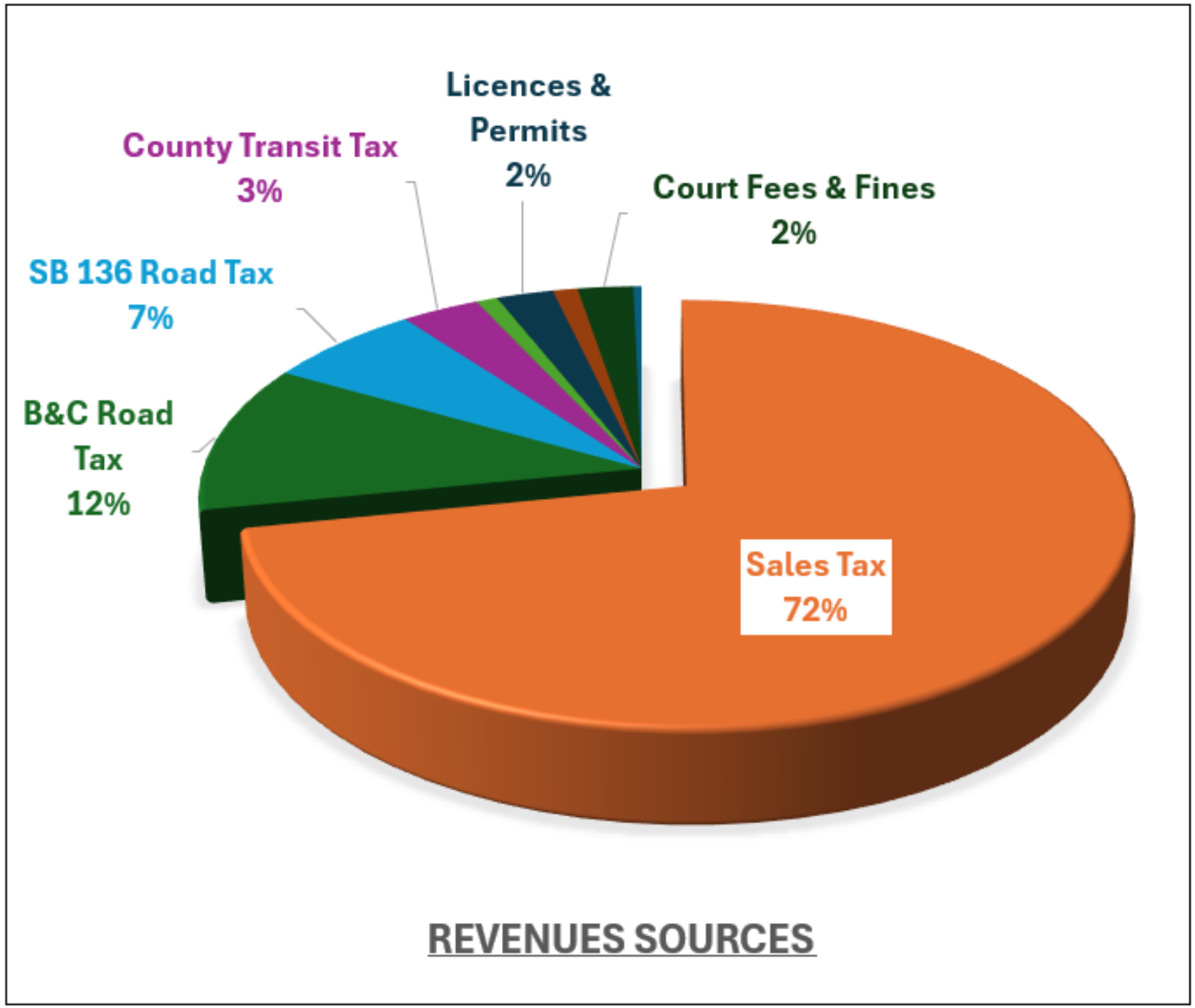


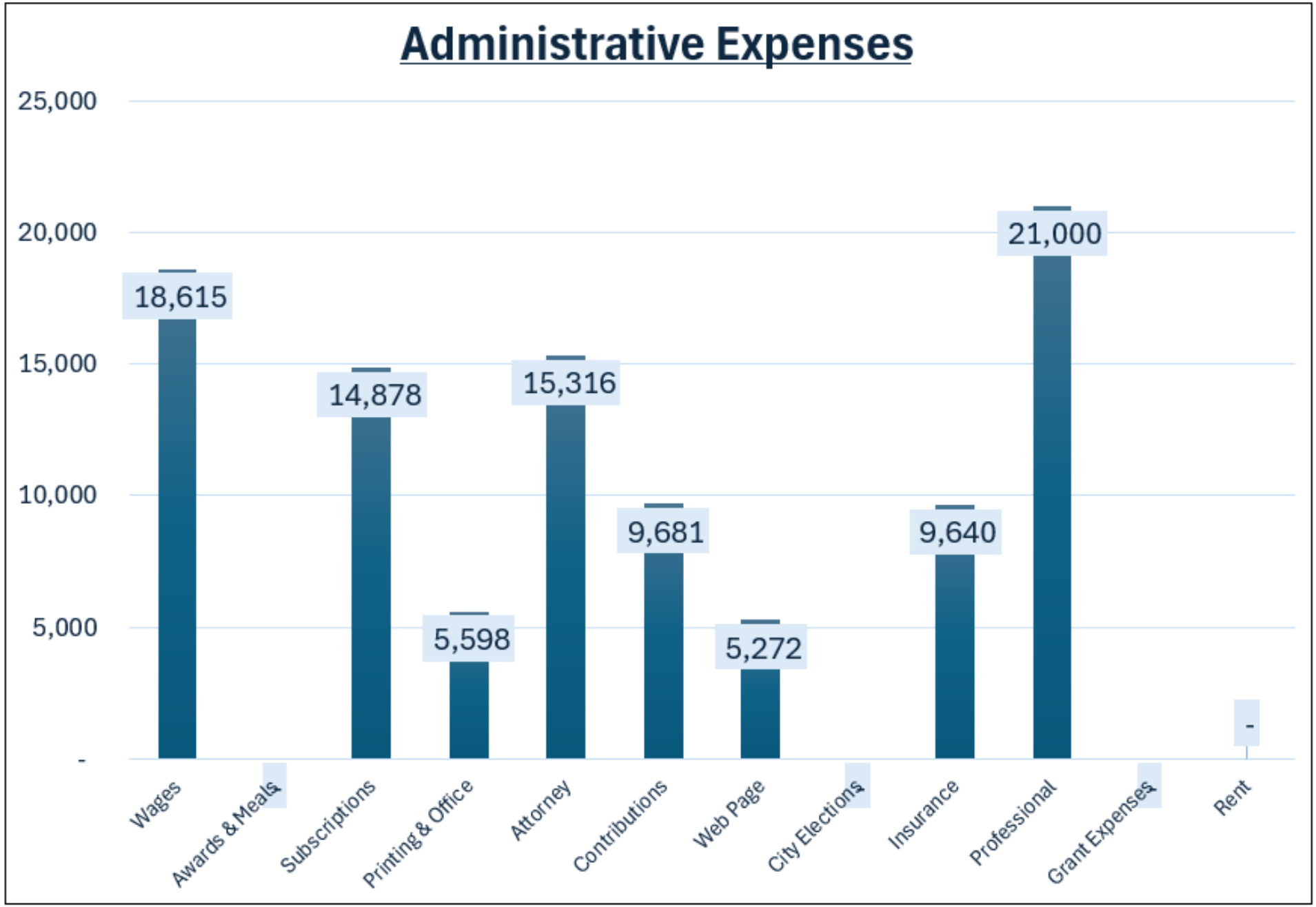


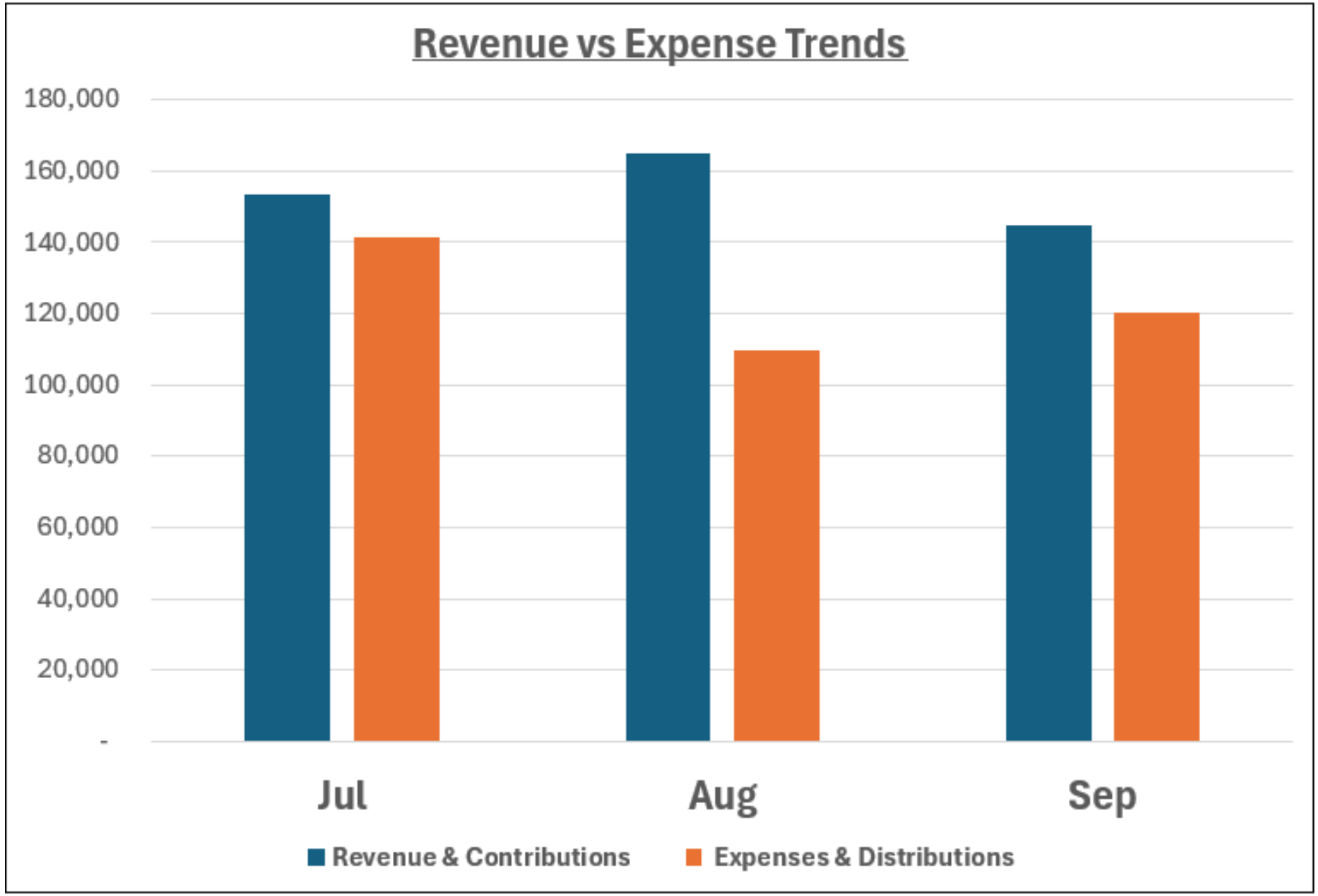


Revenues

Sales Tax	232,984
B&C Road Tax	36,913
SB 136 Road Tax	21,290
County Transit Tax	10,579
Interest	2,898
Licences & Permits	7,670
Eng & Planning Fees	3,339
Court Fees & Fines	7,490
Other	1,100
Totals:	324,262




Administrative Expenses
25,000
20,000
15,000
10,000
5,000
-
18,615
14,878
5,598
15,316
9,681
5,272
9,640
21,000
-
Wages
Awards & Meals
Subscriptions
Printing & Office
Attorney
Contributions
Web Page
City Elections
Insurance
Professional
Grant Expenses
Rent


Revenue vs Expense Trends
180,000
160,000
140,000
120,000
100,000
80,000
60,000
40,000
20,000
-
Jul
Aug
Sep
Revenue & Contributions
Expenses & Distributions

Sandy City Fire Dept Service to White City
October, 2026

SUMMARY	Incidents
Fire	5
Medical	18
Totals:	23

FIRE

Incident ID	Incident Date	Inc Code	Inc Category
SF26000008211	10/7/2026	LIFT3	
SF26000008335	10/10/2026	PUBLIC	Public Assist
SF26000008605	10/21/2026	ALARMF	Fire Alarm
SF26000008752	10/26/2026	ALARMF	Fire Alarm
SF26000008815	10/28/2026	SMOKE	Fire-Odor/Smoke

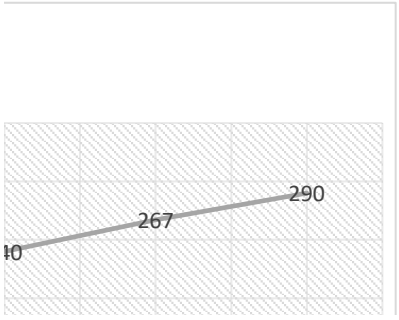
MEDICAL

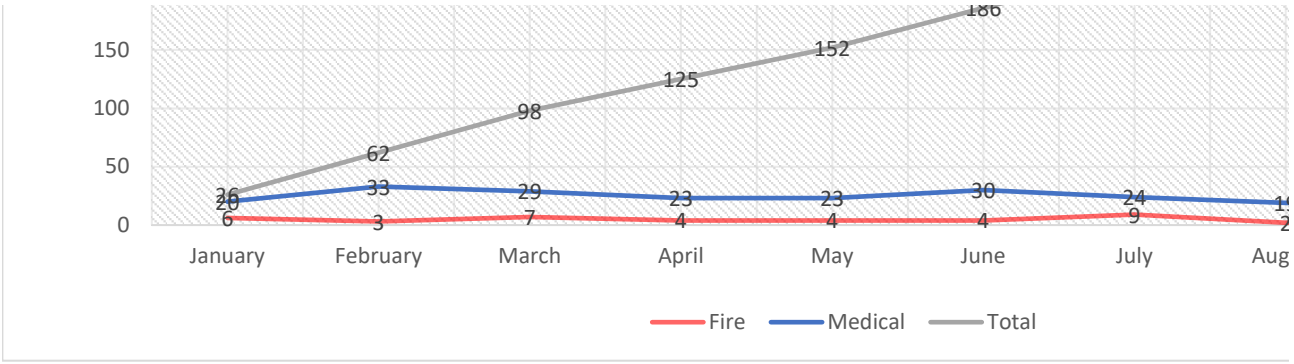
Incident ID	Incident Date	Inc Code	Inc Category
SF26000008182	10/6/2026	SICK3	Sick
SF26000008165	10/6/2026	MALRM	Medical Alarm
SF26000008202	10/7/2026	ASSAM	Assault
SF26000008310	10/10/2026	BREAT2	Breathing Problem
SF26000008371	10/12/2026	BREAT	Breathing Problem
SF26000008471	10/16/2026	SEIZ	Seizure
SF26000008509	10/17/2026	HANGM1	Hanging
SF26000008492	10/17/2026	SEIZ	Seizure
SF26000008558	10/19/2026	ABDOM4	Abdominal
SF26000008570	10/20/2026	MALRM3	Medical Alarm
SF26000008594	10/21/2026	BREAT	Breathing Problem
SF26000008623	10/22/2026	SICK3	Sick
SF26000008654	10/22/2026	SFALL	Fall
SF26000008694	10/24/2026	FULL	Full Arrest
SF26000008710	10/24/2026	TRAUM3	Traumatic Injury
SF26000008700	10/24/2026	AUTOM1	Auto Versus Cycle
SF26000008862	10/30/2026	MENTA3	Psychiatric Issues
SF26000008905	10/31/2026	ASSAM1	Assault

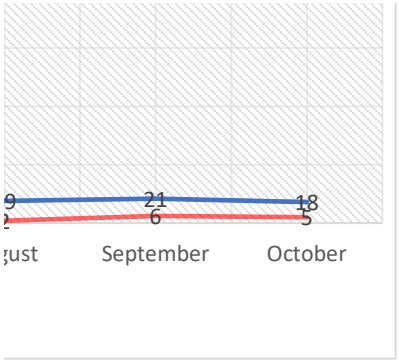


Response Area
34AF
34AW
34DF
34AF
34CF
5

Response Area
34AW
34BF
34AF
32EF
34AF
34DF
34DF
32DF
34AF
34BF
34BF
34BF
34DF
34DF
34AF
34BF
34BF
34BF
18




150
100
50
0
January
February
March
April
May
June
July
Aug
Fire
Medical
Total


9
21
18
6
5
gust
September
October

WHITE CITY COUNCIL MEETING MINUTES
October 1, 2026
WHITE CITY WATER IMPROVEMENT DISTRICT
999 E GALENA DRIVE, WHITE CITY, UTAH 84094

Mayor: **Mayor Allan Perry**

City Council: **Council Member Greg Shelton**
Council Member Linda Price
Council Member Neil Mahoney
Council Member Howard Van horn

Staff: Rori Andreason, City Administrator/Recorder; Cameron Platt, Attorney; Richard Stephens, Engineer; Daniel Hoffman, Finance Director; Daniele Benigni, Long Range Planner; Brian Tucker, Planning Manager; Lori Jessop, Assistant building Official; Lisa Watts, Land use Attorney; Chief April Morse, UPD; Detective Bowen Hayes, UPD; Chief Kenneth Aldridge, UFA; Chief Mike Bullock; Sandy Fire

6:00 P.M. WORKSHOP

1. **WELCOME AND DETERMINE QUORUM**
   Mayor Allen Perry called the meeting to order at 6:00 p.m.

2. **PUBLIC COMMENT**
   Misty Riley-1250 E Forgetmenot Ave. expressed concerns regarding a neighbor's animals entering her property and alleged harassment. She requested Council review of Animal Control's reported exception to leash requirements.

   Trina Christiansen outlined the priorities of candidates Shane Manwaring for Salt Lake County Sheriff and Kent Davis for Salt Lake County District Attorney.

   Representative Tracy Miller, House District 45, discussed her service to White City and her reelection campaign.

3. **DISCUSSION/CLARIFICATION OF AGENDA ITEMS**
   None

4. **DISCUSS AMENDMENTS TO WHITE CITY MUNICIPAL CODE, TITLE 3**
   Attorney Cameron Platt recommended adopting a city procurement code and requested Council input on purchasing thresholds, including when a request for proposals would be required. He will provide a redlined draft with recommended thresholds for Council review and further discussion at the next meeting.

5. ***DISCUSS AMENDMENTS TO WHITE CITY MUNICIPAL CODE, TITLE 2, ELECTION***

Attorney Cameron Platt discussed removing lettered Council seat designations so all seats would be at large. The Historical Committee provisions would remain for potential future use. He will provide a redlined draft for Council review, with approval anticipated at the next meeting.

6. ***PRESENTATION AND DISCUSSION OVER WHITE CITY CURRENT CODE FOR ACCESSORY STRUCTURES***

Daniele Benigni and Matt Starley reviewed accessory structure requirements across the City's three applicable zones. The discussion included clarifying code language, adding illustrations, developing online guidance for residents, and preparing ordinance amendments. No action was taken; the Council may revisit the topic at a future or separate meeting.

7. ***PRESENTATION AND DISCUSSION ABOUT THE ADU ELIGIBILITY TOOL MAP FOR WHITE CITY***

Daniele Benigni demonstrated a draft mapping tool to help residents determine potential eligibility for an accessory dwelling unit (ADU). Discussion included lot sizes and the percentage of White City properties that may qualify.

8. ***DISCUSS FUTURE AGENDA ITEMS***

- ADU map tool
- Communications plan
- Document storage – technology strategy
- Understanding sales tax

9. ***CLOSE WORKSHOP MEETING***

BUSINESS MEETING

1. **WELCOME AND DETERMINE QUORUM**

2. ***DISCUSS FINANCIAL REPORT***

Daniel presented and reviewed the financial report for the second month of the fiscal year.

3. ***UNIFIED FIRE AUTHORITY REPORT***

Chief Aldridge reported decreased wildfire activity, the lifting of Stage 1 restrictions, and fuel mitigation work in White City. He shared Halloween and pedestrian safety reminders and highlighted lithium battery safety for Fire Prevention Week beginning October 4. He also announced the 14th annual Chili Cookoff on October 10, from 11 a.m. to 3 p.m. at America First Field, benefiting the University of Utah Burn Camp.

3.1 ***SANDY CITY FIRE QUARTERLY REPORT***

Chief Bullock reported decreased monthly call volume and grant-funded hiring of four part-time staff for wildfire mitigation and response. He also noted that a replacement ladder truck is entering the prebuild phase, with delivery expected in October 2027.

4. ***UNIFIED POLICE DEPARTMENT REPORT***

Chief Morse introduced Detective Bowen Hayes as Josh Smith's replacement and will provide his contact information to the Council. She reported 134 calls for service, including 43 requiring follow-up reports, 17 public order events, eight welfare checks, and six traffic complaints. She also highlighted UPD's coordination with the Bees who kindly replaced a child's stolen jersey.

5. ***ACTION ITEMS***

5.1 APPROVE MINUTES OF SEPTEMBER 3, 2026

MOTION: Council Member Linda Price MOVED to approve the minutes of September 3, 2026. The motion was SECONDED by Council Member Greg Shelton. Mayor Perry called for discussion on the motion. There being none, he called for a roll call vote.

Mayor Allan Perry	**Aye**
Council Member Neil Mahoney	**Aye**
Council Member Greg Shelton	**Aye**
Council Member Linda Price	**Aye**
Council Member Howard Van Horn	**Aye**

The motion passed unanimously.

5.2 CONSIDER RESOLUTION NO. 2026-10-02 APPOINTING HOWARD VAN HORN TO SERVE AS THE WHITE CITY REPRESENTATIVE ON THE UFA AND UFSA BOARDS

MOTION: Council Member Neil Mahoney MOVED to approve the appointment of Howard Van Horn to serve as the White City representative on the UFA and UFSA boards. The motion was SECONDED by Council Member Linda Price. Mayor Perry called for discussion on the motion There being none, he called for a roll call vote.

Mayor Allan Perry	**Aye**
Council Member Neil Mahoney	**Aye**
Council Member Greg Shelton	**Aye**
Council Member Linda Price	**Aye**
Council Member Howard Van Horn	**Aye**

The motion passed unanimously.

5.3 CONSIDER RESOLUTION NO. 2026-10-02 APPOINTING HOWARD VAN HORN TO SERVE ON THE WHITE CITY FINANCE COMMITTEE

MOTION: Mayor Allan Perry MOVED to appoint Howard Van Horn to serve on the White City Finance Committee. The motion was SECONDED by Council Member Linda Price. Mayor Perry called for discussion on the motion There being none, he called for a roll call vote.

Mayor Allan Perry	**Aye**
Council Member Neil Mahoney	**Aye**
Council Member Greg Shelton	**Aye**
Council Member Linda Price	**Aye**

Council Member Howard Van Horn Aye
The motion passed unanimously.

5.4 DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2026-10-04 TO CORRECT THE RENAMING OF THE ACCESSORY DWELLING COMMITTEE IN RESOLUTION 2026-03-04

MOTION: Council Member Neil Mahoney MOVED to approve Resolution No. 2026-10-04 to correct the renaming of the Detached Accessory Dwelling Committee in Resolution No. 2026-03-04 with the removal of detached. The motion was SECONDED by Council Member Linda Price. Mayor Perry called for discussion on the motion There being none, he called for a roll call vote.

Mayor Allan Perry Aye
Council Member Neil Mahoney Aye
Council Member Greg Shelton Aye
Council Member Linda Price Aye
Council Member Howard Van Horn Aye
The motion passed unanimously.

5.5 CONSIDER RESOLUTION NO. 2026-10-03 APPOINTING NEIL MAHONEY TO SERVE ON THE MODERATE-INCOME HOUSING COMMITTEE

MOTION: Mayor Allan Perry MOVED to appoint Neil Mahoney to serve on the Moderate-Income Housing Committee. The motion was SECONDED by Council Member Greg Shelton. Mayor Perry called for discussion on the motion There being none, he called for a roll call vote.

Mayor Allan Perry Aye
Council Member Neil Mahoney Aye
Council Member Greg Shelton Aye
Council Member Linda Price Aye
Council Member Howard Van Horn Aye
The motion passed unanimously.

5.6 CONSIDERATION OF ORDINANCE NO. 2026-O-07, REPEALING AND REENACTING CHAPTER 19.42 OF TITLE 19 OF THE WHITE CITY MUNICIPAL CODE SECTIONS COVERING ACCESSORY DWELLING UNITS (ADUs) AND AMENDING USE TABLES 19.28.030 AND 19.30.030

Daniele Benigni reviewed proposed ADU regulations. City Attorney, Cameron Platt noted that state requirements would apply without action. Council supported ADUs on smaller lots and questioned separate standards for internal and detached units. Council would like to leave out agricultural zones.

MOTION: Council Member Greg Shelton MOVED to adopt Ordinance no. 2026-O-07, repealing and reenacting Chapter 19.42 of Title 19 of the White City Municipal Code sections covering Accessory Dwelling Units (ADUs) and amending use tables 19.28.030 and 19.30.030 with substantive changes and including 11,000sqft lots and leaving out agricultural zones. The motion was SECONDED by Mayor Allan Perry. Mayor Perry called for

discussion on the motion There being none, he called for a roll call vote.

Mayor Allan Perry	**Aye**
Council Member Neil Mahoney	**Aye**
Council Member Greg Shelton	**Aye**
Council Member Linda Price	**Aye**
Council Member Howard Van Horn	**Aye**

The motion passed unanimously.

5.7 **CONSIDERATION OF A REZONING ORDINANCE NO. 2026-O-06 TO AMEND THE OFFICIAL ZONING MAP OF WHITE CITY. THIS AMENDMENT REZONES BIG BEAR PARK FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO PR (PARK & RECREATIONS).**

Daniele Benigni reviewed the proposed rezoning of Big Bear Park from R-1-8 (Single-Family Residential) to PR (Parks and Recreation), a zone adopted in 2023 for the property.

MOTION: Council Member Neil Mahoney MOVED to approve Ordinance No. 2026-O-06 to amend the official zoning map of White City. This amendment rezones Big Bear Park from R-1-8 (single family residential) to PR (Park & Recreations). The motion was SECONDED by Council Member Greg Shelton. Mayor Perry called for discussion on the motion There being none, he called for a roll call vote.

Mayor Allan Perry	**Aye**
Council Member Neil Mahoney	**Aye**
Council Member Greg Shelton	**Aye**
Council Member Linda Price	**Aye**
Council Member Howard Van Horn	**Aye**

The motion passed unanimously.

5.8 DISCUSSION AND POSSIBLE ACTION REGARDING NEW ENGLAND DRIVE 24-INCH STORM DRAIN REPAIR PROJECT

Richard Stephens discussed a planned spot repair of the New England Drive storm drain, with a contractor ready to proceed.

MOTION: Council Member Linda Price MOVED to approve the storm drain repair on New England Drive. The motion was SECONDED by Council Member Howard Van Horn. Mayor Perry called for discussion on the motion There being none, he called for a roll call vote.

Mayor Allan Perry	**Aye**
Council Member Neil Mahoney	**Aye**
Council Member Greg Shelton	**Aye**
Council Member Linda Price	**Aye**
Council Member Howard Van Horn	**Aye**

The motion passed unanimously.

6. COUNCIL REPORTS

6.1 Mayor Allan Perry

Greater Salt Lake Municipal Services District
Reported efforts to clarify MSD operations and member cities' approval authority for the State Legislature.

Council of Governments
Nothing to report

Unified Police Department/SLVLESA
Reported ongoing feasibility study efforts and coordination on the County's withdrawal request. They highlighted his Citizens Academy participation and the importance of shared services.

6.2 Council Member Linda Price

Mosquito Abatement
Reported continued seasonal staffing due to warm weather and significant West Nile virus activity, including 157 positive mosquito pools and one reported case in the White City district.

Salt Lake County Animal Control
Shared Halloween pet safety reminders, including keeping candy out of reach, using decorations safely, and providing a quiet space for pets.

6.3 Council Member Greg Shelton

Wasatch Front Waste & Recycling
Reported that curbside bulky waste pickup will replace collection at Big Bear Park next year, expanding service with estimated savings of $600,000.

6.4 Council Member Neil Mahoney

White City Community Council
Reported that volunteers will begin planting the UDOT corner lot on Saturday.

7. CITY ADMINISTRATOR REPORT

Reminder for Public Works BBQ at Big Bear Park on October 2. She also announced the launch of TextMyGov on the City website.

8. ATTORNEY REPORT

Nothing to report.

9. ADJOURN

MOTION: Council Member Greg Shelton MOVED to adjourn. The motion was SECONDED by Council Member Linda Price. Mayor Perry called for the question, there being none, he called for a roll call vote.

Mayor Allan Perry **Aye**
Council Member Neil Mahoney **Aye**
Council Member Greg Shelton **Aye**
Council Member Linda Price **Aye**
Council Member Howard Van Horn **Aye**
The motion passed unanimously.

Mayor Perry declared the meeting adjourned

_____
Rori L. Andreason, MMC
City Administrator/Recorder

Approved this 12th day of November 2026.

WHITE CITY

ORDINANCE NO. 2026-O-08 DATE: November 12, 2026

AN ORDINANCE AMENDING AND RESTATING TITLE 2 ADMINISTRATION AND PERSONNEL

WHEREAS, White City is authorized to enact ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by state law, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city, as provided in Utah Code § 10-8-84; and

WHEREAS, the City Council ("Council") of White City desires to update its code of ordinances to make technical changes after its conversion to a city, make changes required by the conversion, and update code language to accurately reflect terms, definitions, procedures, and organization of the City; and

WHEREAS, Title 2 – ADMINISTRATION AND PERSONNEL, as carried over into the White City Code, contains chapters written for county government, including provisions for a county executive, county departments, boards, and committees, county justice courts, constables, and township districts, that do not apply to White City; and

WHEREAS, White City operates under the five-member council form of municipal government described in Utah Code Title 10, Chapter 3b, Part 4, and Title 2 should reflect the respective powers and duties of the Mayor and the Council under that form of government; and

WHEREAS, a copy of the restated Title 2 has been filed for use and examination by the public in the Office of the City Recorder before adoption of this ordinance, as provided in Utah Code § 10-3-711(2); and

WHEREAS, the Council finds that adopting this ordinance is in the best interest of the health, safety, and welfare of White City and its inhabitants.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WHITE CITY, UTAH AS FOLLOWS:

Section I. Enactment. White City Code, Title 2 – ADMINISTRATION AND PERSONNEL, which is published as a code in book form, is repealed and replaced in its entirety to read as set forth in Attachment A, copies of which have been filed for use and examination in the Office of the City Recorder.

Section II. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance or of Attachment A is held invalid or unconstitutional by a court of competent jurisdiction, that holding does not affect the validity of the remaining provisions, which shall remain in full force and effect.

Section III. Conflicting Provisions. All ordinances, resolutions, and policies of White City, or parts thereof, in conflict with this ordinance are repealed to the extent of the conflict. The adoption of this ordinance does not affect any right, duty, penalty, action, or proceeding commenced under or by virtue of the provisions amended or repealed.

SectionI V. Effective Date. This Ordinance shall take effect immediately upon the date of its first publication.

[Execution on Following Page]

ADOPTED AND APPROVED at a duly called meeting of the White City Council on this 12th day of November 2026.

WHITE CITY

_____

By: Allan Perry, Mayor

ATTEST:

_____

Rori Andreason, City Recorder

Voting:

Mayor Perry voting ___

Council Member Shelton voting ___

Council Member Price voting ___

Council Member Mahoney voting ___

Council Member Van Horn voting ___

(Complete as Applicable)

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: _____

Effective date of ordinance: _____

ATTACHMENT A

White City Code, Title 2 – ADMINISTRATION AND PERSONNEL (Amended and Restated)

[Attach the final clean version of Title 2. Source draft: "2026.10.29 Title 2 Administration and Personnel.docx" (Code rewrite > Title 2). A copy must be filed in the Office of the City Recorder before the Council votes. Utah Code § 10-3-711(2).]

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.04 CITY COUNCIL
Chapter 2.06 MAYOR
Chapter 2.07 CITY ETHICS CODE
Chapter 2.08 ADMINISTRATIVE ORGANIZATION
Chapter 2.09 CITY LITIGATION
Chapter 2.12 CITY OFFICERS AND EMPLOYEES
Chapter 2.56 COMMUNITY COUNCILS
Chapter 2.70 QUASI-JUDICIAL FUNCTIONS STANDARDS OF CONDUCT
Chapter 2.81 SECURITY OF PERSONAL IDENTIFIERS
Chapter 2.82 RECORDS MANAGEMENT
Chapter 2.85 ELECTRONIC SIGNATURES
Chapter 2.86 EMERGENCY RESPONSE AND RECOVERY
Chapter 2.88 HISTORIC PRESERVATION COMMISSION
Chapter 2.95 CITY BUDGET PROCESS

Chapter 2.04 CITY COUNCIL

2.04.010 Form of Government
2.04.020 Powers and Duties
2.04.030 Elections to the Council and Mayor
2.04.040 Term of Office
2.04.050 Vacancies
2.04.060 Mayor Pro Tempore and Appointment of Staff
2.04.070 Power and Duties of Mayor
2.04.080 Power and Duties of Council
2.04.090 Recorder-Minutes
2.04.100 Council Meeting
2.04.110 Work Meetings
2.04.120 Regular/Special Meetings
2.04.130 Closed Meeting
2.04.140 Emergency Meetings
2.04.150 Additional Committees
2.04.160 Agenda
2.04.170 Public Hearings
2.04.180 Form of Action
2.04.190 Quorum
2.04.200 Rules of Order and Procedure - General
2.04.201 Board Appointment Duties and Responsibilities

2.04.010 Form of Government

White City operates as a five-member council form of municipal government pursuant to applicable state law, and the powers of municipal government are vested in a council consisting of five members, one of which is the Mayor.

2.04.020 Powers and Duties

The Council shall be the governing body of White City and may exercise those powers and authorities and be bound by those duties and responsibilities set out in state law and in White City's ordinances.

2.04.030 Elections to the Council and Mayor

A. The Council shall consist of a Mayor elected at-large and four Council members, elected at-large. Each of the members shall have been a registered voter of the City for at least one year immediately preceding the general election, and shall be elected by the qualified registered voters of the City.

B. All elections to the Council shall be held on a per-seat, single member at-large basis.

2.04.040 Term of Office

Council members shall be elected at the next municipal election preceding the expiration of the term of office of incumbents. Council members shall be elected for four-year terms pursuant to state law. Each Council member shall hold office for the term of which elected and until a successor is elected and has qualified as provided in state law.

2.04.050 Vacancies

When a vacancy occurs in the Council, through ineligibility, resignation or death of an incumbent or of an officer-elect before qualifying, or refusal to act, or for any other reason, the vacancy shall be filled as provided by Utah Code § 20A-1-510.

2.04.060 Mayor Pro Tempore and Appointment of Staff

A. With the consent of the Council, the Mayor shall designate a Council member at a duly noticed and open Council meeting to serve as the Mayor Pro Tempore to carry out all duties and responsibilities of the Mayor when the Mayor is absent or unable to perform his or her duties. The recorder shall enter in the minutes of the Council meeting the appointment of a Council member as Mayor Pro Tempore.

B. The Council may make such staff appointments as are necessary for the proper conduct of its business.

C. The Mayor shall be responsible for the conduct of all meetings, overseeing the preparation of the agenda by the recorder for all meetings, and meeting the needs of the Council between meetings, including the providing of assistance and the gathering of information for the Council and the performance of duties assigned by the Council or by ordinance, or by law.

D. If the Mayor or Mayor Pro Tempore are unable to act, the remaining Council members present at a duly noticed open meeting shall, by an order entered in their minutes, select one of the members to act as Mayor temporarily.

E. The recorder shall administer oaths to any person when necessary in the performance of official duties.

2.04.070 Power and Duties of Mayor

A. The Mayor shall:

1. Be the chief executive officer of White City and shall have such powers and duties as are prescribed by state law and White City's ordinances;

2. Be a regular and voting member of the Council;

3. Serve as the Chair of the Council and preside at all Council Meetings;

4. Exercise ceremonial functions on behalf of White City; and

5. Except as otherwise limited by state law or White City ordinance, have the powers and duties described in Utah Code §§ 10-3b-104 and 10-3b-402 or applicable successor statute.

B. The Mayor may not veto any ordinance, tax levy, or appropriation passed by the Council.

2.04.080 Power and Duties of Council

A. The Council shall exercise any executive or administrative power and perform or supervise the performance of any executive or administrative duty or function of White City that has not been given to the Mayor under state law and White City's ordinances.

B. The Council may by ordinance:

1. Pursuant to state law and White City's ordinances, remove from the Mayor any power, duty, or function of the Mayor, excluding the Mayor's legislative powers, judicial powers, ceremonial functions, position as Chair of the Council, and any ex officio position the Mayor may hold;

2. Reinstate to the Mayor any power, duty, or function previously removed under this Section;

3. Delegate to the Mayor any executive or administrative power, duty, or function of the Council;

4. Assign any or all Council members, including the Mayor, to supervise one or more administrative departments of White City;

5. As provided in state law and this Title, appoint a City Manager or Administrator to perform executive and administrative duties or functions that the Council by ordinance designates to the City Manager or Administrator; and

6. Dismiss a City Manager or Administrator appointed by the Council.

C. Removing or reinstating to the Mayor a power, duty, or function under this section requires the affirmative vote of the Mayor or all Council members except the Mayor.

2.04.090 Recorder-Minutes

A. The White City recorder, or designee, shall provide copies of the minutes of all meetings of the Council to Council members in a manner and within the times as established by the Council and agreed upon by the recorder.

B. In accordance with state law, the books, records and accounts of the Council must be maintained at the office of the recorder and open at all times during usual business

hours for public inspection.

C. The records and minutes of the Council must be signed by the Mayor and the recorder.

2.04.100 Council Meeting

A. All meetings of the Council must be public, except as provided in this chapter and by state law. Official action may be taken by the Council only in open public meetings unless otherwise permitted by state law.

B. The Council shall conduct its business in accordance with the Utah Open and Public Meetings Act, Title 52, Chapter 4, Utah Code Annotated, 1953, as amended, as it now exists or as it may hereafter be amended.

C. The Council conducts the following types of meetings:

1. Regular Meetings;

2. Special Meetings;

3. Closed Meetings;

4. Work and other Meetings; and

5. Emergency Meetings.

D. The Council shall give public written notice at least once each year of its annual meeting schedule for regular meetings. The public notice shall specify the date, time and place of such meetings.

E. The Council, by majority vote of the members present, may direct the removal of any person who willfully disrupts a Council meeting to the extent that orderly conduct is seriously compromised.

F. The attorney and auditor or their designees may attend and assist the Council at all meetings but shall attend and assist the Council at all meetings when requested.

2.04.110 Work Meetings

A. The Council shall conduct its regular work sessions at the hour and place designated by the Mayor.

B. Work meetings shall be scheduled or cancelled as the public business requires and shall consist of discussion, review, testimony, requests and information from White City's officers and staff, presentations by the public, review of regular meeting agendas, preparation for regular meetings, and such other matters and activities as may be necessary or scheduled by the Mayor in consultation with the Council.

C. Work meetings shall be open to the public in accordance with state law and public notice shall be given of all meetings in the same manner as required for regular meetings.

D. A quorum of Council members is necessary to conduct work meetings.

2.04.120 Regular/Special Meetings

A. The Council shall:

1. By ordinance prescribe the time and place for holding its regular meeting; and

2. Hold a regular meeting at least once each month.

B. The Mayor or two Council members may order the convening of a special meeting of the Council.

1. Each order convening a special meeting of the Council shall:

a. be entered in the minutes of the Council; and

b. provide at least three hours' notice of the special meeting.

2. The recorder shall serve notice of the special meeting on each Council member who did not sign the order by delivering the notice personally or by leaving it at the Council member's usual place of abode.

3. The personal appearance by the Council member at a special meeting of the Council constitutes a waiver of the notice required under this Section.

2.04.130 Closed Meeting

A. A closed meeting of the Council may be held upon the affirmative vote of two-thirds of the members present at an open meeting for which notice has been given in accordance with state law; provided, however, that a quorum must be present.

B. No closed meeting is allowed except for matters exempted from open meetings under the Utah Open and Public Meetings Act, as it now exists or as it may hereafter be amended.

C. No official action may be taken at a closed meeting.

D. The reason or reasons for holding a closed meeting and the vote thereon shall be entered in the minutes of the meeting.

2.04.140 Emergency Meetings

When, because of unforeseen circumstances, it is necessary for the Council to hold an emergency meeting to consider matters of an emergency or urgent nature, the normal notice requirements for a meeting may be disregarded and the best notice practicable given to the Council members and the public. No such emergency meeting of the Council shall be held unless an attempt has been made to notify all Council members and a majority of the Council votes in the affirmative to hold the meeting. Action may not be taken at an emergency meeting unless a quorum is present. A record shall be kept of the means utilized to contact the members and the number voting and names of the members voting to hold the meeting.

2.04.150 Additional Committees

A. The Council may establish additional committees as it deems appropriate and may convene committee meetings at any time for the purpose of study, discussion, investigation, formal hearings or inquiries, workshops, training, or presentations by or responses from citizens or other interested persons or groups.

B. No official action may be taken in committee meetings other than the adoption of non-binding recommendations to the Council.

C. Committee meetings shall be open to the public in accordance with state law and public notice shall be given of all committee meetings in the same manner as required for regular meetings.

2.04.160 Agenda

A. An agenda shall be prepared by the recorder in consultation with the Mayor or the Mayor Pro Tempore in the Mayor's absence in advance of each meeting, including emergency meetings to the extent possible. The agenda shall be published as provided by state law at least twenty-four hours in advance of the meeting.

B. Matters received from any member of the Council or the Mayor shall be placed on the agenda. Requests for matters to be placed upon the agenda by persons other than Council members or Mayor, shall be placed on the agenda at the discretion of the Mayor.

C. The Council, for its regular, special and committee meetings, shall announce and post its agenda and provide notice of such meetings, in accordance with the provisions of state law, at least twenty- four hours prior to the convening of the Council meeting and posted on the Utah Public Notice Website. Written notice of the agenda and meeting shall be posted at the office of the Council or the meeting location, as the case may be. For an emergency meeting, public notice and notice to the news media shall be given as may be practical under the circumstances.

D. The agenda may be changed by a majority vote of the Council, but no action may be taken on new matters introduced to the agenda unless twenty-four hours' notice has been duly given to the public or unless the matter is of an emergency nature, as approved by a separate majority vote of Council members present.

E. All agenda items pertaining to pending or proposed actions shall be considered as proposals for adoption. In the absence of a motion to adopt, postpone, or table pending or proposed actions, the Mayor shall, upon the conclusion of discussion on the matter, declare that the proposal fails adoption or, at the Mayor's discretion, declare the matter to be held over for a subsequent meeting.

2.04.170 Public Hearings

A. Public hearings shall be deemed to include only those hearings specifically noticed and required to be conducted by the Council by state law or otherwise for the purposes of providing opportunities for the general public to comment upon and make inquiries or presentations with respect to specific proposals or matters under consideration by the Council including, but not limited to, planning and zoning, ordinances, budget hearings, hearings on the proposed issuance of bonds or debt, or other matters of significant public interest. The Council at its discretion may schedule public hearings for other matters under consideration.

B. Public hearings may be held as part of a regular special, committee, emergency or other meeting of the Council. The decision to conduct a public hearing shall be made by the Council at a regular, special or emergency meeting.

C. Schedules for public hearings shall be announced by the Mayor and public notice shall be given in the manner required for any public meeting of the Council as required by law and this chapter. The notice shall include the specific subject matter of the public hearing as well as the time, date and place thereof.

D. At the beginning of any public hearing, the Mayor may publicly state the rules of conduct for such public meetings including any time limits on speakers' presentations, any requirement of submitting materials in writing with sufficient copies for all Council members and the recorder, and such other rules as may be reasonably necessary for the proper and expeditious conduct of the public hearing.

E. Public hearings shall be opened upon the declaration of the Mayor that the Council is at that time in a public hearing and the Mayor shall state the specific purpose of that public hearing. Upon the conclusion of the public hearing and a motion duly made, seconded, and carried by a majority of the Council, the Mayor shall declare the public hearing concluded or continued to another date, if permitted by law. The Mayor shall state the conditions of any continuance.

F. Where permitted by state law, the Council may rehear any matter decided after a public hearing where an aggrieved person files a written request for rehearing that includes new evidence which the Council determines to justify reconsideration of its decisions. A request for rehearing shall be filed within ten days from the date of the original decision. If a request for rehearing is granted by the Council, the rehearing shall follow the same procedures as the original hearing. No rehearing shall be allowed on any matter where a rehearing would be contrary to state law.

2.04.180 Form of Action

The Council may take action in the form of ordinances, policies, resolutions, motions upon requests or memorials.

A. Ordinances.

1. The Council, except as expressly limited by statute, shall exercise its legislative powers through ordinances and may adopt any ordinance to regulate, require, prohibit, govern, control or supervise any activities, business, conduct, or condition.

2. All ordinances must be in written form before a vote is taken.

3. Any ordinance passed by the Council shall contain and be in substantially the following order and form:

    a. Ordinance number and date;

    b. A title which indicates the nature of the subject matter of the ordinance;

c. An explanation stating the need or reason for the ordinance and summarizing its contents;

d. An ordaining clause which states “The White City Council ordains as follows;”

e. The body or subject of the ordinance;

f. When applicable, a statement indicating the penalty for violation of the ordinance;

g. A statement indicating the effective date of the ordinance;

h. A signature line for the Mayor;

i. An attestation line for the recorder;

j. The votes of the Council members;

k. A space to indicate when the ordinance is posted pursuant to state law; and

l. An ordinance summary if required by statute.

4. Except in exigent circumstances, or when directed by a majority of Council members present, all ordinances, including ordinances relating to planning and zoning matters, shall be introduced in writing and read or described to the Council prior to the Council's consideration for adoption of the ordinance. Copies of the proposed ordinance shall be noticed and posted in accordance with state law, along with the agenda for the meeting at which the ordinance is to be considered.

5. Upon adoption, each ordinance shall be signed as required within five days.

B. Resolutions.

1. The Council may exercise all administrative powers by resolution, including, establishing fees and rates for municipal services, administrative policies and guidelines, and the use and operation of White City property.

2. Resolutions shall be considered and adopted in those matters required by law or otherwise and may be used for policy declarations and proposals not appropriately addressed by ordinance and may be used to exercise Council authority in matters of statements of policy and communication.

3. Resolutions shall be in a form and contain sections substantially similar to that prescribed for ordinances, excluding those requirements that pertain to the posting of ordinances and ordinance summaries.

4. The Council may not impose a punishment, fine, or forfeiture by resolution.

C. Memorials.

1. Memorials shall be adopted in the form of resolutions or motions, as may be deemed appropriate, and shall be used as a statement of policy to respond to or commend persons or groups for notable activities which have been called to the attention of the Council.

2. Memorials may be considered and adopted at the same meeting in which they have been proposed and, in all events, shall be recorded in the minutes.

D. Policies, Procedures, Rules and Regulations.

1. Policies, procedures, rules and regulations shall be considered and adopted in those matters determined to be appropriate by the Council and not prohibited by statute.

2. Policies, procedures, rules and regulations shall be presented, considered and given notice in the same manner as prescribed for ordinances and shall be in such form as directed by the Council.

3. All resolutions, policies, procedures, rules, regulations and ordinances shall be numbered, recorded and maintained in accordance with provisions of state law.

2.04.190 Quorum

The number of Council members necessary to constitute a quorum is three.

2.04.200 Rules Of Order And Procedure - General

Procedural rules or order and procedure not specifically provided herein or by state law, or White City ordinance, shall be regulated, interpreted and construed in accordance with the Council's Rules of Order and Procedure as may be adopted by resolution from time to time by the Council.

2.04.201 Board Appointment Duties And Responsibilities

Pursuant to and in accordance with all applicable provisions of these ordinances, and of the laws of the state, the appointment and reappointment of members of boards within the jurisdiction and under the appointment or consent power of the Council shall be as herein provided.

A. All board appointments or reappointments of Council members shall be made annually with the consent of a majority of the Council.

B. The following shall apply to board appointments involving individuals who are not members of the Council:

1. Boards whose members hold terms of three years or less, board members may be reappointed to a consecutive term on their respective boards with the consent of a majority of the Council; and

2. For boards whose members hold terms of longer than three years, no board member shall be reappointed to a consecutive term on the same board unless, for good cause shown and to prevent significant disruption of current

board activities, the Council approves such reappointment.

3. The restrictions upon the reappointment of board members, as provided under this section, shall be limited to the extent that this section may be in direct conflict with federal or state law and where the appointment of board members is set out by or limited under the laws of the United States or the state of Utah.

C. When representing White City or the Council on any board or similar organization, Council members shall vote according to the will of the Council on those matters for which the Council has taken an official position. In the absence of an official position by the Council, Council members shall exercise their best judgment to determine how best to vote in accordance with the best interests of White City.

Chapter 2.06 MAYOR

2.06.010 Mayor
2.06.020 Powers and Duties
2.06.030 Relations with the Council
2.06.060 Processing Claims
2.06.070 Advice and Consent--Process

2.06.010 Mayor

A. The elected chief executive officer of White City is the Mayor of White City.

B. The Mayor shall be elected at the next general election preceding the expiration of the term of office of the incumbent mayor as provided in Utah Code § 10-3-201.

2.06.020 Powers and Duties

A. The Mayor shall be the chief executive officer of City government and shall have such powers and duties as are prescribed by statute.

B. The Mayor's executive branch duties shall include the management and direction of the day-to-day activities and responsibilities of the City departments and the executive office of the mayor including those powers and duties set out by Utah Code § 10-3b-104 and by these ordinances, and shall serve as a voting member of the City Council and its chair.

C. The White City Mayor shall serve as White City’s representative on the board of directors of the Greater Salt Lake Municipal Services District and, as such, shall exercise those powers and duties relative to the management of the Greater Salt Lake Municipal Services District as are provided by law.

D. The White City Mayor shall exercise those executive branch powers and duties set out by state statute, which have not been expressly vested, by state statute or City ordinances, in another elected official.

2.06.030 Relations with the Council

A. The mayor shall be the chairperson and preside at the meetings of the City Council. In the absence of the mayor or because of his inability or refusal to act, the City Council may elect a member of the City Council to preside over the meeting as mayor

pro tempore, who shall have all the powers and duties of the mayor during his absence or disability. The election of a mayor pro tempore shall be entered in the minutes of the meeting. The mayor shall have standing on all council agendas and may request that particular matters be placed on the Council agenda for discussion and action. Matters requested by the mayor shall be placed on the agenda.

B. The mayor shall ensure that all the laws and ordinances and resolutions are faithfully executed and observed.

C. The mayor must report to the City Council the condition of the City and recommend for City Council consideration any measure that the mayor considers to be in the best interests of the City.

2.06.060 Processing Claims

A. The mayor or designee is responsible to receive, consider, negotiate, respond to, and settle claims filed against the City. Claims for payment for goods or services shall be submitted to the auditor for recommendation; claims regarding liability for torts and other legal wrongs shall be submitted to the City attorney for recommendation.

B. The mayor may delegate to the City attorney the authority to initiate and negotiate the settlement of certain litigation claims, as defined by the mayor.

2.06.070 Advice and Consent--Process

A. The appointment of employees, representatives, members of board and commissions, and other appointments within the responsibility of the City, as provided by or state statute, shall rest with the City executive. Unless otherwise provided by state statute, the mayor's appointments shall be subject to the advice and consent of the Council for the appointments of members to policy-making boards, commissions and councils. The appointment of members of advisory boards to the executive shall be without the advice and consent of the Council. The appointment of employees and officers within the executive branch shall be without the advice and consent of the Council, except where otherwise provided by state statute. The appointment of employees and officers to positions within the legislative branch shall be made by the Council alone.

B. For each mayoral appointee subject to the advice and consent of the Council, the mayor shall, at least ten calendar days prior to the Council's consideration, provide the Council with sufficient information so the Council may determine that an appointee is eligible and qualified for the appointed position. The information provided shall include, but is not limited to: a resume, a biography, education, work and other experience, family members who work for the City, and any other relevant information that can help the Council determine that an appointee is eligible and qualified for the appointed position.

C. The Council shall not make public any information that is private, protected, controlled or otherwise confidential under Utah law.

D. Prior to council consideration any department director and executive shall appear before the Council at a scheduled meeting to:

1. Offer a brief statement in support of his or her appointment; and

2. Answer Council members' questions.

E. The Council may request interviews of any or all of the other candidates subject to the advice and consent of the Council not listed in subsection D.

Chapter 2.07 CITY ETHICS CODE

2.07.010 Ethics Statement
2.07.020 Employee Training
2.07.030 Government In The Sunshine
2.07.201 Conflict Of Interest
2.07.202 City Endorsements
2.07.203 Definitions
2.07.204 Gifts
2.07.206 Honoraria
2.07.207 Exceptions
2.07.208 Restrictions On Post-City Employment
2.07.209 Nepotism
2.07.401 Political Activities of Employees
2.07.402 Prohibitions on Political Use of City Resources

2.07.010 Ethics Statement

All persons holding office or in the employment of White City, before commencing the duties of their respective offices, shall read and review the following ethics statement:

Employees of White City support, obey and defend the Constitution of the United States, the Constitution of the State of Utah, the laws of the State of Utah, and the ordinances of White City, to the best of their abilities and will always strive to meet the highest ethical standards implicit in their employment and in the furtherance of the best public interest.

2.07.020 Employee Training

All White City elected officials and employees shall attend ethics training every two years regarding their ethical duties and responsibilities as established by state statute. This training shall be conducted based on a specific curriculum approved by the Council. Attendance at ethics training is mandatory.

2.07.030 Government In The Sunshine

A. White City is considered an open records and open meetings government and all elected officials, officers and employees are directed to observe, with exactness, all applicable provisions of state statue and White City ordinances regarding open records and open meetings including, but not limited to, the Government Records Access and Management Act (GRAMA), the Open Meetings Act (ACT) and City ordinances and policies regarding those state statutes.

1. In the interests of maintaining openness and transparency in City records, City officers and employees are directed to give strong consideration to the application of an impartial balancing test established by GRAMA when determining whether a record should be released. Officers and employees shall seek to achieve GRAMA's express goals of openness while also giving due consideration to individual privacy rights. Where justified, in accordance with GRAMA, and all other considerations being equal, access should be

balanced in favor of openness and transparency.

2. As technology presents new developments in the means of communication, including electronic messaging and the "social media," employees and officers are directed to apply GRAMA standards of openness or confidentiality based on the content of a record, regardless of the medium used.

B. Whereas many modern forums of electronic media, such as the so-called "social media," reduce or eliminate the City's ability to retain, store, retrieve and copy such communications, City officers and employees are encouraged to seek appropriate and cost effective solutions to make government records which are transmitted in electronic media and are classified as public more available for public review and distribution.

C. The Council directs that the human resources and contracts and procurement divisions develop cost effective means to publish, on the City's website, all personnel actions of a routine nature and information regarding City contracts so that those matters can be readily available for public distribution and information is made public in accordance with the provisions of GRAMA. Records regarding non-routine personnel matters, including disciplinary actions and grievances, and contract information shall be governed by GRAMA as to the public or confidential nature of those records. The Council requests that the mayor's office institute procedures to make public its activities regarding matters of high public interest, where those matters might not already be rendered public under the provisions of GRAMA and the Act.

D. All meetings of any deliberative board, committee, or agency of the executive branch of the City covered by the Open Meetings Act, including boards or committees conducting quasi-judicial administrative hearings, are directed to conduct all aspects of their decision making process, including both the gathering of evidence and deliberations regarding a decision, in an open and public meeting, with appropriate notice and minutes, unless the nature of the hearing permits closure to the public under the exceptions provided in the Act.

1. Under rare circumstances, where a deliberative body of the executive branch has good cause to close only its deliberation sessions, it may apply to the mayor, in writing, for an exception to subsection D. If the mayor determines that such an exception is in the best public interest of City government and is within the provisions and intent of Utah law, the mayor may give written permission to the applicant agency to conduct only its deliberative process in private, in accordance with the standards established by applicable decisions of the Utah Supreme Court.

2. All other provisions of state statute and the Open Meetings Act shall be otherwise applicable to bodies and meetings as defined in the law and to those exceptions in statute which permit closed meetings, under the circumstances and in accordance with the provisions of Section 52-4-205 of the Act.

2.07.201 Conflict of Interest

A. For the purposes of this section only, the following definitions control:

1. "Compensation" or "compensated" means anything of economic value, however designated, which is paid, loaned, granted, given, donated, or transferred to any person or business entity for or in consideration of personal services, materials, property, or any other thing whatsoever.

2. "Employee" means a person who is employed on a full-time, part-time, or contract basis by White City as a merit or merit exempt employee. Employee shall include elected and appointed officers of White City.

3. "Financial interest" means, but may not be limited to, any employment by or compensated representation as an agent of any individual, corporation, business entity, organization, or committee. A financial interest also includes any beneficial ownership of one percent or more of a corporation or other business entity.

4. "Governmental action" means any official action on the part of White City, including, but not limited to:

    a. Any decision, determination, finding, ruling, or order, or discussions thereof;

    b. Any grant, payment, award, license, contract, subcontract, transaction, decision, sanction, or approval, or the denial thereof, or the failure to act in respect thereto; or

    c. Any legislative, administrative, appointive, or discretionary act of any public servant or volunteer public servant.

5. "Representative" means any authorized agent of the City. Representative shall include any appointed person, other than an employee, serving on a special, regular, or full-time committee, commission, authority, agency, or board of the City, who is not paid a salary or an hourly wage by the City for his or her services thereon.

6. "Restricted conflict of interest" means any financial interest held by the employee or representative of White City, or by members of an employee's or representative's household, or those providing regular financial support to the employee or representative.

7. "Unrestricted conflict" or "unrestricted conflict of interest" means any and all other interests including political, family, fraternal, social, and other interests or associations which may reasonably create the appearance or the actuality of a conflict of interest between an employee's or representative's outside interest and his or her city responsibilities. "Unrestricted conflict" or "unrestricted conflict of interest" also means other conflicts as defined by state statute, and any campaign contribution made to the officer, employee, or representative, or to any member of his or her household, of more than five hundred dollars during the prior calendar year.

B. General Prohibitions.

1. White City employees are governed by the Municipal Officers' and

Employees' Ethics Act (Utah Code § 10-3-1301 et seq.) regarding outside interests and conflicts that are prohibited or that require disclosure.

2. Employees and representatives are prohibited from using non-public information in a manner that could provide themselves or another a gain or benefit.

3. Employees and representatives shall not use or attempt to use their position in a manner that could secure special privileges or exemptions for themselves or others.

4. Employees and representatives are prohibited from engaging in any outside activity, employment, or financial investment which constitutes a restricted conflict of interest where such conflict could impair their judgment regarding the faithful performance of White City responsibilities.

C. Restricted Conflicts of Interest.

1. Employees and representatives are required to fully and publicly disclose any restricted conflict of interest and shall recuse themselves from, and have no involvement in, any governmental action in which they have a restricted conflict of interest.

2. If an employee or representative is not aware of the financial interest, he or she must disclose the financial interest and recuse as soon as he or she learns of the financial interest.

3. Any action, vote, contract, or other governmental action which has been undertaken by an officer, employee, or representative who has a restricted conflict of interest shall be terminable by the body that took the action, or by the White City officer with authority to void or terminate the action. That body or City officer may also ratify any prior governmental action that was taken in violation of this section.

D. Unrestricted Conflicts of Interest.

1. Employees and representatives must publicly disclose any and all unrestricted conflicts of interest at any meeting, hearing, or deliberation where the employee or representative is present and the unrestricted conflict of interest could impair the judgment of the employee or representative.

2. Employees or representatives who have unrestricted conflicts are not required to recuse themselves but may do so.

E. Disclosure.

1. Employees and representatives are required to comply with all legal requirements setting a responsibility to disclose restricted and unrestricted conflicts of interests between their public duties and private activities. In particular, White City employees are bound by the requirements of the Municipal Officers' and Employees' Ethics Act (Utah Code § 10-3-1301 et seq.).

2. Oral or written disclosures must be made in accordance with state statute, other sources of the law, and this section.

3. Employees are required to file written disclosures in accordance with the provisions of state statute and White City ordinance. All written disclosures must be kept current and are filed both with the officer or employee's immediate chain of command and with the White City Council.

F. Contractual Representatives.

1. Individuals and business entities who contract to represent White City's interests shall disclose to the City the names of other clients they represent and those clients' respective issues and interests that are relevant to the City's interests. Unless they receive written permission from the City mayor and Council, such individuals or business entities are prohibited from representing other clients about the same or substantially same issues and interests as covered by the City representation.

2. Individuals and business entities who contract to represent White City's interests by lobbying the State Legislature or any other municipal, state or federal office or agency are prohibited from engaging in any lobbying of City officers, employees, agencies or offices, as defined in Section 2.12.015 of this title.

2.07.202 White City Endorsements

Notwithstanding the provisions of this chapter, White City or a White City official may encourage support from a public or private individual or institution, whether in financial contributions or by other means, on behalf of an organization or activity that benefits the community.

2.07.203 Definitions

The terms defined in this section shall have the following meaning:

"Gifts" means anything of value including a loan at a rate that is substantially less than a prevalent commercial rate, compensation for goods or services exceeding fair market value, goods or services provided for less than fair market value, gratuity, entertainment, hospitality or forbearance, unless consideration of equal or greater value is received.

"Honoraria" means the offering or acceptance of perquisite, gift or anything of value for speaking, writing or participating in a meeting, convention, social event, meal or like gathering.

"Purchasing official" means any officer or employee who recommends for final action, prepares specifications, or approves or rejects any part of a specific procurement or disposal of goods, services, or real property or any specific contract related to a procurement of goods or services or disposal of property.

2.07.204 Gifts

Officers and employees of the City shall not knowingly accept or solicit any gift for themselves, family members or organizations of the officer or employee or others, except as permitted in Section 2.07.207.

2.07.206 Honoraria

Officers and employees of the City shall not accept honoraria in regard to activities related to their City duties or purpose except as provided in Section 2.07.207.

2.07.207 Exceptions

The following are exceptions to the gifts and honoraria requirements of this:

A. The gift is a political contribution authorized by law and reported as part of the campaign disclosure requirements of the City or any other governmental entity;

B. Token items of nominal value, including but not limited to, educational materials, t-shirts, coffee mugs, parking validations or other commemorative or similar souvenir items;

C. Snacks, beverages or educational or informational materials provided at meetings or other functions;

D. Transportation to and attendance at conventions, seminars, or events of a primarily educational nature, including meals and entertainment that are part of the required registration, and any associated educational or informational materials directly related to the official duties of the officer or employee;

E. Gifts not related to the activities of the officer and employee with the City;

F. Awards publicly made for public service;

G. Food or a beverage given at a widely attended reception, meal, or meeting by an organization before whom the recipient appears to represent White City, make a speech, answer questions or participate in part of a program;

H. Attendance at political events that are primarily sponsored by a political party or political candidate;

I. Flowers, plants, balloons or similar tokens which are given to express condolences, congratulations, or sympathy for ill health, or to commemorate holiday or special occasions;

J. City sponsored programs activities or work;

K. Gifts for the City that become the property of the City;

L. Gifts to City officers, employees or agencies from other City officers, employees or agencies;

M. Death transfers including bequests and inheritances; and

N. Gifts to blind trusts related to legal defense funds for imminent or pending litigation against officers or employees (related to their official duties).

2.07.209 Nepotism

A. No City officer or employee shall employ, appoint or attempt to influence the appointment or hiring of a relative to any City position or employment paid out of City funds, except for temporary or seasonal employment or positions.

B. No City officer or employee shall directly or indirectly supervise a relative in any City position or employment paid out of City funds.

C. No officer or employee may be involved in any way in an evaluation of a relative for purposes of pay, benefits, promotion, or discipline.

D. In situations where a merit employee who is a relative of a superior occupies an appointment that occurred before the officer assumed his or her supervisory position or occurred before the effective date of this ordinance, steps shall be taken to establish alternative lines of supervision and evaluation and to remove anything that may indicate or appear to indicate nepotistic behavior.

E. In this section, "relative" means parent, spouse, child, sibling, uncle, aunt, nephew, niece, first cousin, parent-in-law, child-in-law, sibling-in-law, or household member.

2.07.401 Political Activities of Employees

A. Except as otherwise provided by law, City officers or employees may voluntarily participate in political activity subject to the following provisions:

1. No person shall be denied the opportunity to become an applicant for a position under the merit system in any covered department by virtue of political opinion or affiliation.

2. No person employed by the City under the merit system may be dismissed from service as a result of political opinion or affiliation.

3. A city career service employee may voluntarily contribute funds to political groups and become a candidate for public office.

4. No City officer or employee, whether elected or appointed, may directly or indirectly coerce, command, or advise any officer or employee covered under the merit system to pay, lend, or contribute part of his or her salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes. No City officer or employee, whether elected or appointed, may attempt to make any officer's or employee's personnel status dependent upon the officer's or employee's support or lack of support for any political party, committee, organization, agency, or person engaged in a political activity.

5. No officer or employee may engage in any political activity during the hours of employment nor shall any person solicit political contributions from City employees during hours of employment for political purposes, but nothing in this section shall preclude voluntary contribution by a City employee to the party or candidate of the employee's choice.

6. Nothing contained in this chapter shall be construed to permit partisan political activity by any City officer or employee who is prevented or restricted

from engaging in such political activity by the provisions of the federal Hatch Act.

B. Officers and employees, including employees covered by a merit system, may become candidates for political office or for leadership positions in political parties. Officers and employees doing so shall refrain from engaging in any political activities or campaigning during City working hours. Officers and employees may take an unpaid leave of absence in order to run for political office. Such a leave is at the employee's discretion and may be for some or all of the time between filing a declaration of candidacy and the end of the political campaign. No adverse employment action may be taken against officers or employees who file for office or take a leave of absence.

2.07.402 Prohibitions On Political Use Of City Resources

No employee shall use any property or resources of White City, including time, other City employees, equipment, material, City Seal, buildings or facilities in connection with any political activity, except in accordance with established City policy regarding scheduling and use of public meeting rooms.

Chapter 2.08 ADMINISTRATIVE ORGANIZATION

2.08.030 Ordinance Requirements
2.08.080 Policies and Procedures--Adoption
2.08.090 Policies and Procedures--Recordkeeping and Distribution
2.08.100 Conflict Between City Policies, State Statutes and Executive Orders
2.08.110 Discrimination Prohibited

2.08.030 Ordinance Requirements

A. The function of proposing, considering, reviewing, approving and enacting ordinances is a legislative process which lies solely within the power, authority and discretion of the Council pursuant to law. The Council may, at its discretion, provide for the limited delegation of certain powers and activities to other committees, persons or entities to assist in the preparation of proposed City ordinances.

B. Upon review, approval and adoption by the Council, the proposed ordinance shall be legally effective upon the date indicated in the ordinance and being signed by the Mayor, attested by the White City recorder, and posted or published as required by State statute.

C. Ordinances in which the opinion of the Council are necessary for the immediate preservation of the peace, health, or safety of White City and the inhabitants thereof may, if so provided in the ordinance, take effect immediately upon publication or posting as required by the State statute.

2.08.080 Policies and Procedures--Adoption

All City policies and procedures adopted by the Council must bear the signatures of the mayor and recorder. City policies may be reviewed by the attorney for form and legality as directed by the Council prior to adoption by the Council.

2.08.090 Policies and Procedures--Recordkeeping and Distribution

It shall be the responsibility of the Council to keep a current record of all council-approved

policies and procedures.

2.08.100 Conflict Between Policies and State Statutes

Whenever a policy and procedure is in conflict with a state statute or an ordinance of White City, the statute supersedes the ordinance and the policy and procedure. An ordinance supersedes a policy and procedure.

2.08.110 Discrimination Prohibited

Discrimination in White City government services based on age, marital status, color, disability, national origin, sex, sexual orientation, gender identity, race or religion is prohibited. Individuals shall be assured of equal access, opportunity and protection in all areas of White City government services. This section is not intended to expand the services of City government beyond those required by state or federal law.

Chapter 2.09 CITY LITIGATION

2.09.010 City Litigation--Control and Direction
2.09.020 Securing Outside Legal Services
2.09.030 Litigation Against the City
2.09.040 Funding Legal Counsel
2.09.050 Limitations

2.09.010 City Litigation–Control and Direction

A. Any litigation involving or against the City is governed by the provisions of state statute and applicable case law precedents.

B. All litigation involving White City is under the control and is conducted through the office of the attorney, as provided in statute and in accordance with the attorney's professional responsibilities, subject to the limited exceptions as set out in state statute and this chapter.

C. The direction of civil litigation involving White City is under the authority of the mayor, in accordance with state statute. If another city elected official, board, or other entity is empowered by specific state statute to direct litigation, that officer, board or other entity is responsible for the direction of such litigation.

2.09.020 Securing Outside Legal Services

A. Any hiring of outside legal counsel in any litigation or any other matter involving the City is with the consent and approval of the attorney.

    1. In cases in which the attorney is incapacitated, refuses to act, is unavailable or has a disqualifying conflict of interest the decision to hire outside counsel is vested in the mayor.

    2. The attorney may approve and recommend the hiring of outside legal counsel to represent the City in cases where the attorney has a disqualifying conflict of interest or where specific needs, qualifications or expertise in legal services are required.

B. Processing and executing a contract for outside counsel is governed the City’s procurement process.

2.09.030 Litigation Against The City

The legal authority of any White City official, officer or employee, acting in an official capacity, to engage in litigation against or on behalf of the City or against any City official, officer or employee must be within that official's, officer's or employee's express authority under state statute or White City ordinance. If the City official, officer or employee has no such legal authority, City funds shall not be used to pay attorney's fees or other legal costs, except in the following circumstances:

A. The use of City funds is approved in advance by the mayor, council and attorney; or

B. The litigation against the City or its officials, officers or employees ultimately and substantially succeeds on the merits or payment is ordered by the court.

2.09.040 Funding Legal Counsel

A. If litigation is filed against White City or any of its officials or officers by a City official, officer or employee, within his or her express authority under state statute, the hiring of that legal counsel is governed by applicable contract or insurance designation.

B. The Council shall approve the specific budget for the fees and other costs of outside counsel in any litigation brought against the City or any of its officials, officers or employees.

C. If any litigation is brought against the City or its officials, officers or employees by a City official, officer or employee and does not ultimately succeed on the merits, or if the procedures and requirements of this chapter are not followed, the costs of litigation and attorneys' fees shall be the personal responsibility of the official, officer or employee, unless otherwise ordered by a court of competent jurisdiction.

2.09.050 Limitations

A. Nothing in this chapter shall be construed to authorize any city official, officer or employee to bring a lawsuit against the City.

B. Nothing in this chapter shall be construed to limit the authority of a court of competent jurisdiction from levying costs or attorneys' fees in accordance with applicable law.

Chapter 2.12 WHITE CITY OFFICERS AND EMPLOYEES

2.12.010 Applicability of Chapter Provisions
2.12.015 Definitions
2.12.020 Eligibility of Appointees
2.12.030 Elective Officers--Term of Office--Vacancies
2.12.040 Official Oath of Office
2.12.060 Assignment of Duties
2.12.080 Salaries
2.12.090 Recordkeeping
2.12.100 Inspections and Enforcement
2.12.110 Termination of Office
2.12.120 Interfering with Officers or Employees Prohibited
2.12.130 Impersonation of Officers or Employees Prohibited

2.12.010 Applicability Of Chapter Provisions

The provisions of this chapter shall apply alike to all elected and appointed officers or employees of the City, regardless of the time of the creation of the office or of the time of the appointment of the officer.

2.12.015 Definitions

"Appointed officer" means merit-exempt managers, including department directors, chief deputies, administrative assistants or otherwise exempt under the Personnel Management Act and other state law.

"Assistant" means merit exempt appointed positions of elected officers.

"Elected officer" means the Mayor or a Council member.

"Deputy" means sworn personnel of an elected officer holding the powers and authority granted by the elected officer.

"Employee" means a person in the paid employment of White City. "Officer" means an elected or appointed officer or a deputy.

2.12.020 Eligibility of Appointees

No person is eligible for an elected city, district or precinct office who, at the time of his election or appointment to an elective office, is not an elector of that city or district; however, the provisions of the Utah Code shall apply to the appointment of the attorney. Elected officers shall continue, during their term of office, to reside in the City or district in which they were elected.

2.12.030 Elective Officers--Term of Office--Vacancies

Elected officers, except as otherwise provided, shall be elected at the general election and shall hold office for the term for which elected, beginning at noon on the first Monday in January following their election and until their respective successors are elected or appointed and qualified. Members of the Council and the mayor shall hold no other elective public office during their term of office. Elected officers may be removed during their terms pursuant to the requirements of state law.

2.12.040 Official Oath of Office

Every elected officer and deputy of the City shall, before entering upon duties, take the oath prescribed by law.

2.12.060 Assignment of Duties

When a duty or function has not been expressly assigned to a City office or agency by or statute, the Council may assign, by ordinance, that duty or function. The Council may determine, by resolution, disputes or questions relating to duties or functions. The Council may request the assistance of the attorney in resolving disputes. The Council or members of the Council shall not appoint, select, dismiss or give directions to any member of the executive branch or other elected offices and their employees except as part of a lawful process or as part of a discussion in an open meeting. The mayor, elected officials or members of their office shall not appoint, dismiss or direct the activities of any member or employee of the legislative branch.

2.12.080 Salaries

All elected officers of the City herein designated shall receive such annual salaries as are fixed by the Council as provided by the Utah Code. The Council shall approve the pay plan for all other City employees after consideration of a pay plan submitted by the personnel division. Salary for assistants shall be fixed by the elected officer appointing the assistant consistent with the approved budget of the office.

2.12.090 Recordkeeping

All records as defined by the Government Records Access and Management Act, kept by any officer or employee of the City shall be open to inspection by any member of the Council or by the mayor at all reasonable times and upon reasonable notice.

2.12.100 Inspections and Enforcement

Any officer or employee of the City who is authorized to enforce ordinances may make such inspections as are necessary to ensure their enforcement. Whenever an officer or employee shall have reason to believe that there exists on any premises within the City's jurisdiction any health or fire hazard, or a structural or electrical defect likely to result in injury to person or property, he shall ask permission of the occupant, owner or custodian thereof to inspect the same. In the event that such permission is refused, the officer or employee must follow the procedure set out in state statute in order to make an inspection.

2.12.110 Termination of Office

Every officer of White City, upon the expiration of his term for any cause whatsoever, shall deliver to his successor all property, books and records that may be the property of the City; and if no successor has been appointed within one week after the termination of office, such property shall be delivered either to the City clerk or to the City treasurer. Every officer is charged with the responsibility of completing all business of his office prior to the expiration of the official term. Should unfinished work remain for which the outgoing officer has received compensation, he shall be liable to pay his successor the full value of any services performed by such successor.

2.12.120 Interfering with Officers or Employees Prohibited

It is unlawful to interfere with or hinder any officer or employee of the City while the officer or employee is engaged in the duties of office or employment.

2.12.130 Impersonation of Officers or Employees Prohibited

It is unlawful for any person to impersonate any White City officer or employee with intent to deceive another. Violation of this section is a Class B misdemeanor.

Chapter 2.56 COMMUNITY COUNCILS

2.56.010 Purpose
2.56.020 Establishment
2.56.030 Community Councils--Representation
2.56.040 Community Councils--Participation
2.56.050 Community Council Meetings
2.56.060 Community Councils--Appointment of Members
2.56.070 Budget
2.56.080 City Council Participation
2.56.090 Volunteer Status--Indemnification

2.56.010 Purpose

The purpose of establishing and recognizing a community council in White City is to provide for formulating and presenting recommendations on actions within the authority of White City (including those of the White City Council and the White City Planning Commission) which affect the community by force of law or practice.

2.56.020 Establishment

A community council is created by private citizens as private corporations, associations or otherwise, and is not created by White City. A privately created community council may be recognized by White City as provided in this chapter.

2.56.030 Community Councils--Representation

A community council consisting of residents who reside in White City may be elected pursuant to the requirements of Section 2.56.060 and pursuant to the community council's bylaws. All members of the community council shall serve without compensation and for terms established in the Community Council bylaws. Vacancies on the community council shall be filled in accordance with the community council's bylaws. In the event of failure to meet responsibilities of community council membership or of egregious behavior, members may be removed from the community council, as specified in the community council's bylaws. All community council meetings shall be open to the public. No individual shall serve concurrently on the community council and on the White City Council or on the White City Planning Commission.

2.56.040 Community Councils--Participation

The citizens may by choice decline to create a community council under the terms of this chapter.

2.56.050 Community Council Meetings

Community councils shall conduct open and public meetings and shall permit interested persons to attend and participate in those meetings in accordance with applicable council bylaws and regulations.

2.56.060 Community Councils--Appointment of Members

A. Members of a community council shall be appointed to the Council as determined by the community Council's bylaws. The community Council must appoint a Chairperson, Vice-Chairperson, a Treasurer, and a Secretary. These appointed members of the community Council are responsible for the effective operation of the community council.

B. Each community Council member must submit a completed conflict of interest form and ethics form to the City Council no later than January 31st of each year.

2.56.070 Budget

A. The City Council may appropriate funds annually for the community councils upon receipt of a request detailing the amount of funds requested and proposed use of said funds as related to the benefit the City will receive in return for the appropriated funds. The community council shall submit a letter requesting funding for the current year no later than January 31st.

B. An accounting of the use of any appropriated funds expended during the previous year shall be provided to the City Council by January 31st of each year in a form approved by the City Council.

C. The community council shall be subject to an audit of appropriated funds by the City each year. The City Council shall determine the financial manager to conduct the financial audit.

2.56.080 City Council Participation

A. The City Council shall schedule at least one meeting annually with the community councils for the purpose of receiving recommendations on policy, budget and other priorities established by the community council.

B. Members of the City Council may serve on sub-committees; however, members of the City Council may not serve on the community council.

2.56.090 Volunteer Status--Indemnification

Community Council members shall be considered volunteers to the City and not employees, officials or officers of the City. Community Council members shall be defended and indemnified by the City pursuant to the provisions of the Utah Governmental Immunity Act in any civil action which may arise within the course and scope of performance of their duties under this chapter.

Chapter 2.70 QUASI-JUDICIAL FUNCTIONS STANDARDS OF CONDUCT

2.70.010 Purpose
2.70.020 Definitions
2.70.030 Conflict of Interest
2.70.040 Gifts and Favors
2.70.050 Ex-Parte Communication
2.70.060 Other Provisions Applicable

2.70.010 Purpose

The City Council of White City recognizes the importance of guaranteeing both the reality and perception that all individuals appearing before quasi-judicial officials or bodies in White City are afforded a full, fair and impartial hearing on the merits. The Council finds it in the best interests of the citizens of White City to provide uniform standards of conduct for all members of quasi-judicial bodies. To that end, the City Council of White City hereby provides uniform standards of conduct for individuals performing quasi-judicial functions in White City.

2.70.020 Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively described to them below:

A "conflict of interest" exists when:

A. A quasi-judicial official has a direct or indirect financial interest which will be or is reasonably likely to be affected by the outcome of the matter currently pending before the official; or Resolution of the matter before the official will or is reasonably likely to create a material personal gain or provide a gain or advantage to relatives, friends, agents, business associates, or to groups and associations which hold some share of the official's loyalty. Membership in a group or association alone shall not be

considered a conflict of interest with respect to any matter affecting such group or association unless a reasonable and informed person would conclude that such membership in itself would prevent an objective quasi-judicial consideration of the matter.

B. “Ex-parte contact or communication” means contact by one side only of a matter before an individual, board or council when said individual, board or council is acting in a quasi-judicial capacity and the contact is outside of the hearing or official proceedings in the matter.

C. "Interested party" in a quasi-judicial proceeding means any applicant, party, representative or agent of an applicant or party, any person or entity who may claim to be adversely affected by the resolution of a matter or any issue of fact or law related to a matter, and any person or entity who claims a substantial property interest which could be adversely affected by the resolution of a matter or an issue of fact or law related to a matter.

D. "Legislative capacity" means activity by a board or council when involved with the framing and enactment of ordinances and policies for White City. Included without limitation in such category is the adoption of or amendment to the White City code of ordinances, policies and procedures.

E. "Quasi-judicial capacity" means the role of an individual, board, or council acting to investigate facts and draw conclusions therefrom as a basis for its official actions and the exercise of discretion of a judicial nature is a matter which is currently before the individual, board or council, or which would come under the individual's, board's or Council's jurisdiction pursuant to an appeal of an administrative determination including the White City Council. In determining whether the individual or entity is quasi-judicial in nature, the nature of the activity engaged in shall control over the title of the individual or entity or the other duties assigned to or otherwise engaged in by the individual or entity.

2.70.030 Conflict of Interest

A. Any official acting in a quasi-judicial capacity with or reasonably likely to have a conflict of interest with regard to an applicant or its agent who has a matter before the official, must declare his or her conflict of interest and the nature of the interest giving rise to the conflict publicly prior to discussion of the matter and enter the same upon the record of the proceeding. The official must abstain from deliberating or voting on the matter and may not discuss the matter either publicly or privately with any other official participating in the proceeding. The vote of an official experiencing a conflict of interest who fails to disqualify himself shall be disallowed.

B. A conflict of interest may exist under this section although an official may not believe that an actual conflict exists. Therefore, any official who has a question as to whether a conflict of interest exists under this section with respect to his or her participation or the participation of another official participating in the proceeding should raise the matter with the other officials participating in the proceeding at a public meeting and with the City attorney's office in order that a determination may be made as to whether a conflict of interest exists.

2.70.040 Gifts and Favors

No quasi-judicial official, relative or agent of a quasi-judicial official shall accept any gift, favor or advantage from any party, individual, or from their agents or representatives if the party or individual has a matter currently before the quasi-judicial body or in circumstances when the quasi-judicial official has knowledge that said party or individual intends to or commonly brings matters before the quasi-judicial official for adjudication. Gifts, favors or advantages shall not include a meal with a value of less than twenty-five dollars provided in conjunction with a meeting at which the subject of a quasi-judicial proceeding is discussed. The meal and the communication shall be disclosed pursuant to Section 2.70.050(B). Campaign contributions shall be subject to all other provisions of applicable law but shall not be prohibited under this section.

2.70.050 Ex-Parte Communication

A. No quasi-judicial official shall initiate contact or initiate discussion with any party or the representative or agent of any party or a person who may claim to be "adversely affected" by the resolution of the matter with respect to an issue of law or fact in issue on a matter which is either currently before the quasi-judicial official for adjudication or which is reasonably likely to come before the quasi-judicial official unless the official provides notice to all parties and an opportunity to participate. Any such discussion, after notice and with an opportunity for participation by the public or other affected parties, shall occur in a meeting duly convened and noticed pursuant to the Utah Open Meetings Act and shall be made a matter of the official record of the proceeding.

B. Any quasi-judicial official who receives an ex-parte communication with respect to a matter which is either currently before the official or reasonably likely to come before the official shall, at the next public meeting following the communication, place into the official minutes or record the following:

1. The name of the party making the communication;

2. If the communication was in writing, a copy of the communication;

3. If the communication was oral, a summary of the communication;

4. The date of the communication.

Following disclosure of the communication at the hearing on the matter, the public and opposing parties shall be given an opportunity to submit written responses to the communication prior to the quasi-judicial official or entity closing the evidentiary phase of the proceedings. All ex-parte communication, with the exception of discussions of procedural matters such as the dates and times of hearings, is prohibited after the conclusion of the evidentiary phase of the proceedings.

Engaging in prohibited ex-parte communications or the failure of a quasi-judicial official to disclose a communication and place the communication or a summary of it in the public record shall be grounds for voiding the official's vote on the matter.

C. An ex-parte contact or communication does not include:

1. Discussions of procedural matters such as the dates and times of hearings which are unrelated to the merits of the appeal, proceeding or motion;

2. Communications by the quasi-judicial official, whether in person or otherwise, with City administrative staff who do not constitute representatives of a party to the proceeding, City attorney staff not representing a party to the proceeding, or Council staff.

2.70.060 Other Provisions Applicable

The standards of conduct provided for by this chapter are in addition to other legal requirements imposed on quasi-judicial officials and bodies of White City including the Municipal Officers' and Employees' Ethics Act, the Government Records Access and Management Act, and other White City ordinances and policies applicable specifically to the quasi-judicial body.

Chapter 2.81 SECURITY OF PERSONAL IDENTIFIERS

2.81.010 Definitions

2.81.020 Protecting Personal Identifiers--Requirement For City Department Or Division Regulations

2.81.030 Private Contractors

2.81.040 Penalty

2.81.010 Definitions

A. As used in this chapter, "agency" refers to any office, department, division, or other subdivision of City government.

B. As used in this chapter, "individual" refers to any natural person including City clients and patrons; members of the public; and City officers, employees and volunteers.

C. As used in this chapter, "personal identifiers" means and includes an individual's home address, home telephone number, personal cellular telephone number, signature, social security number, birth date, personal email address, driver's license number, passport number, and any financial identification numbers, including, but not limited to, bank account numbers, credit card numbers and information obtained to authenticate a cardholder or effectuate a payment card transaction.

2.81.020 Protecting Personal Identifiers--Requirement for City Department or Division Regulations

City agencies shall ensure that all personal identifiers in the agency's control are kept confidential and secure and are not used for any purpose other than a bona fide government necessity.

A. No agency shall collect or maintain personal identifiers except where provided by law or ordinance, or where necessary to the functioning of the agency. The collection of credit card numbers is permitted for those agencies which accept payment, in the regular course of City business, by credit card.

B. Any City agency which collects, maintains or transmits personal identifiers shall make a formal determination, in writing, which explains why personal identifiers are collected, maintained or transmitted and explains which specific personal identifiers are necessary. Agencies shall collect or use only those specific personal identifiers which are necessary to government business.

1. Each agency shall have in place a written regulation or policy which establishes procedures for the secure collection, maintenance, transmission, transfer, or disposal of personal identifiers.

C. City agencies are bound by the provisions of state and federal law regarding the public or confidential nature of records containing personal identifiers, including but not limited to the Utah Governmental Records Access and Management Act (GRAMA) and the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

2.81.030 Private Contractors

If a City agency contracts with a private entity and the contract contemplates or provides for the transmission or use of any individual's personal identifiers, the contract shall include mandatory provisions requiring that the contractor exercise care to ensure the protection of personal identifiers and that the contractor shall be legally liable for any breach of that duty.

2.81.040 Penalty

Any City officer or employee who knowingly violates this chapter may be guilty of a Class B misdemeanor and shall be subject to appropriate disciplinary action.

Chapter 2.82 RECORDS MANAGEMENT

2.82.010 Government Records Findings--Recognition of Public Policy
2.82.020 Purpose and Intent
2.82.030 Definitions
2.82.040 Public Access
2.82.050 Availability--Restrictions
2.82.060 Right of Privacy
2.82.070 Designation, Classification and Retention Scheduling
2.82.080 Requisition--Response Time--Denial
2.82.090 Fee Determination
2.82.100 Appeals
2.82.110 Access for Persons with Disabilities
2.82.120 Amendments and Corrections
2.82.130 Liability for Unauthorized Release
2.82.140 Access Management and Archiving
2.82.150 Custody and Control
2.82.160 Receipt, Storage and Preservation
2.82.165 Retention Scheduling
2.82.170 Computerized and Non-Written Format Records
2.82.180 City Justice Court System
2.82.190 Violation--Penalty

2.82.010 Government Records Findings – Recognition of Public Policy

The City Council of White City finds the following:

A. It is in the best interests of White City and the citizens thereof, and essential for the administration of City government, to maintain and preserve accurate governmental records; to provide ready access to records which are defined by law as open to the public; to maintain the security of records which are defined by law as nonpublic; and to ensure the preservation of vital and historically valuable records.

B. As the records of White City government agencies are a resource containing information which (1) allows government programs to function; (2) provides officials with a basis for making decisions and ensuring continuity with past operations; and (3) permits citizens to research and document matters of personal and community importance; this resource must be systematically and efficiently managed.

C. It is the policy of the City that all governmental records, which are defined by applicable Utah statutory and case law as public records, shall be made available to citizens as set forth in this chapter.

D. The City recognizes a public policy interest in allowing the government to restrict access to certain records, as specified in the Act and this chapter, for the public good.

2.82.020 Purpose and Intent

In enacting this chapter, it is the purpose and intent of the Council to provide, in accordance with the Government Records Access and Management Act (hereinafter referred to as "the Act"), Utah Code § 63G-2-101 et seq. (1953, as amended), an ordinance acknowledging and complying with the Act and providing for its application in the City. City agencies shall comply with the provisions of this chapter, the Act, and other federal and state statutory and regulatory recordkeeping requirements.

2.82.030 Definitions

As used in this chapter:

A. "Act" means the Government Records Access and Management Act.

B. "Agency" means any office, department, division, section, staff office, board, committee or other division of White City Government, any public or private entity or person which contracts with the City to provide goods or services directly to the City, or any private nonprofit entity that receives funds from the City.

C. "Agency designee" means an individual chosen by the Agency to review an initial appeal of a person aggrieved by the City's classification of a record, the fees charged for a record, or by an agency's response to a record request.

D. "Chief Administrative Officer for Appeals" means an individual chosen by the City to be the chief administrative officer for purposes of a specific GRAMA request appeal.

E. "Computer software application" means the series of instructions or statements that permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system, and any associated documentation, manuals or other source material explaining how to operate the software application. "Software" does not include the original data or record which is manipulated by the software.

F. "Controlled records" means those defined as controlled under the provisions of this chapter and in accordance with the provisions of the Act.

G. "Data" means individual elements or fields (for example, birth date, address) in records.

H. "Designate" or "designation" means to give an initial or primary classification to a record or record series indicating the likely classification that a majority of such records or record series would likely be given if classified.

I. "Dispose" means to destroy, or render irretrievable or illegible, a record or the information contained in it by any physical, electronic or other means, including unauthorized deletion or erasure of electronically recorded audio, visual, nonwritten formats, data processing or other records.

J. "Nonpublic records" means those records defined as private, controlled or protected under the provisions of this chapter and of the Act.

K. "Private" records means those records classified as private under the provisions of this chapter and of the Act.

L. "Protected" records means those records classified as protected under the provisions of this chapter and the Act.

M. "Public" records means those records which have not been classified as nonpublic in accordance with the provisions of this chapter and the Act.

N. "Record" means those materials as defined as records in the Act.

2.82.040 Public Access

A. Members of the public shall have the right to see, review, examine and take copies, in any format maintained by the City and subject to Section 2.82.170 hereof, of all City governmental records designated as "public" under the provisions of this chapter, and of the Act and policies and procedures developed hereunder.

B. The City has no obligation to create a record or record series in response to a request from a member of the public, if the record requested is not otherwise regularly maintained or kept.

C. When a record is temporarily held by a custodial City agency, pursuant to that custodial agency's statutory and ordinance functions, such as records storage, investigation, litigation or audit, the record shall not be considered a record of the custodial agency for the purpose of this chapter. The record shall be considered a record of the agency or agencies which usually keeps or maintains that record and any requests for access to such records shall be directed to that agency or agencies, rather than the custodial agency, pursuant to procedures established by the City. Only when records have been formally filed for permanent archival retention shall City archives be responsible for responding to requests for another agency's records.

2.82.050 Availability--Restrictions

A. Public records shall be those City records as defined in the Act, Utah Code § 63G-2-301, (1953, as amended), as public. Public records shall be made available to any person. All City records are considered public unless they are expressly classified otherwise in accordance with policies and procedures established under this chapter and the Act or are made nonpublic by the Act or other applicable law.

B. Private records shall be those City records classified as "private," as defined in the

Act, Utah Code § 63G-2-302, (1953, as amended), and as classified and defined in procedures established pursuant to this chapter and in accordance with the Act. Private records shall be made available to the following persons: The subject of the record, the parent or legal guardian of an unemancipated minor who is the subject of a record, the legal guardian of an incapacitated individual who is the subject of a record, any person who has a power of attorney or a notarized release dated not more than ninety days prior to the request from the subject of the record or his legal representative, or any person presenting a legislative subpoena or a court order issued by a court of competent jurisdiction.

C. Controlled records shall be those City records classified as "controlled," as defined in the Act, Utah Code § 63G-2-304, (1953, as amended), and as classified and defined in procedures established in this chapter and in accordance with the Act. Controlled records shall be made available to a physician, psychologist or licensed social worker who submits a notarized release dated not more than ninety days prior to the request from the subject of the record or any person presenting a legislative subpoena or a court order issued by a court of competent jurisdiction.

D. Protected records shall be those City records classified as "protected," as defined in the Act, Utah Code § 63G-2-305, (1953, as amended), and as classified and defined in procedures established in this chapter and in accordance with the Act. Protected records shall be made available to the person who submitted the record, to a person who has power of attorney or notarized release dated not more than ninety days prior to the request from any persons or governmental entities whose interests are protected by the classification of the record, or to any person presenting a legislative subpoena or a court order issued by a court of competent jurisdiction.

E. Under circumstances set out by the Act, it may be appropriate to disclose nonpublic City records to persons other than those set out in this section. The determination to so release records shall be at the discretion of the department director or elected official or designee, consistent with the Act, and upon the advice of the attorney.

2.82.060 Right Of Privacy

A. The City recognizes and upholds the personal right of privacy retained by persons who may be the subject of governmental records. The City also recognizes that the Act and Utah case law establish a presumption that governmental records will generally be considered open and public, with certain specific exceptions. In circumstances where a record's public or nonpublic status is not specifically established by the Act or another statute, by this chapter, or by policies established or designations made under this chapter, the public's right to access and the record subject's right of privacy must be compared. The City shall not release any records when to do so would constitute a clearly unwarranted invasion of personal privacy, in accordance with the Act, applicable case law, and procedures established in this chapter. Under circumstances and procedures established by this chapter, certain items of data may be rendered nonpublic, although other items of data in the record, or the record itself, may be classified public.

B. The City may, as determined appropriate by the agency director of the agency responding to a request for records, notify a subject of a record that a request for access to the subject's record has been made.

2.82.070 Designation, Classification and Retention Scheduling

All City records and record series, of any format, shall be evaluated, designated, classified and scheduled for retention according to the provisions of the Act and this chapter. The City may designate or redesignate or classify or reclassify records or data at any time and is not required to classify a particular record or item of data until access thereto is requested. Any records or record series generated in the future shall also be so designated, classified and scheduled for retention. Records designation, classification and scheduling for retention shall be conducted under the supervision of the City records manager or designee in consultation with the agency director of the agency in charge of the record in question, or designee. All proposed schedules shall be submitted to the City records manager. Assistance may be requested from the attorney as needed. Designation, classification and retention scheduling forms and guidelines shall be prepared and promulgated by the City records manager and the records policy administration.

2.82.080 Requisition--Response Time--Denial

A. Under circumstances in which an agency is not able to immediately respond to a records request, the requester shall fill out and present to the agency a written request on forms provided by the City. The date and time of the request shall be noted on the written request form and all times provided under this chapter shall commence from that time and date. Requesters of nonpublic records shall adequately identify themselves and, if applicable, their status when requesting access to nonpublic records.

B. An agency may respond to a request for a record by approving the request and providing the records, denying the request, or such other appropriate response as may be established by policies and procedures. If a written request is denied in whole or in part, the agency shall provide a notice of denial to the requester. The denial notice shall include the reasons for denial and information regarding the appeals process and such other information as may be required by this chapter and the Act.

C. An agency shall respond to a written request for a record as soon as reasonably possible, but no later than ten business days after receiving the request or five business days after receiving a request if the requester satisfactorily demonstrates that an expedited response time primarily benefits the public at large, rather than the requester individually. A requester seeking records for a story or report for publication or broadcast to the general public is presumed to be acting to benefit the public rather than a person.

    1. The following extraordinary circumstances shall justify an agency's failure to timely respond to a written request for a record and shall extend the time for response thereto to that time reasonably necessary to respond to the request, as determined by the agency director. Extraordinary circumstances include:

        a. The agency, another agency, or some other governmental entity is currently and actively using the record requested;

        b. The record requested is for either a voluminous quantity of records or requires the agency to review a large number of records or perform extensive research to locate the materials requested;

        c. The agency is currently processing either a large number of records

requests or is subject to extraordinary seasonal work loads in the processing of other work;

d. The release of a record involves legal issues that require an agency to seek legal counsel for analysis of applicable laws;

e. The request involves extensive editing to separate public data in a record from that which is not public; or

f. Providing the information request requires computer programming or other format manipulation.

2. When a timely response cannot be made to a record request, the agency shall notify the requester that it cannot immediately approve or deny the request because of one of the extraordinary circumstances listed in subsection (C)(1) of this section, and provide an explanation of the circumstances and an estimate of the time required to respond to the request. If the agency fails to provide the requested record within the estimated time, that failure shall be considered a denial of the request.

D. The failure or inability of an agency to respond to a request for a record within the time frames set out herein, or the agency's denial of such a request, shall give the requester the right to appeal as provided in Section 2.82.100.

E. Any City record which is subject to litigation, criminal investigation or audit or has been requested in accordance with this chapter and the Act, that is disposable by approved retention schedule, may not be disposed of until the litigation or audit has been resolved or the request is granted and fulfilled, or sixty days after the request is denied if no appeals are filed, or sixty days after all appeals are completed, pursuant to Section 2.82.100.

F. In response to a request for access, an agency may designate or reclassify the record or segregate data in the requested record in accordance with this chapter and the Act.

2.82.090 Fee Determination

A. An agency may charge a reasonable fee to cover its actual cost of duplicating a record or compiling a record in a form other than that maintained by the agency.

B. An agency may fulfill a record request without charge and is encouraged to do so when it determines that:

1. Releasing the record primarily benefits the public rather than a person;

2. The individual requesting the record is the subject of the record; or

3. The requester's rights are directly implicated by the information in the record, and the requester is impecunious.

C. Fee policies adopted under this chapter shall be consistent with this section.

2.82.100 Appeals

A. Persons aggrieved by the City's classification of a record, the fees charged for a record, or by an agency's response to a record request may request and be granted an initial administrative appeal of that grievance, in accordance with Citywide policies and procedures adopted by the Council. The initial administrative appeal is made to the agency designee pursuant to Citywide policies and procedures adopted by Council.

1. A written notice of appeal shall be filed with the agency designee within thirty calendar days after notice of the date of the agency's action has been sent. The notice of appeal shall state the basis of the appeal and the relief requested.

2. Unless otherwise stipulated by the City and the persons aggrieved, the agency designee shall have seven calendar days after the agency designee's receipt of the notice of appeal (or fourteen calendar days after the City sends a notice of appeal to a person who submitted a claim of business confidentiality) to respond to the record request.

3. Agency designee shall hear appeal in process chosen within designee's discretion and issue decision in writing to appellant.

4. In the event the agency designee affirms the access denial, or fails to respond to the records request within the time limits listed above, the person aggrieved may then appeal the agency designee's decision to affirm the access denial.

5. The administrative appeal is made to the chief administrative officer for appeals ("CAOA") pursuant to Citywide policies and procedures adopted by the Council.

6. A written notice of appeal shall be filed with the CAOA within thirty calendar days after notice of the date of the agency's action has been sent. The notice of appeal shall state the basis of the appeal and the relief requested.

7. Unless otherwise stipulated by the City and the persons aggrieved, the CAOA shall have seven calendar days after the CAOA's receipt of the notice of appeal (or fourteen calendar days after the City sends a notice of appeal to a person who submitted a claim of business confidentiality) to respond to the record request.

8. In the event the CAOA affirms the access denial, or fails to respond to the records request within the time limits listed above, the person aggrieved may then appeal the CAOA's decision to affirm the access denial.

9. The City hereby establishes an appeals board to decide an appeal of a decision of the CAOA affirming an access denial.

a. An appeals board shall be composed of three members:

(1) one of whom shall be an employee of the City; and

(2) two of whom shall be members of the public, at least one of

whom shall have professional experience with requesting or managing records.

10. The City shall send written notice by certified mail of the date and location of the appeal hearing to be heard by the appeals board to the requester within seven calendar days of receiving notice of the appeal. The City shall also send written notice to the agency administrator.

11. The appeal hearing shall be conducted in accordance with policies adopted by the Council and with the Utah Open Meetings Act.

12. No later than seven calendar days after an appeal hearing, the appeals board shall issue a signed order upholding, amending, or reversing the agency action.

13. Either the City or the appellant may appeal the appeals board decision to the director of the Government Records Office or by filing a petition for judicial review with the district court.

B. The decision of CAOA regarding access to or classification of records shall be forwarded to the City records policy administration for corrective action, including any reclassification or designation of data or records that may be necessitated by the decision.

C. The duties of the CAOA may be delegated.

2.82.110 Access For Persons With Disabilities

Reasonable accommodations regarding access to governmental records shall be provided to persons with disabilities in accordance with policies developed under this chapter and in compliance with the Americans with Disabilities Act.

2.82.120 Amendments And Corrections

Records held by the City may be amended or corrected as needed and as authorized by law. Requests for amendments, corrections or other changes shall be made in writing to the agency having custody of the records and setting forth, with specificity, the amendment or correction requested and the reason for the change. When an amendment or correction of a government record is made, generally both the original record and the amended or corrected record shall be retained, unless the nature of the record indicates otherwise or as may be provided by policies and procedures adopted under the provisions of this chapter.

2.82.130 Liability For Unauthorized Release

A. A City employee or other person having lawful custody of City records who knowingly refuses to permit access to records in accordance with the Act and this chapter, or who permits access to nonpublic records knowing that such access is prohibited, or who knowingly, without authorization or legal authority, disposes of, alters, or removes records or allows other persons to do so in violation of the provisions of the Act, this chapter, or other law or regulation may be subject to criminal prosecution and disciplinary action, including termination of employment.

B. In accordance with the Act, neither the City nor any of its agencies, officers or

employees shall be liable for damages resulting from the release of a record where the requester presented evidence of authority to obtain the record, even if it may be subsequently determined that the requester had no such authority.

2.82.140 Access Management And Archiving

A. There shall be designated a City records manager to oversee and coordinate records access and management and City archives activities. The records manager shall make annual reports of records services activities to the Council.

B. There is hereby created the government records access and management policy administration ("records policy administration"), to be chaired by the City records manager. Members of the records policy administration shall include representatives from the Council staff, the City departments and from the elected offices. The records policy administration shall meet periodically as needed, as determined by the City records manager. The minutes and other records of the records policy administration shall be maintained and staff provided by records management and archives section.

C. Each agency of City government shall appoint an individual or individuals to assist with and be directly responsible for the implementation of this chapter. Regular training shall be provided under the direction of the records manager to agency records personnel.

D. The records policy administration shall develop and provide records management, maintenance and access standards, policies and procedures, as approved by the Council to govern and implement the provisions of the Act and this chapter. Approval and promulgation of records policies and procedures shall be in accordance with the provisions of this code of ordinances and the Act. Copies of any rule or policy promulgated under this chapter shall be forwarded by the City record manager to the Utah State Division of Archives within thirty days after its effective date. Any agency's internal policies regarding records management and access shall be consistent with this chapter and state law.

2.82.150 Custody and Control

A. Records maintenance procedures shall be developed to ensure that due care is taken to maintain and preserve City records safely and accurately over the long term. The records manager shall be responsible for monitoring the application and use of technical processes in the creation, duplication, and disposal of City records and shall monitor compliance with required standards of quality, permanence, and admissibility pertaining to the creation, use and maintenance of records. Citywide policies and regulations regarding types and formats of papers, inks, electronic media, and other records and information storage media, materials, equipment, procedures and techniques shall be developed and promulgated, subject to the approval of the Council.

B. All City records which constitute an intellectual property right shall remain the property of the City unless federal or state legal authority provides otherwise. All other records shall be the property of the state. Property rights to City records may not be permanently transferred from the City to any private individual or entity, including those legally disposable obsolete City records of City archives or other agencies. This prohibition does not include the providing of record copies for release or distribution under this chapter. All records disposals shall be conducted in accordance with

policies and procedures.

C. Any City officer or employee having custody or control of any City records shall, at the expiration of their terms of office, appointment or employment, deliver custody and control of all records kept or received by them to their successors, supervisors, or to the City records manager.

D. All records which are in the possession of any City agency shall, upon termination of activities of such agency, be transferred to any successor agency or to City records management and archives, provided that such transfer is consistent with the formal provisions of such termination.

2.82.160 Receipt, Storage And Preservation

There is created the City archives and records services section, to be managed by the City records manager. It is the responsibility of the section to receive, store, and preserve City agency records and other materials and to store and to provide reasonable access thereto as may be calculated to accurately and safely maintain City records over a long term in compliance with this chapter and the Act. Policies and guidelines regarding the nature of records and record series which are to be received and stored by City records management and archives shall be developed and promulgated by the records policy administration. City records management and archives shall be considered the formal, official repository of City records; the central depository for the reports, publications, productions in other media, rules, policies and regulations of the City, where not otherwise determined by law; and, where appropriate, historical artifacts. Each agency shall be responsible for assisting City records management and archives in the collection of such records, depository materials, and artifacts through methods promulgated by the records policy administration.

2.82.165 Retention Scheduling

A. All City records as defined by the Act, whether hard copy, electronic or otherwise, shall be scheduled for retention and retained based on the standards and requirements set out in the Act and this ordinance.

B. The responsibility for developing retention schedules shall reside with the City offices, departments and divisions, with the assistance and advice of the City records manager. Retention schedules may be subject to review and approval by the Government Records Access and Management Policy Administration.

C. In scheduling records for retention, the following considerations shall be taken into account:

1. Any specific retention requirement established by law, statute or ordinance;

2. Reasonable records standards and needs, based on best business practices, retention storage capabilities, and particular industry or professional requirements or standards;

3. Legal needs, including pending or likely litigation;

4. Applicable statutes of limitation;

5. Any pending fiscal or performance audit process;

6. Administrative and policy needs; and

7. Historical value.

D. Based on the considerations in subparagraph C, a record may have an extremely limited retention schedule, permitting the deletion of a record immediately or after administrative need ceases. Such records may be deleted immediately and without further processing.

E. Offices, departments and divisions should observe and adhere to all applicable retention schedules. Records which have reached the end of their retention schedules should be deleted, removed or destroyed in a timely manner.

2.82.170 Computerized and Non-Written Format Records

A. The City retains and reserves to itself the right to use any type of formats for the storage, retention and retrieval of government records, including, but not limited to, audio tapes, video tapes, micro-forms, and any type of computer, data processing, imaging, or electronic information storage or processing equipment or systems, which are not prohibited by state statute and do not compromise legal requirements for record storage, retrieval, security and maintenance, to store and maintain City records. All computerized and non-written format records and data which are designated and classified in accordance with the act and this chapter, shall be made available to a requester in accordance with this chapter and the Act.

B. The methods of access to records in non-written formats or data processing systems shall be as determined appropriate by the agency director of the agency maintaining the records, considering all circumstances. Access may include, but not be limited to, the following:

1. By using a City computer workstation, data system or other viewing or listening device to retrieve data directly from the workstation screen or device; provided, however, that due regard shall be exercised to ensure that any nonpublic records will not be accessed, retrieved or displayed on the device and that records are not erased or damaged;

2. By providing paper or "hard" copies of record printouts or by providing magnetic tapes, disks or other means of electronic storage containing the non-written format or data processing system records; or

3. By the use, where appropriate, of remote workstations which have access to City computer, data processing or electronic information systems pursuant to a formal two-party contract permitting such remote terminal access and provided that due regard shall be exercised to ensure that nonpublic records will not be available by remote terminal access.

C. Computer software applications are not considered a record. Software applications shall not be subject to disclosure under this chapter or the Act, including copyrighted software applications and other copyrighted materials which have been purchased by or licensed to the City and software applications and other materials which have been copyrighted by the City.

2.82.180 City Justice Court System

Records activities of the City justice court system shall comply with and be governed by Section 63G-2-702 of the Act.

2.82.190 Violation--Penalty

Knowing violation of this chapter is a misdemeanor, punishable as set forth in this code of ordinances.

Chapter 2.85 ELECTRONIC SIGNATURES

2.85.010 Purpose

2.85.020 Uses of Electronic Signatures Allowed

2.85.030 Rules Regarding Force and Effect of Electronic Signatures

2.85.040 Determination of Approved Technologies, Vendors, And Uses of Electronic Signatures

2.85.050 Enactment Date

2.85.010 Purpose

The ordinance codified in this chapter regulates the use of electronic signatures by elected officials and other parties in approving legislation, contracts, and/or other legally-binding documents of White City.

2.85.020 Uses of Electronic Signatures Allowed

In any document accepted by White City in which a signature is required or used, White City may authorize the use of an electronic signature so long as it complies with the requirements of the most currently adopted version of the Uniform Electronic Transactions Act, Utah Code § 46-4-101 et seq.

2.85.030 Rules Regarding Force and Effect of Electronic Signatures

The use of an electronic signature shall have the same force and effect as the use of a "wet" or manual signature if:

A. The signature is capable of verification;

B. The signature is under the sole control of the person using it; and

C. The signature is linked to the data in such a manner that it is readily ascertainable if the data is changed after the signature is applied.

2.85.040 Determination of Approved Technologies, Vendors, And Uses of Electronic Signatures

Upon the recommendations of Staff, the Council shall determine and approve acceptable technologies and vendors under this section consistent with industry best practices to ensure the security and integrity of the data and the signature. The Administrator shall further determine and recommend to the Council the documents for which White City will accept electronic signatures.

2.85.050 Enactment Date

This Ordinance shall be effective on the 31st day after the date of its adoption by the Council.

Chapter 2.86 EMERGENCY RESPONSE AND RECOVERY

2.86.010 Intent--Liberal Construction

2.86.020 Definitions

2.86.030 Declaration of an Emergency

2.86.040 Succession

2.86.050 Powers of the Mayor

2.86.060 Powers of the City Council

2.86.070 Relocation of Offices

2.86.080 Mutual Aid

2.86.090 Contracts for Goods and Services During an Emergency

2.86.100 Criminal Penalties

2.86.110 Emergency Management Advisory Committee

2.86.120 Severability

2.86.010 Intent--Liberal Construction

It is the intent of this chapter to provide the organization, powers and authority necessary to enable the timely and effective use of all available City resources to prepare for, respond to and recover from emergencies and disasters likely to affect the health, security, safety, or property of the inhabitants of the City. It is intended to grant the broadest powers permitted. The provisions of this chapter shall be liberally construed to allow for the greatest opportunity to preserve and protect life and property.

2.86.020 Definitions

As used in this chapter:

"Attack" means a nuclear, conventional, biological, or chemical warfare action against the United States of America, the State of Utah, or White City.

"Disaster" or "emergency" means a situation causing or threatening to cause widespread damage, injury or loss of life, or significant property damage resulting from an attack, internal disturbance, natural phenomena, public health emergency, or technological hazard.

"Internal disturbance" means a riot, prison break, disruptive terrorism, or a widespread strike, which strike causes significant social disruption or injury to persons or property.

"Natural phenomena" means any earthquake, tornado, storm, flood landslide, avalanche, forest or range fire, drought or epidemic.

"Public health emergency" means an occurrence or imminent credible threat of an illness or health condition caused by bioterrorism, epidemic or pandemic disease, or novel and highly infectious agent or biological toxin, that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability. Such illness or health condition includes an illness or health condition resulting from a natural disaster. (Utah Code § 26B-7-301.)

"State of emergency" means a condition in White City which requires City government emergency assistance to save lives and to protect property, public health and safety, and to reduce the threat and effects of a disaster.

"Technological hazard" means any hazardous materials spill or accident, mining accident, train derailment, aircraft crash, radiation incident, pollution, structural fire or explosion.

2.86.030 Declaration of an Emergency

A. The mayor is authorized to declare a state of emergency when the mayor finds that the City or any part thereof is suffering from or is in imminent danger of suffering an emergency or disaster.

B. Any declaration of an emergency or disaster by the mayor shall be promptly filed with the City clerk and the public shall be notified through general publicity of the declaration. The mayor shall promptly notify the City Council of any declaration of an emergency or disaster.

C. The declaration of an emergency or disaster shall be in effect as determined by the mayor for a period of up to thirty days in accordance with the Disaster Response and Recovery Act, Utah Code § 53-2a-208. This period may be continued or renewed only upon the approval of the City Council. The Council may, by resolution, express its opinion regarding an emergency declaration by the mayor.

D. The declaration of an emergency provided in this chapter shall become effective immediately upon issuance by the mayor and the only required publication is the general dissemination to the public by appropriate news media.

E. The declaration shall, to the extent possible, state the nature of the emergency, the area threatened, and any applicable duration, conditions, actions or needs pursuant to Section 2.86.050. The declaration may be amended and periodically brought up to date as needed.

2.86.040 Succession

A. If the mayor is unavailable to perform the duties set out herein, the deputy mayor shall have the same authority as granted to the mayor. If both the mayor and deputy mayor are unavailable, the authority to exercise the powers set out in this chapter vests in the City chief administrative officer, the chair of the City Council, or the City law enforcement official, in that order.

B. Notwithstanding the order of succession set forth in subsection A, if the mayor is unavailable to issue an evacuation order as set forth in Section 2.86.050, only the City law enforcement official may issue an evacuation order, including any orders establishing evacuation routes, for a period not to exceed thirty-six hours, if the order is necessary for the preservation of life. The mayor may ratify, modify, or revoke the City law enforcement official's order if he becomes available.

C. By July 1st of every year, each City elected official, except for members of the City Council, shall designate three emergency interim successors, specify the order of succession, and provide the list of those persons to the mayor, as set out in the Emergency Interim Succession Act, Utah Code § 53-2a-807. The mayor may direct

that department heads of the mayor's office also designate three successors. During a state of emergency, if a City elected official is unavailable or unable to perform the duties of the office, those persons designated as emergency interim successors may be vested with all legal power and authority of the elected or appointed official who is being succeeded. An emergency interim successor shall exercise those powers and duties only until the elected official is able to perform the duties of office or, in the event of a permanent vacancy, until that vacancy is filled in accordance with state law.

D. By July 1st of every year, each member of the City Council shall designate one emergency interim successor and deliver to the mayor the name of that successor. During a state of emergency, if a City Council member is unavailable or unable to perform the duties of the office, those persons designated as emergency interim successors may be vested with all legal power and authority of the City Council member who is being succeeded. The emergency interim successor shall only exercise those powers and duties until the Council member is able to perform the duties of office or, in the event of a permanent vacancy, until that vacancy is filled in accordance with state law.

2.86.050 Powers of the Mayor

A. In a state of emergency, declared by either the mayor or the governor, the mayor is empowered to make all necessary efforts to respond to, prevent, or ameliorate the effects of an emergency or disaster, including, but not limited to, using all City resources, issuing evacuation orders, establishing evacuation routes, suspending the sale of alcoholic beverages, controlling entry to and exit from any disaster area, clearing or removing debris or wreckage, invoking the provisions of any mutual aid agreement with another governmental entity, and such other powers and authority which are reasonably necessary for the preservation of life and property and as may be set out in the Disaster Response and Recovery Act, Utah Code § 53-2a-205.

    1. The mayor shall have full power to secure the availability of supplies, clothing, vehicles, fuel, equipment, food and water as may be reasonably necessary to respond to the emergency.

    2. The mayor's authority does not extend to an emergency wholly located within a municipality unless the governing body of the municipality requests relief and assistance from the City or to the extent assistance is provided pursuant to an interlocal or mutual aid agreement.

B. In a state of emergency, the mayor may exercise emergency powers and functions in response to the exigencies of the disaster, including waiving compliance with any time consuming procedures and formalities, including notices, as may otherwise be required.

C. In a state of emergency, the mayor may issue any and all such other orders or undertake such other functions and activities as the mayor reasonably believes is required to protect the health, safety, or welfare of persons or property within the City or to otherwise preserve the public peace or to abate, clean up, or mitigate the effects of any emergency or disaster. Rules and regulations adopted by the mayor in response to the state of emergency have the force and effect of law, upon filing with the City clerk. All rules and regulations adopted in response to a state of emergency shall expire once the state of emergency is no longer in effect.

D. In a state of emergency, the mayor is responsible to appoint City employees or agencies to perform the following activities during the emergency:

1. Coordinate the activities and management of private volunteers, including maintaining records of volunteer work in accordance with Federal Emergency Management Agency (FEMA) needs;

2. Ensure that all records and receipts for funds expended in emergency response are maintained in accordance with FEMA needs;

3. Coordinate and ensure prompt communication with the media about the emergency, providing to the extent possible, one consistent voice regarding City activities;

4. Maintain ongoing communication with the City Council, City elected officials and other government entities.

E. In the event of a public health emergency, the mayor may declare a state of emergency at the request of the director of the health department or the board of health. To prevent or contain the outbreak and spread of a communicable or infectious disease, the mayor, together with the director of the health department, may issue orders to:

1. Close theaters, schools and other public places and prohibit gatherings of people when necessary to protect the public health. (Utah Code § 26A-1-114(1)(e));

2. Exercise physical control over property and over individuals as the Health Department finds necessary for the protection of public health. (Utah Code § 26A-1-114(1)(f) and, for orders of constraint issued in response to a declared public health emergency, Utah Code § 26B-7-301(10)(a)(ii)(C));

3. Exclude from school attendance any person, including teachers, who is suffering from any communicable or infectious disease, if the person is likely to convey the disease to those in attendance. (Utah Code § 26A-1-114(3)(b));

4. The authority of the director of the health department extends to a public health emergency wholly located within a municipality.

F. The City law enforcement official's office and such other law enforcement and peace officers as may be authorized by the mayor are further authorized and directed to enforce the orders, rules and regulations made or issued pursuant to this chapter.

2. During the period of a declared emergency or disaster, a person shall not:

a. Enter or remain upon the premises of any establishment not open for business to the general public, unless such person is the owner or authorized agent of the establishment;

b. Violate any orders duly issued by the mayor or authorized personnel; or

c. Willfully obstruct, hinder, or delay any duly authorized City officers, employees or volunteers in the enforcement or exercise of the provisions of this chapter, or in the undertaking of any activity pursuant to this chapter.

2.86.060 Powers of the City Council

A. Nothing in this chapter shall prevent the City Council from acting as the legislative body of City government in a state of emergency, or from exercising those powers and authorities set out in state statute and White City's ordinances. The Council's legislative authority shall include the power to legislate, budget, and appropriate, and to perform any other duties as required by state statute and White City's ordinances.

B. The City Council shall also fulfill those duties and responsibilities as required by any emergency response declaration or order to the extent it does not conflict with federal, state, or local law, or the provisions of this chapter.

2.86.070 Relocation of Offices

A. Whenever an emergency or disaster makes it imprudent or impossible to conduct the affairs of the City at its regular locations, the mayor, City Council, elected officials, departments, and divisions may meet at any safe and convenient place, inside or outside White City. Any temporary meeting location shall continue until a new location is established, the emergency or disaster is terminated, or City operations are able to return to their normal locations.

B. Any official act or meeting required to be performed at any regular location of the mayor, City Council, elected officials, or any department is valid when performed at any temporary location under the terms of this section.

2.86.080 Mutual Aid

A. The mayor may, on behalf of the City, enter into such reciprocal aid, mutual aid, intergovernmental cooperation agreements or other contracts or plans with other governmental entities for the protection of life and property. Such agreements may include the furnishing or exchange of supplies, equipment, facilities, personnel and services and do not require fair and adequate consideration.

B. The City may act as a participating political subdivision consistent with the Statewide Mutual Aid Act, Utah Code § 53-2a-301 et seq.

2.86.090 Contracts For Goods And Services During An Emergency

A. In accordance with the provisions of Section 3.20.040 of this code of ordinances, the City or any of its officers, employees, committees, or agencies may acquire goods and services in response to the exigencies of the emergency or disaster as are necessary and the mayor may suspend or waive compliance with time consuming ordinances (excluding Section 3.20.040 of the City code), policies, procedures and formalities prescribed by law pertaining thereto, including City purchasing ordinances regarding the acquisition of goods and services.

B. The purchasing agent shall prepare and maintain a list of persons in each department or office who are authorized to act as emergency procurement designees, in

accordance with Section 3.20.040(C).

2.86.100 Criminal Penalties

Any person who knowingly refuses to comply with an order to evacuate issued under this chapter or who refuses to comply with any other order issued during a state of emergency, as provided in this chapter and after notice of the order has been given to that person, is guilty of a Class B Misdemeanor.

2.86.110 Emergency Management Advisory Committee

A. An emergency management advisory committee is created for the purpose of providing advice to the mayor and City Council on matters, policies and issues relating to City government emergency or disaster planning, mitigation, response and recovery actions. The committee's activities shall include, but are not limited to:

    1. Coordinating emergency management policy implementation;

    2. Overseeing emergency management training for employees and members of the public;

    3. Making recommendations to the City Council regarding policies, procedures, or ordinance changes and amendments;

    4. Developing an emergency operations plan, including providing for the continuity of City operations and essential functions;

    5. Giving consideration to and making recommendations regarding a current list of private sources of aid and materials and of private contractors who may be able to assist in an emergency;

    6. Making recommendations regarding "pre-contracts" and ongoing relations with private sources of aid and materials; and

    7. Reviewing and making recommendations regarding interlocal and mutual aid contracts with other government activities for services in an emergency.

B. The committee shall report any finding or recommendation to the mayor and City Council.

C. The committee shall meet at the direction of the mayor or the mayor's designee.

D. The emergency management advisory committee shall consist of:

    1. The mayor or the mayor's designee;

    2. The assessor, auditor, clerk, district attorney, recorder, City law enforcement official, surveyor, and treasurer or said officials' designees;

    3. One representative of each of the following City departments or divisions: Public works, community services, administrative services, human services, personnel, health department, and unified fire authority;

4. Two Council members or designees;

5. One citizen member who has experience and training in emergency preparation and response, appointed by the mayor; and

6. Successors of any member, if that member is unable to participate.

E. The committee shall be chaired by the emergency management coordinator or other mayor's designee.

F. The committee may create and appoint its members to technical and other specialized subcommittees as needed to fulfill its obligations under this section.

G. A quorum of the committee consists of nine persons and attendance by a quorum is required for any committee vote or action to be effective.

H. In the event of an emergency or disaster and the mayor determines that a recommendation of the committee is either not available or not practicable, the mayor may waive that requirement or recommendation as needed to meet the needs of the public.

2.86.120 Severability

The provisions of this chapter are declared to be severable, and if any provision of this chapter shall, for any reason, be held to be invalid or unconstitutional or if the application of this chapter to any person or circumstance is held to be invalid or unconstitutional, such holding shall not affect the validity of the remaining provisions of the ordinance codified in this chapter.

Chapter 2.88 HISTORIC PRESERVATION COMMISSION

2.88.010 Purpose

2.88.020 Establishment

2.88.030 Duties

2.88.010 Purpose

White City recognizes that the historical heritage of the City is among its most valued and important assets. It is therefore the intent of White City to identify, preserve, protect and enhance historic buildings, structures, sites, objects, and districts lying within the City.

2.88.020 Establishment

An historic preservation commission is hereby established by White City with the following provisions:

A. The Commission shall consist of seven members with a demonstrated interest, competence, or knowledge in historic preservation, appointed by the mayor with the advice and consent of the City Council. The members of the commission shall be appointed to staggered terms of three years, provided that members may be appointed to terms longer than three years when necessary to provide for staggered terms. These terms are renewable. The members of the commission shall be residents of the City.

B. To the extent available in the City, two commission members shall be professionals, as defined by National Park Service regulations, from the disciplines of history, archaeology, planning, architecture or architectural history.

C. The commission may hold meetings at such times as the commission determines it is necessary. The commission shall conduct business in accordance with the Open Public Meeting laws of Utah. This includes public notification of meeting place, time and agenda items.

D. Written minutes of each commission meeting shall be prepared and made available for public inspection.

2.88.030 Duties

The historic preservation commission shall have the following duties:

A. Survey and inventory historic resources within the City. The commission shall conduct or cause to be conducted a survey of the historic architectural, and archaeological resources within the City. The survey shall be compatible with the Utah Inventory of Historic and Archaeological Sites. Survey and inventory documents shall be maintained and shall be open to the public. The survey shall be updated at least every ten years.

B. Review proposed nominations to the national register of historic places. The commission shall review and comment to the state historic preservation officer on all proposed National Register nominations for properties within the City. When the commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline, and that discipline is not represented on the commission, the commission shall seek expertise in that area before rendering its decision.

C. Provide advice, information and recommendations.

    1. The historic preservation commission shall act in an advisory role regarding the identification and protection of local historic and archaeological resources. Specifically, the commission shall make recommendations to the relevant planning commission, who may then recommend to the City Council designation of historic sites in accordance with Section 19.86.020 and Chapter 19.90 of this code.

    2. The historic preservation commission shall work toward the continuing education of citizens regarding historic preservation and community history.

D. Oversee/assist in the maintenance and rehabilitation of White City-owned historic buildings and sites within the City.

E. Apply for and administer grants and other financial aid for historic preservation projects in the City.

F. Support enforcement of state historic preservation laws. The commission shall support the enforcement of all state laws relating to historic preservation. These include, but are not limited to: Utah Code §§ 9-8a-305 and 9-8a-307 regarding the

survey and reporting of Utah antiquities, and Utah Code § 76-6-902 regarding the alteration, removal, injury, or destruction of antiquities; and Utah Code § 9-8a-404 regarding notification of the State Historic Preservation Office of any known proposed action which will destroy or affect a site, building or object owned by the State of Utah and included on or eligible for the State or National Registers.

Chapter 2.95 CITY BUDGET PROCESS

2.95.010 Provisions

2.95.020 Definitions

2.95.030 Authority

2.95.040 Purpose

2.95.050 Tentative and Proposed Budgets

2.95.060 Council Budget--Final Budget

2.95.080 Budget Limitations

2.95.090 Final Adopted Budget Amendments

2.95.100 Tax Rates

2.95.110 Budget and Financial Policies

2.95.010 Provisions

This chapter shall define the process of preparation, revenue projection, tax rate setting, hearings, adoption and modification of the annual fiscal year City budget. The chapter further defines the responsibilities of the mayor, council, offices, departments and agencies of the City in the process as defined by law.

2.95.020 Definitions

"Final budget" means the budget finally adopted by the Council pursuant to it legislative authority.

"Proposed budget" means the budget prepared in the format of the tentative budget by the mayor and forwarded to the Council pursuant to the mayor's executive authority.

"Tentative budget" means the budget prepared and submitted by the auditor to the mayor for further executive action and preparation of a proposed budget pursuant to the statutory authority of the auditor, including projected revenues and the auditor's budget message.

2.95.030 Authority

This chapter is based upon the requirements of the Uniform Fiscal Procedures Act for Utah Cities, Utah Code § 10-6-101 et seq., and the Property Tax Act, Utah Code Title 59, Chapter 2 (1953, as amended).

2.95.040 Purpose

This chapter is enacted to establish a process for the preparation, review, modification, adoption and reopening of the City budget which shall include all the funds and accounts that are required to be maintained by the City including special districts within the authority of the City.

The process includes the required forms, timelines and assignments to adopt and modify a budget by the Council.

2.95.050 Tentative and Proposed Budgets

A. All offices, agencies and departments, including the Council, shall prepare and submit to the mayor by October 1 of each year a requested budget in sufficient detail, content and scope and in a manner and on forms approved pursuant to the Uniform Fiscal Procedures Act.

B. The mayor shall review the requested budgets for consistency with statute, ordinance and Citywide fiscal and budget policies including the Fiscal Procedures Act and recommend modifications where necessary after consultation with the affected offices, agencies and departments.

C. The mayor shall submit to the Council the tentative budget, including projected City revenues, the mayor's budget message and budget requests for all funds, along with any additional items requested by the Council, with recommendations as the mayor feels appropriate, fourteen or more days before the first regularly scheduled meeting of the Council in the last May of the current fiscal period, as required by Utah Code § 10-6-111.

D. The mayor shall prepare a proposed budget for all City offices, departments and agencies, to be submitted to the Council and to the public before the public hearing on the final budget and may hold budget meetings with all affected offices, agencies and departments to assist in preparing the proposed budget. The mayor shall give any affected offices, agencies and departments an opportunity to be heard in budget meetings if the mayor proposes a modification to any requested or tentative budget appropriation of an office, agency or department. The mayor may request the assistance of the auditor and attorney and may hold budget meetings jointly with the Council. The time for submittal of the proposed budget may be continued if requested by the mayor and approved by a majority of the Council. The proposed budget shall include the mayor's revenue projections and budget message, the mayor's revenue proposals and comments, if any, and proposed tax or fee increases, if any. The Council shall reject any tax increase or increases not submitted to the public before the public hearing on the final budget unless the delay was caused by a state of emergency or disaster as defined by state statute.

E. In preparing the proposed budget, the mayor shall include a budget for capital improvements and maintenance in the capital improvements fund. The property tax rate for capital improvements shall not be considered fungible with the other tax funds of the City.

F. The mayor shall submit a budget calendar outlining all applicable budget related dates prior to September 1 of each year for Council approval.

G. Prior to adoption, the mayor and Council may hold joint meetings for purposes of preparing a tentative, proposed or final budget.

H. The mayor may revise and update revenue projections and expenditure projections throughout the budget process and fiscal year and shall notify the Council as soon as possible of any adjustments to the revenue projections in the tentative, proposed and

final budgets.

I. In the event an unforeseen reduction in revenue or other event that may require the Council to make an urgent or emergency appropriation or funding shift, the mayor or the mayor's designee shall immediately notify the members of the City Council. Within one business day of receiving, notice from the mayor or mayor's designee, the Council chair, vice-chair or temporary chair shall call a special meeting or emergency meeting to discuss any necessary emergency appropriation or funding shift. The Council chair, vice-chair or temporary chair shall provide notice and conduct the special meeting or emergency meeting consistent with the Utah Open and Public Meetings Act. At the special or emergency meeting:

    1. The mayor or designee shall brief the Council on the nature of the unforeseen reduction in revenue and on the mayor's contingency plan to address the loss of revenue.

    2. The mayor or designee may make a request for an urgent or emergency appropriation or budget shift if necessary. The Council may only make an emergency appropriation or budget shift if it determines that the public health, safety and welfare require action.

2.95.060 Council Budget--Final Budget

A. The Council shall adopt by resolution a final budget before June 30 of each year for the ensuing fiscal year, which begins July 1 and ends June 30, as required by Utah Code § 10-6-105 and § 10-6-118; provided that, if a property tax increase under Utah Code §§ 59-2-919 through 59-2-923 is proposed, the final budget shall be adopted before September 1. The recommended final budget of the Council shall be posted in the offices of the clerk, auditor and mayor for at least ten days prior to the public hearing. No budget may be adopted or considered unless it has been prepared and reviewed as provided in this chapter. The Council, after consultation with the mayor, shall set the date for the time and place of the public hearing on the final budget, and advise, in advance of the public hearing, the mayor, treasurer and auditor of the date of the public hearing, and cause the notice to be published and posted. The Council shall also publish any notices in regard to truth in taxation requirements or tax increases. The Council may hold public hearings as required. The Council may also hold public budget meetings with the mayor and affected offices as needed, including a referral to the legislative committee. All interested parties shall have an opportunity to be heard at the public hearing pursuant to rules established by the Council. Adjustments may be made by the Council after the public hearing on the recommended final budget. The final budget shall be available in the offices of the Council, mayor, and auditor during business hours for public inspection. The auditor shall file with the state auditor a certified copy of the final budget within thirty days after adoption.

B. The Council shall not shift any of the capital improvement tax funds to other funds or accounts of the City.

2.95.080 Budget Limitations

The mayor shall propose no budget and the Council shall adopt no final budget or make any appropriation in the final budget of any fund that exceeds the estimated expendable revenue, including fund balances and reserves, of the fund for the fiscal year as required by Utah Code §

10-6-117. Any tax increase shall meet the requirements of state statute.

2.95.090 Final Adopted Budget Amendments

The Council may amend a final fiscal year budget pursuant to law and any budget increase in any fund shall require five days notice and a public hearing except under emergency conditions declared by the Council.

2.95.100 Tax Rates

The Council shall set tax rates for each fund before June 22nd of each calendar year unless the time is extended by law or by the state tax commission. Budgets may be amended as provided by law at the time of setting tax rates. The Council may require additional budget hearings and information from the offices, agencies and departments as provided in this chapter to assist in amending the budget or setting tax rates. The Council shall set the date. time and place for setting the tax rates and cause appropriate publication and posting, including statutory notices.

2.95.110 Budget and Financial Policies

The Council may provide by Citywide policy or procedure for additional requirements for all offices, departments and agencies of the City in regard to the budget process not inconsistent with law. The mayor may adopt policies or issue orders not inconsistent with law or these ordinances in regard to the budget process. The auditor may recommend proposed budget and financial policies to the mayor and council. The Council shall adopt a set of fiscal or financial policies and standards and make them a part of the annual budget process.

WHITE CITY

ORDINANCE NO. 2026-O-09 DATE: November 12, 2026

AN ORDINANCE AMENDING AND RESTATING TITLE 3 REVENUE AND FINANCE

WHEREAS, White City is authorized to enact ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by state law, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city, as provided in Utah Code § 10-8-84; and

WHEREAS, the City Council ("Council") of White City desires to update its code of ordinances to make technical changes after its conversion to a city, make changes required by the conversion, and update code language to accurately reflect terms, definitions, procedures, and organization of the City; and

WHEREAS, Title 3 – REVENUE AND FINANCE, as carried over into the White City Code, contains chapters written for county government or for the former White City Metro Township, including county sales and use taxes, county purchasing, claims, tax sale, and property tax provisions, that do not apply to White City; and

WHEREAS, this ordinance amends and restates Title 3 in its entirety, organized as Chapters 3.02 Voter Approval to Impose Sales and Use Tax, 3.03 City Procurement, 3.04 Claims and Risk Management, 3.05 Telecommunications License Tax, 3.07 Preference System in Procurement of Goods and Services, 3.08 Review and Application Fees, 3.09 Enactment of MET, 3.11 Local Sales and Use Tax, 3.12 Additional Local Sales and Use Tax, and 3.36 Property Disposal, and repeals the chapters of Title 3 that do not apply to White City; and

WHEREAS, this ordinance renumbers and restates, but does not enact, repeal, or change the rate of, the City's local sales and use tax, municipal energy sales and use tax, and municipal telecommunications license tax; and

WHEREAS, a copy of the restated Title 3 has been filed for use and examination by the public in the Office of the City Recorder before adoption of this ordinance, as provided in Utah Code § 10-3-711(2); and

WHEREAS, the Council finds that adopting this ordinance is in the best interest of the health, safety, and welfare of White City and its inhabitants.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WHITE CITY, UTAH AS FOLLOWS:

Section I. Enactment. White City Code, Title 3 – REVENUE AND FINANCE, which is published as a code in book form, is repealed and enacted in its entirety to read as set forth in Attachment A, copies of which have been filed for use and examination in the Office of the City Recorder.

Section II. Continuation of Taxes. The local sales and use tax, municipal energy sales and use tax, and municipal telecommunications license tax set out in Chapters 3.11, 3.09, and 3.05 of Attachment A continue in effect without interruption and at the same rates as under former Chapters 3.04, 3.80, and 3.90. This ordinance does not enact, repeal, or change the rate of any tax, and nothing in this ordinance affects any interlocal agreement or contract with the State Tax Commission for the administration and collection of those taxes.

Section III. Fee Schedules. Fee schedules adopted by the Council before the effective date of this ordinance remain in effect until amended or repealed by the Council under Chapter 3.08 of Attachment A.

Section IV. Penalty. Where Attachment A provides that a violation is a misdemeanor, the violation is punishable as provided in Chapter 1.12, General Penalty, of the White City Code and the Utah Criminal Code for the class of offense stated. Because a violation may result in imprisonment, White City is required, under Utah Code § 78B-22-301, to provide for indigent defense services, as that term is defined in Utah Code § 78B-22-102.

Section V. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance or of Attachment A is held invalid or unconstitutional by a court of competent jurisdiction, that holding does not affect the validity of the remaining provisions, which shall remain in full force and effect.

Section VI. Conflicting Provisions. All ordinances, resolutions, and policies of White City, or parts thereof, in conflict with this ordinance are repealed to the extent of the conflict. The adoption of this ordinance does not affect any right, duty, tax liability, penalty, contract, action, or proceeding commenced under or by virtue of the provisions amended or repealed.

Section VII. Effective Date. This Ordinance shall take effect immediately upon the date of its first publication.

[Execution on Following Page]

ADOPTED AND APPROVED at a duly called meeting of the White City Council on this 12th day of November 2026.

WHITE CITY

_____

By: Allan Perry, Mayor

ATTEST:

_____

Rori Andreason, City Recorder

Voting:

Mayor Perry voting	___
Council Member Shelton voting	___
Council Member Price voting	___
Council Member Mahoney voting	___
Council Member Van Horn voting	___

(Complete as Applicable)

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: _____

Effective date of ordinance: _____

ATTACHMENT A

White City Code, Title 3 – REVENUE AND FINANCE (Amended and Restated)

[Attach the final clean version of Title 3. Source draft: “2026.11.10 White City Title 3 REVIEW FINAL.docx” (Code rewrite > Title 3). A copy must be filed in the Office of the City Recorder before the Council votes. Utah Code § 10-3-711(2).]

Title 3 REVENUE AND FINANCE

Chapter 3.02 VOTER APPROVAL TO IMPOSE SALES AND USE TAX

Chapter 3.03 CITY PROCUREMENT

Chapter 3.04 CLAIMS AND RISK MANAGEMENT

Chapter 3.05 TELECOMMUNICATIONS LICENSE TAX

Chapter 3.07 PREFERENCE SYSTEM IN PROCUREMENT OF GOODS AND SERVICES

Chapter 3.08 REVIEW AND APPLICATION FEES

Chapter 3.09 ENACTMENT OF MET

Chapter 3.11 LOCAL SALES AND USE TAX

Chapter 3.12 ADDITIONAL LOCAL SALES AND USE TAX

Chapter 3.36 PROPERTY DISPOSAL

Chapter 3.02 VOTER APPROVAL TO IMPOSE SALES AND USE TAX

3.02.100 Voter Approval to Impose Sales and Use Taxes – Time for Election

A.

Title 3 REVENUE AND FINANCE
Chapter 3.03 VOTER APPROVAL TO IMPOSE SALES AND USE TAX Chapter 3.04 LOCAL SALES AND USE TAX
Chapter 3.05 OPTIONAL COUNTY SALES AND USE TAX Chapter 3.06 ADDITIONAL LOCAL SALES AND USE TAX
Chapter 3.07 LOCAL SALES AND USE TAX TO FUND RECREATIONAL AND ZOOLOGICAL FACILITIES AND BOTANICAL, CULTURAL AND ZOOLOGICAL ORGANIZATIONS
Chapter 3.08 LOCAL SALES AND USE TAX FOR FUNDING CORRIDOR PRESERVATION, CONGESTION MITIGATION, AND THE EXPANSION OF CAPACITY FOR REGIONALLY SIGNIFICANT TRANSPORTATION FACILITIES
Chapter 3.10 TOURISM, RECREATION, CULTURAL AND CONVENTION FACILITIES TAX Chapter 3.12 TRANSIENT ROOM TAX*
Chapter 3.15 PURCHASING, CONTRACTING AND PROCUREMENT Chapter 3.16 PURCHASING AGENT*
Chapter 3.20 PURCHASING PROCEDURES* Chapter 3.22 COMPETITIVE SEALED

PROPOSALS
Chapter 3.24 PREFERENCE SYSTEM IN PROCUREMENT OF GOODS AND SERVICES Chapter 3.25 REQUEST FOR APPLICATIONS
Chapter 3.28 CONTRACT PROCESSING AND PAYMENTS Chapter 3.29 CLAIMS PROCEDURES
Chapter 3.29A NO-FAULT SHERIFF'S OFFICE CLAIMS Chapter 3.30 ACQUISITION OF REAL PROPERTY
Chapter 3.32 LIBRARY SYSTEM PURCHASES
Chapter 3.33 BANKING SERVICES AND INVESTMENT OF PUBLIC MONIES Chapter 3.36 PROPERTY DISPOSAL
Chapter 3.42 CHARGES AND FEES*
Chapter 3.44 DISPOSITION OF STOLEN PROPERTY Chapter 3.48 ENGINEERING FEES
Chapter 3.52 PLANNING AND DEVELOPMENT SERVICES FEE SCHEDULE Chapter 3.54 BOND ISSUANCE
Chapter 3.56 PUBLIC WORKS BONDS
Chapter 3.60 SERVICE CHARGE ON DISHONORED CHECKS Chapter 3.64 MANAGEMENT OF PUBLIC FUNDS
Chapter 3.65 TAX SALE PROCEDURES
Chapter 3.66 TAX SALE OF CONTAMINATED PROPERTIES
Chapter 3.67 WAIVER OF PROPERTY TAX RELATED INTEREST, PENALTIES AND FEES Chapter 3.69 RESIDENTIAL PROPERTY TAX EXEMPTIONS
Chapter 3.70 LOCAL OPTION TRANSPORTATION CORRIDOR FUNDING
Chapter 3.71 COUNTY PARTICIPATION IN AND APPROPRIATION TO A PRIVATE ENTERPRISE PROJECT
Chapter 3.80 ENACTMENT OF MET Chapter 3.90 ENACTMENT OF TLT

Chapter 3.03 VOTER APPROVAL TO IMPOSE SALES AND USE TAX
3.03.100 Voter Approval To Impose Sales And Use Taxes--Time For Election

3.03.100 Voter Approval To Impose Sales And Use Taxes--Time For Election

A. This section applies to each sales and use tax set forth under this title that requires voter authorization beforeprior to the City imposesimposition of the sales and use tax.

B. B. The City shall hold an ~~An~~ election ~~held~~ to obtain voter authorization to impose a sales and use tax~~,~~ under this title ~~shall be held~~ at a regular general election conducted in accordance with the procedures and requirements of state law.

C. C. Except as provided in this section, the City may not hold~~herein,~~ an election to authorize the imposition of a sales and use tax ~~may not be held~~ on the same date as a municipal general election or any other date that~~prohibited by~~ state law prohibits.

D. D. Notwithstanding the provisions of this section, the City may submit an election to authorize the imposition of a sales and use tax ~~may be submitted~~ on the same date as a municipal general election if the Council adopts the ordinance or resolution calling for the election ~~to authorize imposition of a sales and use tax is adopted~~ by a two-thirds majority of all members of the Council~~council~~.

Chapter 3.03 CITY PROCUREMENT

3.03.010 Purpose and Scope

A. The purpose of this chapter is to maximize the purchasing value and efficiencies of public funds;

B. Provide safeguards for maintaining a procurement system of quality and integrity;

C. Foster transparency and effective broad-based competition while providing quality goods and services to the citizens and businesses of the City; and

D. Provide for the fair and equitable treatment of all who conduct public procurement and related business activities within the City.

Unless state or federal law otherwise requires, this chapter shall govern all processes, contracts, and expenditures of the City on and after 12:00 noon, May 20, 2026. This chapter does not adopt the state or federal procurement codes or any portions of those codes.

3.03.020 Definitions

The definitions stated in this section apply exclusively to this chapter.

ADDENDUM OR AMENDMENT: A written modification or revision to any document used in the competitive solicitation process.

AGENCY CONTRACT: A contract between the City and another governmental agency to buy goods or services.

APPELLANT: A person who has standing and files an appeal to an administrative law judge for review and determination of whether the purchasing manager's decision on a protest should be upheld.

APPROVED VENDOR LIST (AVL): A list of vendors that City staff individually evaluated and deemed qualified to perform certain services for the City in later competitive solicitations based on information the vendor submitted in response to the City's request for a statement of

qualifications.

BEST AND FINAL OFFER (BAFO): An offeror's revised terms of its proposal after initial reviews, scoring, interviews, and discussions have concluded with all offerors who have progressed through the advancement criteria stated in an RFP.

BID: A sealed document or set of sealed documents representing the bidder's offer to sell goods or services at a specified price, terms, and specifications set forth in the invitation for bids.

BUILDING IMPROVEMENT: The construction or repair of a public building or structure.

BUILDING IMPROVEMENT INFORMAL COMPETITIVE SOLICITATION THRESHOLD: The estimated dollar amount of a good or service that does not require the use of formal methods of competitive solicitation as set forth in this title.

COMPETITIVE SOLICITATION: Competitive solicitation may be either informal or formal as set forth below:

A. Informal Competitive Solicitation Process: An informal process in which the City invites potential bidders, offerors, and contractors to submit quotes or surveys by telephone, email, online procurement service, direct vendor delivery, or another written price comparison.

B. Formal Competitive Solicitation Process: A formal process in which the City invites potential bidders, offerors, and contractors to submit bids and proposals through an online procurement service.

CONFLICT OF INTEREST: Any action that an elected official or employee of the City takes that may cause direct or financial benefit or detriment to themselves, their immediate family, or an entity that they own or hold an interest in, if that benefit or detriment is distinguishable from the effects of that action on the public or on the elected official or employee's profession, occupation, or association generally.

CONSTRUCTION: The process of building, altering, repairing, improving, or demolishing any City structure or building, or other improvements to any City real property. It does not include routine repairs or maintenance of existing structures, buildings, or real property.

CONTRACT: A legally enforceable agreement between two or more competent parties for the procurement of goods or services.

CONTRACTOR: Any person who legally buys or sells goods or services to the City or desires to do so through the competitive solicitation processes.

COOPERATIVE PURCHASING ORGANIZATION: An organization, association, or alliance of purchasers established to combine purchasing power in order to obtain the best value for the purchasers by engaging in procurements.

DE MINIMIS SOLICITATION THRESHOLD: Threshold for small-dollar purchases that do not require procurement requests for quotes or formal competitive solicitation processes.

DESIGNEE: A person whom the City has delegated purchasing authority to perform functions that another person would regularly hold.

DISBURSEMENT: The payment of the following liabilities, goods, and services: (1) media advertising; (2) insurance premiums; (3) legal fees and services; (4) credit card payments; (5) land and building purchases or rentals; (6) registration for meetings or training sessions, including prepaid hotel costs; (7) subscriptions, memberships, professional registrations, and publications; (8) utility payments; (9) petty cash reimbursements; (10) employee reimbursements including eyewear, health insurance, and educational; (11) postal charges or fees; (12) parking fees; (13) worker compensation fees; (14) credit reporting fees; (15) bond releases; (16) witness fees; (17) phone bills; (18) radio service (UCAN); (19) refunds of City fees or charges; (20) title searches or rights-of-way; (21) animal control adoption, spay, and neuter program; (22) seized assets (police); (23) found property (police); (24) K9 veterinary services; (25) revenue-generating contracts; (26) used vehicles and equipment; and (27) employee team-building events and trainings.

EMERGENCY CONDITION: An event or action that creates an immediate and serious need for goods and services that the City cannot adequately address using customary procurement methods. Such a need may arise, for example, by reason of a natural disaster, epidemic, riot, equipment failure, or other reason.

EMERGENCY PROCUREMENT: The procurement of goods and services that the City cannot reasonably purchase through normal procurement methods because of an existing or imminent emergency condition, public threat, or unforeseen circumstances without compromising City property or without delaying any work that may affect the life, health, safety, or welfare of the public.

FORMAL COMPETITIVE SOLICITATION THRESHOLD: The estimated dollar amount of a good or service that requires the use of formal methods of competitive solicitation as set forth in this title.

INFORMAL SURVEY: A procurement process in which a department may informally survey one or more vendors regarding their services and pricing on specific matters to determine the most appropriate vendor in a given circumstance.

INVITATION FOR BIDS (IFB): A document, and all attachments to it, that the City uses for seeking bids on purchases usually estimated to be greater in total value than the formal competitive solicitation thresholds.

MINIMAL VALUE: A calculated labor-hour value that, given the number of labor hours needed to perform the surplus function of the City-owned property, exceeds the estimated current value of that property.

MINOR IRREGULARITY OR INFORMALITY: A variation in an official bid, offer, or contract that does not: (i) affect the price of the bid, offer, or contract; (ii) give a bidder or offeror an advantage or benefit not shared by other bidders or offerors; or (iii) adversely impact the interest of the City.

MULTIPLE STAGE PROCUREMENT: A procurement process used in an IFB or RFP to advance qualified bidders through a series of criteria and stages before a bidder may submit a cost element for a bid or proposal.

ONLINE PROCUREMENT SERVICE: A website or group of websites designed to assist in posting IFBs, RFPs, RFQs, SOQs, and other procurement solicitations and receiving responses

to those solicitations by vendors.

PERSON: An individual, corporation, company, business, organization, association, or governmental entity, and their respective employees and agents.

PROFESSIONAL SERVICES: The furnishing of labor, time, or effort by a professional who possesses an elevated degree of specialized knowledge and discretion that formal education, certification, advanced training, or other qualification may exemplify.

PUBLIC AUCTION: An online or in-person forum that provides the general public an opportunity to bid on surplus goods that the City sells to the highest bidder.

PUBLIC INFRASTRUCTURE: Essential public services and functions that the City provides to meet the needs of the community that typically include water supply, sewage and waste-management systems, public transportation networks, road maintenance, parks and recreation, and public buildings.

PUBLIC INFRASTRUCTURE INFORMAL COMPETITIVE SOLICITATION THRESHOLD: The estimated dollar amount of a good or service that does not require the use of formal methods of competitive solicitation as set forth in this title.

PUBLIC THREAT: A circumstance that appears likely to adversely impact the public's health, welfare, convenience, or safety.

PURCHASING: The process of buying, procuring, renting, leasing, or otherwise acquiring any good or service. The term "procurement" is interchangeable with the term "purchasing."

PURCHASING CARD (P-CARD): City-issued credit cards that employees generally use for expenditures less than the current informal competitive solicitation limit.

PURCHASING DIVISION: A division within the finance department that is responsible for obtaining goods and services needed in support of the City's departments.

PURCHASING MANAGER: An authorized agent of the City who reviews purchase requests, prepares bids, quotes, proposals, and specifications, issues purchase orders and contracts, evaluates responses to solicitations, and awards contracts.

PURCHASE ORDER (PO): A document that the purchasing manager or designee drafts and issues to formalize a purchasing transaction with a supplier.

REQUEST FOR INFORMATION (RFI): A document or set of documents that solicits information, comments, or suggestions from potential bidders or offerors before any competitive solicitation begins. An RFI may not result in an award of a purchase order or contract.

REQUEST FOR PROPOSALS (RFP): A document, and all attachments to it, that the City uses for seeking proposals for goods and services where the lowest price is generally not the most important criterion or is only one of several determining factors in the selection of the winning proposer.

REQUEST FOR QUOTES (RFQ): A verbal or written request for the cost, availability, and

quality of goods or services that are estimated to total less than the formal competitive solicitation threshold over the initial term of the proposed contract or purchase order and all potential renewal periods.

REQUEST FOR STATEMENT OF QUALIFICATION (SOQ): A document or set of documents requesting the qualifications of potential offerors for a specific project or goods and services.

REQUISITION: An internal document by which a requisitioner requests the purchasing manager or designee to initiate a purchase.

REQUISITIONER: The person who creates a requisition that is sent to the purchasing manager or designee to initiate a purchase.

RESPONSIBLE: A person that has the capability, as the City determines in its sole discretion, to perform all requirements of the competitive solicitation, the final contract, or purchase order.

RESPONSIVE: A person that has submitted the quote, bid, or proposal that conforms in all material respects to the competitive solicitation specifications, terms and conditions, and all other requirements of the competitive solicitation, as the City determines in its sole discretion.

SERVICES: Labor, effort, or work that provides a benefit to the City, including but not limited to construction work necessary to complete public infrastructure services projects or building improvements.

SIGNIFICANT PARCEL OF REAL PROPERTY: For purposes of this chapter, a significant parcel of property is: (A) a single parcel or combination of contiguous parcels having an estimated value in excess of $50,000 as determined by using the county assessed value; (B) a single parcel or combination of contiguous parcels having a size in excess of one-half (1/2) acre; or (C) an agreement involving an interest in property for less than a fee, the value of which exceeds $50,000.

SOLICITATION THRESHOLDS: Monetary limits that determine when an informal or formal solicitation process is required. The City shall publish approved thresholds annually in the City's budget.

SPECIFICATION: Any description of the physical or functional characteristics or of the nature of the good or service being procured through the competitive solicitation process.

STANDING: A protesting potential or official bidder, offeror, or contractor will only have standing if the bidder, offeror, or contractor has suffered or is about to suffer imminent harm caused by the City's conduct that is an infringement of the protestor's own right, and a decision in favor of the protestor is reasonably likely to redress the harm.

SUPPLIER: A person or business entity that provides goods and services in response to any procurement solicitation. The term is interchangeable with "vendor," "provider," and "contractor."

SURPLUS PROPERTY: City real and personal property.

TIE BID: Low responsive bids from responsible bidders that are identical in price and that meet all the requirements and criteria set forth in the Invitation for Bids or Request for Quotes.

TIE SCORE: Identical overall scores that two or more respondents receive from a Request for Proposal evaluation committee and that meet all the requirements and criteria set forth in the RFP.

TRANSIT FACILITY: An existing or proposed transit passenger station, maintenance, storage, or service facility, or right-of-way for use in providing transit services.

TRANSITIONAL COSTS: The costs of changing from an existing provider or type of procurement item to another, including training, conversion, compatibility, downtime, disruption-of-service, staff time, installation, and ancillary costs. Transitional costs do not include the costs of preparing for or engaging in a procurement process or contract negotiation or drafting costs.

TRANSPORTATION FACILITY: Highways, turnpikes, airports, railroads, bicycle and pedestrian facilities, waterways, pipelines, electric utility facilities, communication lines and facilities, public transportation facilities, port facilities, and facilities appurtenant to other transportation facilities.

UNFORESEEN CONDITION: A circumstance that creates a need to procure goods or services within time frames that could not be reasonably anticipated or reasonably accommodated under customary procurement methods to preclude identifiable adverse impact to the City or to the public's health, welfare, convenience, or safety.

3.03.030 General Purchasing Requirements

The following general requirements apply to all purchases for goods and services:

A. Requisitions. A requisition or purchase order is required for purchases that are not paid for with a P-Card, that are applied to an approved purchase order or contract, or that are listed as a disbursement. The requisition must contain program and account numbers, quantity, description, specifications, scope of work, quotes or bid tabulation and supporting documentation, department-head or designee financial-system workflow approval, and email addresses of known potential suppliers, if applicable. Requisitions are approved through the financial system's approval workflow process.

B. Unless otherwise exempted, purchases over the de minimis micro-value solicitation threshold that are not classified as a public infrastructure or building-improvement project shall require competitive solicitation. Purchases under that threshold do not require competition and may be purchased from any available vendor.

C. Unless otherwise exempted, all public infrastructure and building-improvement projects over the de minimis macro-value solicitation threshold shall require competitive solicitation. Purchases under that threshold do not require competition and may be purchased from any available vendor.

D. Unless otherwise exempted or procured through the informal survey process, professional-service projects that exceed the formal solicitation threshold shall require competitive solicitation. Purchases under that threshold do not require competition and may be purchased from any available vendor.

E. The City prohibits dividing purchases into two or more smaller purchases to avoid using a standard procurement process.

F. Purchases above the applicable threshold without a requisition or purchase order ("after-the-fact" purchases) are non-compliant with the City's purchasing policies. Employees who fail to comply may be subject to disciplinary action, up to and including termination. This provision does not apply to P-Card purchases.

G. For any purchase using federal funding, the City must check contractors using the www.sam.gov website to ensure they have not been excluded from providing goods and services for federal award programs.

H. Council staff, City officers, and employees who use a P-Card must submit all receipts, supporting documentation, and account-funding information to the Administrative Services Department, P-Card administrator(s), or the Council director, as applicable, on a monthly basis.

I. When determining the proper level of procurement authority or whether a competitive solicitation is required, the City shall consider the length of the contract, including all potential renewal terms, for purposes of calculating the total estimated price.

For example, if the purchasing manager estimates that a good or service has a value of $20,000 annually for a one-year term with options to renew for four additional one-year terms, the value of the contract is $100,000. Competitive solicitation is required.

J. The mayor, purchasing manager, or their respective designee(s) may allow others to assist in the preparation of specifications for the City's use in making procurements, provided there is no conflict of interest.

K. The City reserves the right to reject or cancel any or all invitations for bids, requests for proposals, requests for quotations, or other solicitations. The mayor or purchasing manager may waive any immaterial formality, error, technicality, or other irregularity if doing so would be in the best interest of the City.

3.03.040 Procurement Authority

A. Purchases under the Public Infrastructure Formal Competitive Threshold: Department heads, the purchasing manager, or their respective designee(s) may purchase goods and services where the total estimated value is less than the formal competitive threshold.

B. Purchases for Building Improvements: Department heads or their designee(s) shall be authorized to purchase necessary goods and services required to complete building improvements where the dollar amount is less than the formal competitive solicitation threshold.

C. Purchases for Professional Services: Department heads, the purchasing manager, or their designee(s) shall be authorized to purchase professional services up to the formal competitive solicitation threshold.

D. General Delegation of Authority: The mayor may delegate authority to purchase goods and services for the City as deemed appropriate and within the mayor's scope of procurement authority. These delegations shall be in writing and may be limited in scope as the mayor directs.

E. Before award, the mayor must approve the procurement of goods and services where the dollar

value exceeds the limits described in this section.

3.03.050 General Goods and Services Formal Competitive Solicitation Thresholds

Except as otherwise exempted in this chapter, the procurement of goods and services requires formal competitive solicitation when the estimated total amount of the purchase or contract exceeds the informal competitive solicitation threshold. The City may increase this formal competitive solicitation threshold annually as adopted in the budget.

3.03.060 Right to Inspect Place of Business of Contractors and Suppliers

The mayor or designee may, at reasonable times, inspect the place of business of a contractor or supplier that is related to the performance of any contract that the City has awarded or will award.

3.03.070 Ethical Standards for Current and Former City Officers and Employees

By submitting a quote, bid, or proposal in response to any solicitation request, the bidder, offeror, or contractor represents that the bidder, offeror, or contractor has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or to that person's relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, other than as exempted in the City conflict-of-interest ordinance; or (3) knowingly influenced (and hereby promises that it will not knowingly influence) a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in the White City municipal code.

Chapter 3.04 CLAIMS AND RISK MANAGEMENT

3.04.010 Risk and Insurance Management

The City participates in purchasing appropriate insurance coverage to protect the assets, investments, and funds of the City pursuant to Utah Code Annotated §§ 63G-7-801 et seq., as amended. Under the direction of the mayor, the City will annually evaluate the risk and insurance programs of the City to determine the effective implementation of risk management and insurance purchasing. The City's participation in risk and insurance programs shall not be deemed to constitute a waiver of any of the City's rights or immunities under the Utah Governmental Immunity Act, Utah Code Annotated §§ 63G-7-101 et seq., as amended, or the Constitution of the State of Utah.

3.04.020 Procedure for Filing and Processing Claims

A. Time Limit for Filing a Notice of Claim: A notice of claim is governed by the Utah Governmental Immunity Act and is barred unless the claimant files the notice of claim pursuant to the requirements of Utah Code Annotated §§ 63G-7-401 et seq., as amended.

B. Form; Administrative Procedures: The claimant shall file the notice of claim consistent with the standards of Utah Code Annotated § 63G-7-401, as amended. The mayor, or the mayor's designee, may prescribe the use of forms and promulgate administrative procedures to expedite the claims-processing procedures of the City.

C. Settlement and Compromise: The mayor, or the mayor's designee, after conferring with the City attorney, may compromise and settle any claim as to the damages or other relief sought.

D. Time Limit for Action by City: The City shall respond to claims in accordance with the Utah

Governmental Immunity Act and will approve or deny a claim pursuant to the requirements of Utah Code Annotated §§ 63G-7-403 et seq., as amended.

3.04.030 Indemnification of Employees

The City, City officials, and City employees are governed by the Utah Governmental Immunity Act for all claims brought against a City officer or employee, and the requirements of Utah Code Annotated §§ 63G-7-902 and 63G-7-903, as amended, shall be followed. A written request for indemnification shall be made to the mayor, and a copy shall be provided to the City attorney. The City official or City employee seeking indemnification shall follow all requirements of this ordinance and Utah Code Annotated §§ 63G-7-902 and 63G-7-903, as amended. If the person seeking indemnification does not follow all requirements of this ordinance and those statutes, the City may decline to defend or indemnify.

Chapter 3.05 TELECOMMUNICATIONS LICENSE TAX

3.05.010 Purpose

It is the intent of the Council to adopt a telecommunications license tax pursuant to, and in conformance with, Utah Code Annotated §§ 10-1-401 et seq., the Telecommunications License Tax Act ("TLT Act").

3.05.020 State Statute Adopted by Reference

The Municipal Telecommunications License Tax Act, Utah Code Annotated §§ 10-1-401 et seq., as amended from time to time, is hereby adopted by this reference in its entirety as if set forth in full in this chapter.

3.05.030 Definitions

All words and phrases in this chapter shall have the same meanings given to them in the TLT Act, Utah Code Annotated §§ 10-1-401 et seq. In addition:

A. "Municipality" means the City of White City.

B. "TLT" means a telecommunications license tax authorized under the TLT Act.

C. "TLT Act" means the Telecommunications License Tax Act, Utah Code Annotated §§ 10-1-401 et seq.

3.05.040 Tax Levy

There is hereby levied a municipal telecommunications license tax on the gross receipts from telecommunications service attributed to the municipality in accordance with Utah Code Annotated § 10-1-407, or any successor provision.

3.05.050 Rate

The rate of the tax levy shall be three and one-half percent (3.5%) of the telecommunications provider's gross receipts from telecommunications service that are attributed to the municipality in accordance with Utah Code Annotated § 10-1-407, or any successor provision.

3.05.060 Rate Limitation

The rate of this levy shall not exceed three and one-half percent (3.5%) of the telecommunications provider's gross receipts from telecommunications service attributed to the municipality, unless a majority

of the voters in the City who vote in a municipal general election, a regular general election, or a local special election approve a higher rate.

3.05.070 Procedure for Taxes Erroneously Received or Recovered from Customers

The provisions of Utah Code Annotated § 10-1-408, and any successor provisions, are hereby incorporated by this reference. A customer may not bring a cause of action against a telecommunications provider on the basis that the telecommunications provider erroneously recovered from the customer municipal telecommunications license taxes authorized by this chapter unless the customer meets the same requirements that a purchaser is required to meet to bring a cause of action against a seller for a refund or credit as provided in Utah Code Annotated § 59-12-110.1(3).

3.05.080 Change or Repeal of Tax; Changes in Rate of Tax

This chapter is subject to the requirements of Utah Code Annotated § 10-1-403, or successor provisions. If the tax rate is changed, the City shall give the appropriate notice as provided in Utah Code Annotated § 10-1-403, or any successor provisions.

3.05.090 Interlocal Agreement for Collection of Tax

On or before the effective date of this chapter, the municipality shall enter into the uniform interlocal agreement with the State Tax Commission described in Utah Code Annotated § 10-1-405, or any successor provisions, under which the Commission collects, enforces, and administers this municipal telecommunications license tax.

3.05.100 Repeal of Inconsistent Taxes and Fees

Nothing in this chapter shall be interpreted to repeal any City ordinance or fee that provides that the City may recover from a telecommunications provider the management costs of the City caused by the activities of the telecommunications provider in the rights-of-way of the City, if those costs are imposed in accordance with and not prohibited by state law, including the provisions of Utah Code Annotated § 72-7-102, or any successor provisions. This chapter does not limit the City's right to charge fees, costs, or taxes on persons that are not subject to the municipal telecommunications license tax under this chapter and that locate telecommunications facilities, as defined in Utah Code Annotated § 72-7-108.

3.05.110 Effective Date of Tax Levy

The tax levy shall take effect on October 1, 2024.

Chapter 3.07 PREFERENCE SYSTEM IN PROCUREMENT OF GOODS AND SERVICES

3.07.010 Policy of the City

It is the policy of the City to award contracts for goods or services based upon a preference system that encourages responsible business practices and that benefits local businesses.

3.07.020 Preference System

A. The City shall grant the following preferences as provided by this chapter and by citywide policies and procedures:

1. The health-care preference;

2. The local-business preference; and

3. The veterans-hiring preference.

A. B. The purchasing agent shall determine if the vendor qualifies for the preference(s). The burden is on the vendor to demonstrate that it qualifies for the preference(s).

3.07.030 Exceptions to Preference System

The following procurements are exempt from the preference system:

A. A. Procurements where federal law or regulations would prohibit application of this preference;

B. Procurements regarding construction to the extent they are governed by Utah state law;

C. Procurements partially or fully funded by donations or gifts to the City to the extent the provisions would conflict with any special condition attached to the gifts or donations;

D. Procurements not requiring competitive procurement under Chapter 3.03; and

E. Procurements with private citizens. If any contract is bid upon by a private citizen in that person's capacity as a private citizen, the lowest responsive bid shall be determined without consideration of preference for any of the bidders.

Chapter 3.08 REVIEW AND APPLICATION FEES

3.08.010 Fees Established

In order to offset a portion of the costs that the City incurs to review and process various development applications, fees shall be charged as the City Council may from time to time establish in fee schedules adopted by resolution or ordinance. All fees, unless expressly stated otherwise in the fee schedules, shall be nonrefundable.

Chapter 3.09 ENACTMENT OF MET

3.09.010 Purpose

It is the intent of White City to adopt a municipal energy sales and use tax pursuant to, and in conformance with, Utah Code Annotated §§ 10-1-301 et seq., the Municipal Energy Sales and Use Tax Act.

3.09.020 Definitions

All words and phrases in this chapter shall have the same meaning given them in the MET Act, with the following additions:

A. A. "Consumer" means a person who acquires taxable energy for any use that is subject to the MET Act.

B. B. "MET" means municipal energy sales and use tax.

C. "MET Act" means Utah Code Annotated §§ 10-1-301 et seq., the Municipal Energy Sales and Use Tax Act.

D. "Sale" means any transfer of title, exchange, or barter, conditional or otherwise, in any manner, of taxable energy or fuel for consideration. It includes installment and credit sales.

E. "Installment and credit sale" means: (1) any closed transaction constituting a sale; and (2) any transaction under which the right to acquire, use, or consume taxable energy is granted under a lease or contract and the transfer would be taxable if an outright sale were made.

F. "Storage" means any keeping or retention of taxable energy in White City for any purpose, except sales in the regular course of business.

G. "Use" means the exercise of any right or power over taxable energy incident to the ownership or the leasing of the taxable energy, excluding the sale, display, demonstration, or trial of the taxable energy in the regular course of business and taxable energy that is held for resale.

3.09.030 Municipal Energy Sales and Use Tax Levied

Pursuant to Utah Code Annotated §§ 10-1-301 et seq., there is hereby levied, subject to the provisions of this chapter, a tax on every sale or use of taxable energy made within White City equaling six percent (6%) of the value of the taxable energy to the consumer, effective on and after October 1, 2024. This tax shall be known as the Municipal Energy Sales and Use Tax ("MET"). The MET shall be calculated on the delivered value of the taxable energy to the consumer. The MET shall be in addition to any sales or use tax that White City imposes under Utah Code Annotated §§ 59-12-201 et seq.

3.09.040 Exemptions

Pursuant to Utah Code Annotated § 10-1-305(2)(b), the MET exempts from its terms the sale and use of:

A. Aviation fuel, motor fuel, or special fuel that is subject to taxation under Utah Code Annotated Title 59, Chapter 13;

B. Taxable energy where the primary use is for compounding or producing taxable energy or a fuel that is subject to taxation under Utah Code Annotated Title 59, Chapter 13;

A. C. Taxable energy that White City is prohibited from taxing under federal law or the Constitutions of the United States or Utah;

B. D. Taxable energy purchased or stored in White City for resale;

E. Taxable energy brought into the state by a nonresident for that person's own personal use while in the state, except taxable energy purchased for use in the state by a nonresident living or working in the state at the time of purchase;

C. F. Taxable energy for any purpose other than use as a fuel or energy; and

D. G. Taxable energy for use outside of White City.

1. H. Pursuant to Utah Code Annotated § 10-1-305(4), the sale, storage, use, or other consumption of taxable energy is exempt from the MET if: (1) the delivered value of the taxable energy has been subject to a municipal energy sales and use tax levied by another municipality within Utah under an ordinance enacted in accordance with the MET Act; and (2) White City shall be paid the difference between the tax paid to the other municipality and the tax that would otherwise be due under the MET if the tax due under the

MET exceeds the tax paid to the other municipality.

The MET further incorporates all other exemptions required by Utah law.

3.09.050 No Effect Upon Existing Franchises; Credits for Franchise Fees

This MET shall not alter any existing franchise agreements unless otherwise terminated or altered by agreement or applicable law. Any energy supplier who (a) pays a contractual franchise fee to White City pursuant to a contract that was in effect as of July 1, 1997, (b) passes the fee through to taxpayers as a separately itemized charge, and (c) accepts the franchise shall receive a tax credit equal to its contractual franchise fee.

3.09.060 Tax Collection Contract with the Tax Commission

A. On or before the effective date of the ordinance from which this chapter is derived, White City shall contract with the State Tax Commission to perform all functions related to the administration and collection of the MET, save those functions reserved to White City by law. The Mayor and City Recorder are hereby authorized to enter into such agreement or amended agreement as needed with the State Tax Commission.

B.

~~HISTORY~~
~~*Adopted by Ord. 17-02-03 on 2/2/2017*~~

~~Chapter 3.04 LOCAL SALES AND USE TAX~~

~~3.04.010 Title Of Provisions~~
~~3.04.020 Purpose Of Provisions~~
~~3.04.030 Sales Tax--Imposed--Amount~~
~~3.04.040 Place Where Sales Consummated~~
~~3.04.050 Retailer License And Registration~~
~~3.04.060 Exclusions~~
~~3.04.070 Use Tax--Imposed--Amount~~
~~3.04.080 Exemptions~~
~~3.04.090 Statutes Adopted--Alternating Operability~~
~~3.04.100 Credits For Taxes Paid To Cities And Towns~~
~~3.04.110 Administration--Contract With State Tax Commission~~
~~3.04.120 Violation--Penalty~~

~~3.04.010 Title Of Provisions~~

An energy supplier shall pay the MET collected from its consumers directly to White City monthly if: (1) White City is the energy supplier; or (2) the energy supplier estimates that the MET collected annually from its Utah consumers equals one million dollars ($1,000,000.00) or more and the energy supplier collects the MET.

C. An energy supplier paying the MET directly to White City may retain the percent of the tax authorized under Utah Code Annotated § 59-12-108(2) for the energy supplier's cost of collecting and remitting the tax.

3.09.070 State Statutes Incorporated

A. Except as provided in this chapter, and except insofar as they are inconsistent with the provisions of the MET Act and this chapter, all of the provisions of Utah Code Annotated Title 59, Chapter 12, Part 1, as amended and in force and effect on the effective date of this chapter, insofar as they relate to the sales and use taxes levied in that part, are hereby adopted and made a part of this chapter as if fully set forth herein.

B. Wherever, and to the extent that, in Utah Code Annotated Title 59, Chapter 12, Part 1 or the MET Act the State of Utah is named or referred to as the taxing agency, the name of White City shall be substituted, insofar as is necessary for the purposes of those parts. In no event shall the word "state" be substituted when used in conjunction with the "State Tax Commission," nor shall the State Tax Commission be substituted with White City for any matter of liability that statute assigns to the State Tax Commission.

C. Any amendments made to Utah Code Annotated Title 59, Chapter 12, Part 1 that relate to levying or collecting a municipal energy sales and use tax are hereby adopted by reference.

3.09.080 No Additional License or Reporting Required

No additional license to collect or report the MET tax is required, provided the energy supplier collecting the tax has a license issued under Utah Code Annotated § 59-12-106.

Chapter 3.11 LOCAL SALES AND USE TAX

3.11.010 Title of Provisions

The ordinance codified in this chapter shall be known as "the Local Sales and Use Tax Ordinance of the White City. Metro Township."

3.11.020 Purpose of Provisions

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.020 Purpose Of Provisions

The Councilcouncil hereby declares that the ordinance codified in this chapter is adopted to achieve the following, among other purposes, and directs that the provisions of this chapterhereof be interpreted in order to accomplish these purposes:

A.

A. To adopt a sales and use tax ordinance that complies with the requirements and limitations contained in the Local Sales and Use Tax Law of Utah, Utah Code Annotated Title 59, Chapter -12, Part 2, (1953), as amended;

B. B. To adopt a sales and use tax ordinance that incorporates provisions identical to those of Utah Code Annotated Title 59, Chapter 59-12, (1953), as

amended, insofar as those provisions are not inconsistent with the requirements and limitations contained in thesaid Local Sales and Use Tax Law of Utah;

C. C. To adopt a taxing ordinance that levies a municipalmetro sales and use tax, that provides the measure thereof upon which to impose thatsaid tax as permitted by state law permits, and that meets the statutory requirements and administrative procedures thatfollowed by the State Tax Commission follows in the administration and collection of sales and use taxes in the state; and

D. D. To adopt a sales and use tax ordinance that can be administered in a manner that will exclude the receipts of particular sales from the measure of the sales tax imposed by this City thatmetro which have been included in the measure of the sales tax imposed by any other municipality, county, or metro township, county or municipality, and avoid imposing a use tax on the storage, use, or other consumption of tangible personal property in this Citymetro when the gross receipts from the sales of or the use of that property have been subject to a sales or use tax by any other municipality, county, or metro township, county or municipality of the Statestate of Utah, pursuant to a sales and use tax chapter enacted under the provisions of the Sales and Use Tax Law of Utah.

3.11.030 Sales Tax – Imposed – Amount

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.030 Sales Tax--Imposed--Amount

There is hereby levied for collection a tax upon every retail sale of tangible personal property, services, and meals made within the White City, Metro Township ("Metro") which sales tax shall be imposed at the rate of one percent of the purchase price paid or charged on thatsaid retail sale. The taxability of any sale or use shall be determined pursuant to the provisions of Utah Code Annotated Title 59, Chapter -12, Part 1.

3.11.040 Place Where Sales Consummated

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.040 Place Where Sales Consummated

For the purposes of this chapter, all retail sales shall be presumed to have been consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or the retailer'shis agent to an out-of-state destination. IfIn the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be as determined under the rules and regulations that the State Tax Commission prescribes and adoptsprescribed and adopted by the State Tax Commission. Public utilities, as defined by Utah Code 54, shall not be obligated to determine the place or places within any metro township, county or municipality where public utilities' services are rendered, but the place of the sale of the sales tax revenues arising from such service allocable to the Metro shall be as determined by the State Tax Commission pursuant to an appropriate formula and other rules and regulations prescribed and adopted by it.

3.11.050 Retailer License and Registration

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.050 Retailer License And Registration

If a license has been issued by the State Tax Commission has issued a license pursuant to the provisions of Utah Code Annotated § 59-12-106, (1953), as amended, to a person in White Citythe Metro who is required to collect a sales tax, thatsaid person shall not be required to obtain a similar license from White Citythe Metro because of the provisions of this chapter.

3.11.060 Exclusions

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.060 Exclusions

There shall be excluded from the purchase price paid or charged by which the tax is measured: (A) the

A. The amount of any sales or use tax imposed by the state upon a retailer or consumer; and (B) receipts

B.A. Receipts from the sale of tangible personal property upon which a sales

or use tax has become due by reason of the same transaction to any other municipality, county, or metro township, county and any municipality in the Statestate of Utah under a sales or use tax ordinance enacted by that metro township, county or municipality in accordance with the Local Sales and Use Tax Law of Utah.

3.11.070 Use Tax – Imposed – Amount

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.070 Use Tax--Imposed--Amount

There is hereby levied for collection a tax upon the storage, use, or other consumption in White Citythe Metro of tangible personal property purchased from any retailer for storage, use, or other consumption in White Citythe Metro. Such use tax shall be imposed at the rate of one percent of the sales price of the property, the storage, use, or consumption of which is subject to the tax.

3.11.080 Exemptions

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.080 Exemptions

There shall be exempt from the taxes due under this chapter: (A) the

A. The amount of any sales or use tax imposed by the state under Utah Code Annotated Title 59, Chapter 59-12, (1953), as amended; and (B) the

B.A. The sale, storage, use, or other consumption of tangible personal property, the purchase price orfrom the sale of or the cost of which has been subject to the imposition of a sales or use tax under a sales and use tax ordinance enacted in accordance with the provisions of Utah Code Annotated Title 59, Chapter 12, Part 2,11-9, (1953), as amended, by another municipality, county, or metro township, county or municipality in another county in the Statestate of Utah.

3.11.090 Statutes Adopted – Alternating Operability

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.090 Statutes Adopted--Alternating Operability

A. 1. Except as hereinafter provided in this chapter, and except insofar as they are inconsistent with the provisions of the Local Sales and Use Tax Law of Utah, all of the provisions of Utah Code Annotated Title 59, Chapter 12, Part 1, as amended,(1953), are hereby adopted and made a part of this chapter as though fully set forth herein.

B2. Wherever and to the extent that in Utah Code Annotated Title 59, Chapter 59-12, Part 1, as amended,(1953), the Statestate of Utah is named or referred to as the taxing agency, the name of this CityMetro shall be substituted therefor. Nothing in this subsection shall be deemed to require substitution of the name of the Citymetro for the word "state" when that word is used as part of the title of the State Tax Commission, or of the Constitution of the state, nor shall the name of the CityMetro be substituted for that of the state when the result of that substitution would require action to be taken by or against the CityMetro or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this chapter.

3.11.100 Credits for Taxes Paid to Cities and Towns

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.100 Credits For Taxes Paid To Cities And Towns

Any person, as defined in Utah Code §§ 59-15-2 and 59-16-2, (1953), subject to the payment of sales and use taxes as provided in this chapter, shall be entitled to credit against the amount of taxes due under this chapterthereunder the amount of any taxes due to a city or town in the county, provided the city or town to which the taxes are due has levied a sales and use tax pursuant to and in accordance with the provisions of Utah Code Annotated Title 59, Chapter 12, (1953), as amended.

3.11.110 Administration – Contract with State Tax Commission

Before

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.110 Administration--Contract With State Tax Commission

Prior to the effective date of the amendatory ordinance codified in this chapter, White Cityherein, the Metro shall contract with the State Tax Commission for the said Commission to perform all functions required and incidental to the administration and operation of this chapter, and collect the taxes levied hereunder. The records of the State Tax Commission, the Commission's performance under the contract, and the records of any taxpayer subject to this chapter.tax shall be subject to review and audit as provided in the contract and as by law. The State Tax Commission shall be compensated for its services pursuant to the provisions of Utah Code Annotated § 59-12-206.

3.11.120 Violation – Penalty

HISTORY
Amended by Ord. 17-02-02 on 2/2/2017
Adopted by Ord. 17-02-03 on 2/2/2017

3.04.120 Violation--Penalty

Any person violating any of the provisions of this chapter shall be deemed guilty of a Class B misdemeanor, and upon conviction thereof shall be punishable as set forth in Chapter 1.12 of this code.

Chapter 3.12 ADDITIONAL LOCAL SALES AND USE TAX

3.12.010 Title of Provisions

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.05 OPTIONAL COUNTY SALES AND USE TAX

3.05.010 Title Of Provisions
3.05.020 Statutory Authority
3.05.030 Purpose Of Provisions
3.05.040 Imposition--Amount
3.05.050 Incorporation Of State Law
3.05.060 Administration, Collection And Distribution By State
3.05.070 Exemptions

3.05.010 Title Of Provisions

The ordinance codified in this chapter shall be known as the Local Sales and Use Tax

Addition for a Low-Fare Public Transportation System."the optional county sales and use tax."

3.12.020 Statutory Authority

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.05.020 Statutory Authority

The authority for imposing this tax is derived from Utah Code Annotated Title 59, Chapter -12, Part 5, as amended.11, (1953).

3.12.030 Purpose of Provisions

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.05.030 Purpose Of Provisions

The ordinance codified in this chapter is enacted to provide the county with a source of revenue to allow the county to more effectively carry out its role as a political and legal subdivision of the state and the council directs that the provisions hereof be interpreted and construed to accomplish this stated purpose.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.05.040 Imposition--Amount

In addition to all other taxes imposed under this title, the county does impose and levy for collection a sales and use tax of one-quarter of one percent upon the sales and uses described in Section 59-12-103(l), subject to the exemptions provided for in Section 59-12-104. This tax is imposed upon all sales and uses made in the county, including sales and uses made within the corporate limits of the cities and towns of the county. Provisions of this chapter shall be subject to the provisions of the sales and use tax laws of Utah to which reference is hereinafter made in this chapter and which are enacted and made a part of this chapter as though fully set forth herein.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.05.050 Incorporation Of State Law

A. Except as hereinafter provided and except insofar as they are inconsistent with provisions of the County Option Sales and Use Tax Act, all the provisions of Utah Code 59-12 Part 1, (1953), as amended, in force and effect on the effective date of the ordinance codified in this chapter insofar as they relate to the tax imposed by this chapter except Utah Code §§ 59-12-101 and 59-12-119 thereof, are adopted and made a part of this chapter as though fully set forth herein.

B. Wherever and unto the extent that in Utah Code 59-12 Part 1, (1953), the state is named or referred to as the taxing agency, the name of this county shall be substituted therefor. Nothing in this subparagraph shall be deemed to require substitution of the name of the county for the word "state" when that word is used as part of the title of the State Tax Commission, or the Constitution of the State of Utah, nor shall the name of the county be substituted for that of the state in any section when the result of that substitution would require action to be taken by or against the county or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.05.060 Administration, Collection And Distribution By State

A. Taxes imposed pursuant to this chapter shall be levied at the same time and collected in the same manner as provided for in Utah Code § 59-12-201, (1953) et. seq., as amended, except that the revenue derived from the tax is not subject to the collection and distribution procedures established pursuant to the provisions of Utah Code 59-12-205(2), (1953), as amended. Revenues collected pursuant to this chapter shall be distributed in accordance with Utah Code § 59-12-1102(3) and the rules adopted by the Utah State Tax Commission pursuant to Utah Code
§ 59-12-1102(3)(d). All revenues shall collected shall be revenues of either Salt Lake County or of any other county entitled to distribution of the same pursuant to the statute.

B. Any records, tax returns or other information of any person, corporation, company, or other group or organization subject to the taxes imposed by this chapter which relate to the calculation, collection or remittance to the State Tax Commission of such taxes shall be subject to review, inspection, and auditing by Salt Lake County. The records of the State Tax Commission and its performance in the collection and distribution of this tax shall be subject to review and audit as provided in the county's contract with the Commission for the collection and distribution of the local sales and use

tax and as provided by law.

C. The fee charged Salt Lake County by the State Tax Commission under Utah Code § 59-12-206 (1953, as amended) shall be based on the distribution amount resulting after all the applicable distribution calculations under Utah Code § 59-12-1102(3) have been made.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.05.070 Exemptions
The sale, storage, use or other consumption of tangible personal property which is exempt from sales or use taxation pursuant to Utah Code § 59-12-104 is exempt from the application of the optional county sales and use tax.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.06 ADDITIONAL LOCAL SALES AND USE TAX

3.06.010 Title Of Provisions
3.06.020 Statutory Authority
3.06.030 Purpose Of Provisions
3.06.040 Imposition--Amount
3.06.050 Statutes Adopted By Reference
3.06.060 Exemptions
3.06.070 Credits
3.06.080 Collection
3.06.090 Assignment Of On-Fifth Of Tax Imposed By County Ordinance 3.06.040(B)

3.06.010 Title Of Provisions
The ordinance codified in this chapter shall be known as "the Local Sales and Use Tax Addition for a Low-Fare Public Transportation System."

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.020 Statutory Authority
The authority for imposing this tax is derived from Utah Code 59-12 Part 5, (1953).

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.030 Purpose Of Provisions
The ordinance codified in this chapter is enacted to provide the county with a

source of revenue specifically for the funding and operation of a low-fare public transportation system, and for the County of the First Class State Highway Projects Fund. The Councilcouncil hereby directs that the provisions of this chapterhereof be interpreted and construed to accomplish these stated purposes.

3.12.040 Imposition – Amount

A.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.040 Imposition--Amount

A. Pursuant to Utah Code Annotated § 59-12-501 and in addition to the other taxes imposed by this title, there is imposedthe county does impose and leviedlevy for collection a 0.30 percent sales and use tax upon the retail sales and uses in the county as such sales and uses are described in Utah Code Annotated § 59-12-103(1), subject to the exemptions provided for in Utah Code Annotated § 59-12-104 and the exemption from tax for amounts paid for food and food ingredients. TheThe foregoing tax is imposed and levied for collection on a countywide basis, including the areas within the corporate limits of the cities and towns of the county. The provisions of this chapter shall be subject to the provisions of the sales and use tax laws of Utah to which reference is hereinafter made in this chapter, and which are enacted and made a part of this chapter as though fully set forth herein. The funds received from the imposition of this tax shall be used and expended as provided for by state statute.

B.A. Pursuant to Utah Code § 59-12-502 and in addition to the other taxes imposed by this title, the county does impose and levy for collection a quarter of one percent sales and use tax upon the retail sales and uses in the county as such sales and uses are described in Utah Code § 59-12-103(1), subject to the exemptions provided for in Utah Code § 59-12-104 and the exemption from tax for amounts paid for food and food ingredients. The foregoing tax is imposed and levied for collection on a countywide basis, including the areas within the corporate limits of the cities and towns of the county. The provisions of this chapter shall be subject to the provisions of the sales and use tax laws of Utah to which reference is hereinafter made in this chapter, and which are enacted and made a part of this chapter as though fully set forth herein. The funds received from the imposition of this tax shall be used and expended as provided for by state statute.

B. Pursuant to Utah Code Annotated § 59-12-502 and in addition to the other taxes imposed by this title, there is imposed and levied for collection a quarter of one percent sales and use tax upon the retail sales and uses described in Utah Code Annotated § 59-12-103(1), subject to the exemptions provided in Utah Code Annotated § 59-12-104 and the exemption from tax for amounts paid for food and food ingredients. The tax is imposed and levied for collection on a

countywide basis, including the areas within the corporate limits of the cities and towns of the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.050 Statutes Adopted By Reference

The following requirements and provisions of law are adopted and included in this sales and use tax chapter:

The funds received from the imposition of this tax shall be used and expended as provided for by state statute.

3.12.050 Statutes Adopted by Reference

A. The appropriate provisions of Utah Code Annotated Title 59, Chapter 12, Part 2, as amended, and the applicable provisions of Utah Code Annotated Title 59, Chapter 12,(1953), as amended, are enacted and incorporated herein by this reference thereto;

B.A. The applicable provisions of Utah Code 59-12, (1953), are enacted hereby and included in this chapter insofar as they relate to sales and use tax, except that the name of the county, as the taxing agency, shall be substituted for that of the state wherever necessary, that an additional seller's permit shall not be required if one has been or is issued to the seller, and that any retailer who has registered with the State Tax Commission shall not be required to repeat such registration with the county.

3.12.060 Exemptions

A.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.060 Exemptions

A. The sale, storage, use, or other consumption of tangible personal property, the purchase price or the cost of which has been subject to sales or use tax under a sales and use tax ordinance and enacted in accordance with Utah Code Annotated Title 59, Chapter 59-12, Part 2, (1953), as amended, by any other county or municipality in any other county in this state, shall be exempt from the tax due under this chapter.

B. B. The amount of any sales or use tax paid under Utah Code Annotated Title 59, Chapter 59-12, Parts 1 and 2, (1953), as amended, shall not be included as part of the purchase price paid or charged for a taxable item under this

chapterhereunder.

C. C. The sales and uses that are exempt from sales or use tax under stateState statute shall be exempt from the taxes imposed by this chapter.

3.12.070 Credits

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.070 Credits

Any person subject to the provisions of this sales and use tax chapter shall be entitled to a credit against the payment of taxes due under this chapter such amounts as are authorized by law.

3.12.080 Collection

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.080 Collection

Any records, tax returns, or other information of any person, corporation, company, or other group or organization subject to the taxes imposed by this chapter thatwhich relate to the calculation, collection, or remittance to the State Tax Commission of thosesaid taxes shall be subject to review, inspection, and auditing by Salt Lake County.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.06.090 Assignment Of On-Fifth Of Tax Imposed By County Ordinance 3.06.040(B)

Pursuant to Utah Code § 59-12-502(5)(b), the Utah State Tax Commission shall transfer the proceeds of one-fifth of the one-quarter percent sales and use tax imposed by County Ordinance 3.06.040(B) to the County of the First Class State Highway Projects Fund created by Utah Code § 72-2-121, to be used for such purposes as are authorized by law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.07 LOCAL SALES AND USE TAX TO FUND RECREATIONAL AND ZOOLOGICAL FACILITIES AND BOTANICAL, CULTURAL AND ZOOLOGICAL ORGANIZATIONS

3.07.010 Provisions
3.07.020 Statutory Authority
3.07.030 Purpose Of Provisions
3.07.040 Imposition--Amount
3.07.041 Use Of Revenues
3.07.050 Collection
3.07.060 Distribution Of Revenues--Determination Of Operating Expenses
3.07.070 Incorporation Of State Law
3.07.080 Effective Date To Reflect Statutory Changes To The Distribution Formula Or Eligible Recipients

3.07.010 Provisions

The ordinance codified in this chapter shall be known as "the local sales and use tax to fund recreational and zoological facilities and botanical, cultural and zoological organizations of the county of Salt Lake."

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.020 Statutory Authority

The authority for imposing this tax is derived from Utah Code § 59-12-701, (1953) et seq.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.030 Purpose Of Provisions

The ordinance codified in this chapter is enacted to provide the county with a source of revenue specifically for the purposes of funding recreational and zoological facilities and botanical, cultural, and zoological organizations in Salt Lake County pursuant to, and in accordance with, Utah Code § 59-12-701 et seq., and policies and procedures enacted by the county to establish, collect and use the taxes provided by the state statute.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.040 Imposition--Amount

There is levied for collection a local sales and use tax of one-tenth of one percent

to fund recreational and zoological facilities, and botanical, cultural and zoological organizations in Salt Lake County for a period of ten years commencing on January 1, 2017 and ending on December 31, 2026.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.041 Use Of Revenues

The revenues received from the local sales and use tax levied pursuant to Section 3.07.040 shall be used solely for the purposes of financing recreational and zoological facilities and on-going operating expenses of recreational facilities and botanical, cultural, and zoological organizations within Salt Lake County.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.050 Collection

Taxes imposed under this chapter shall be:

A. Levied at the same time and collected in the same manner as provided in Utah Code 59-12 Part 2, the Local Sales and Use Tax Act, except that the collection and distribution of the tax revenue is not subject to Utah Code § 59-12-205(2) through (9); and

B. Levied for the period authorized in accordance with Utah Code § 59-12-703.

C. The records of the State Tax Commission, the Commission's performance under the contract, and the records of any taxpayer subject to this tax shall be subject to review and audit as provided in the county's contract with the Commission for the collection and distribution of the local sales and use tax and as provided by law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.060 Distribution Of Revenues--Determination Of Operating Expenses

A. The distribution of revenues and determination of operating expenses shall be in accordance with Utah Code § 59-12-701 et seq. and the provisions of this chapter and shall be subject to the policies and procedures adopted by the council.

B. An advisory board known as the Tier I (large cultural organizations) advisory board shall be appointed by the council in accordance with statutory requirements.

C. An advisory board known as the Tier II (small cultural organizations) advisory board shall be appointed by the council in accordance with the following:

1. Two mayors from municipalities within Salt Lake County;

2. At least one member from the Salt Lake County center for the arts advisory board; and

3. Six representatives from the community at large.

D. An advisory board known as the recreational facilities advisory board shall be appointed by the council in accordance with the following:

1. Five representatives from the community at large, at least one community representative shall reside in unincorporated Salt Lake County;

2. Four mayors from municipalities within Salt Lake County;

3. Two representatives from the division of the Salt Lake County parks and recreation advisory board;

4. One member of the county open space trust fund committee;

5. The division director (or his designee) of Salt Lake County parks and recreation;

6. Additional members may be added at the discretion of the council as desired.

E. The director of the community service department (or his designee) and the zoo, arts and parks program director shall serve as nonvoting members to each of the advisory boards. Staff assistance to the Tier I and II advisory boards shall be provided by the department of community services. Staff assistance to the recreational facilities advisory board shall be provided by the council. A deputy district attorney shall provide legal assistance as necessary.

F. It is the intent of the council that to the extent practicable, advisory board members shall be evenly divided by council district.

G. Terms of Board and Committee Members.

1. Except for the terms of office of the members of the first board to be established, the term of office of each member shall be three years and until the appointment and qualification of his/her successor. The terms of members of the first board established shall be staggered.

2. Upon the expiration of a member's term, his/her successor shall be appointed for a full term of three years.

3. The expiration date of the term of office of each board member shall be the first Monday in January in the year in which the person's term expires.

4. The chair of the board or committee shall be selected by the members yearly or at such time as a vacancy occurs.

H. The members of each board shall be appointed by the council.

I. By July 1st of each year, the council may index the threshold amount(s) in Utah Code § 59-12-704(1), as permitted by Utah Code § 59-12-704(5). Any change shall be rounded off to the nearest one hundred dollars.

J. The administration of this chapter shall be further governed by policies and procedures to be established for this purpose by the county.

K. In addition to the definitions found in Utah Code § 59-12-702 and the distribution of revenues found in Utah Code § 59-12-704(1)(b), for the five-year period commencing on January 1, 2017 and ending on December 31, 2021, to be eligible to receive a portion of the ZAP revenue as a zoological facility or organization, such facility or organization must be accredited by or be in the process of obtaining accreditation from the Association of Zoos and Aquariums. If any zoological facility or organization that has been accredited by the Association of Zoos and Aquariums loses the accreditation, said facility or organization shall provide, with its application, an explanation for the loss of accreditation and written identification of curative measures taken by the facility or organization to address the reasons for the loss of accreditation. The Tier I advisory board may consider the explanation and identification of curative measures in awarding ZAP funds to said zoological facility or organization. However, if a zoological facility or organization fails to receive its initial accreditation from the Association of Zoos and Aquariums on or before December 31, 2021, then, after December 31, 2021, the zoological facility or organization will not be eligible to receive a portion of the ZAP revenue as a zoological facility or organization under Utah Code § 59-12-704(1)(b) until the zoological facility or organization obtains accreditation from the Association of Zoos and Aquariums.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.070 Incorporation Of State Law

A. Except as herein provided, and except insofar as they are inconsistent with the provisions of the County Option for Funding Botanical, Cultural, and

Zoological Organizations legislation codified at Utah Code § 59-12-701, et seq., all of the provisions of Utah Code 59-12 Part 1, (1953), as amended, in force and effect on the effective date of the ordinance codified in this chapter, insofar as they relate to the tax imposed by this chapter, excepting Utah Code §§ 59-12-101 and 59-12-119 thereof, are adopted and made a part of this chapter as though fully set forth herein.

B. Wherever, and to the extent that in Utah Code 59-12 Part 1, (1953), the state of Utah is named or referred to as the taxing agency, the name of this county shall be substituted therefore. Nothing in this subparagraph shall be deemed to require substitution of the name of the county for the word "state" when that word is used as part of the title of the State Tax Commission, or of the Constitution of the state of Utah, nor shall the name of the county be substituted for that of the state in any section when the result of that substitution would require action to be taken by or against the county or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.07.080 Effective Date To Reflect Statutory Changes To The Distribution Formula Or Eligible Recipients

The effective date to reflect statutory changes to the distribution formula or eligible recipients is January 1, 2017.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.08 LOCAL SALES AND USE TAX FOR FUNDING CORRIDOR PRESERVATION, CONGESTION MITIGATION, AND THE EXPANSION OF CAPACITY FOR REGIONALLY SIGNIFICANT TRANSPORTATION FACILITIES

3.08.010 Title Of Provisions
3.08.020 Statutory Authority
3.08.030 Purpose Of Provisions
3.08.040 Imposition--Amount
3.08.050 Statutes Adopted By Reference
3.08.060 Exemptions
3.08.070 Credits
3.08.080 Collection And Review Of Records
3.08.090 Assignment Of Tax Imposed

3.08.010 Title Of Provisions

The ordinance codified in this chapter shall be known as "the local sales and use tax for funding corridor preservation, congestion mitigation, and the expansion of

capacity for regionally significant transportation facilities in Salt Lake County."

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.020 Statutory Authority

The authority for imposing this tax is derived from Utah Code 59-12 Part 17, (1953).

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.030 Purpose Of Provisions

The ordinance codified in this chapter is enacted to provide the county with a source of revenue specifically for the funding of corridor preservation, congestion mitigation and the expansion of capacity for regionally significant transportation facilities, and the council directs that the provisions hereof be interpreted and construed to accomplish this stated purpose.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.040 Imposition--Amount

In addition to the other taxes imposed under this title, the county does impose and levy for collection a sales and use tax of one-quarter of one percent upon the retail sales and uses in the county as such sales and uses are described in Utah Code § 59-12-103(1), subject to the exemptions provided for in Utah Code § 59-12-104. The foregoing tax is imposed and levied for collection on a countywide basis, including the areas within the corporate limits of the cities and towns of the county. The provisions of this chapter shall be subject to the provisions of the sales and use tax laws of Utah to which reference is hereinafter made in this chapter, and which are enacted and made a part of this chapter as though fully set forth herein. The funds received from the imposition of this tax shall be used and expended as provided for by state statute.

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HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.050 Statutes Adopted By Reference

The following requirements and provisions of law are adopted and included in this sales and use tax chapter:

A. The appropriate provisions of Utah Code § 59-12 Part 2, (1953), as

amended, are enacted and incorporated herein by this reference thereto;

B. The applicable provisions of Utah Code 59-12, (1953), are enacted and included in this chapter insofar as they relate to sales and use tax, except that the name of the county, as the taxing agency, shall be substituted for that of the state wherever necessary, that an additional seller's permit shall not be required if one has been or is issued to the seller, and that any retailer who has registered with the State Tax Commission shall not be required to repeat such registration with the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.060 Exemptions

A. The sale, storage, use or other consumption of tangible personal property, the purchase price or the cost of which has been subject to sales or use tax under a sales and use tax ordinance and enacted in accordance with Utah Code 59-12 Part 2, (1953), as amended, by any other county or municipality in any other county in this state, shall be exempt from the tax due under this chapter.

B. The amount of any sales or use tax paid under Utah Code 59-12, (1953), as amended, shall not be included as part of the purchase price paid or charged for a taxable item hereunder.

C. The sales and uses that are exempt from sales or use tax under State statute shall be exempt from the taxes imposed by this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.070 Credits

Any person subject to the provisions of this sales and use tax chapter shall be entitled to a credit against the payment of taxes due under this chapter such amounts as are authorized by law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.080 Collection And Review Of Records

Any records, tax returns or other information of any person, corporation, company or other group or organization subject to the taxes imposed by this chapter which relate to the calculation, collection or remittance to the State Tax Commission of such taxes shall be subject to review, inspection and auditing by Salt Lake County.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.08.090 Assignment Of Tax Imposed

Pursuant to Utah Code § 59-12-1703, the Utah State Tax Commission shall transfer the proceeds of the one-quarter percent sales and use tax imposed by the ordinance codified in this chapter to the County of the First Class State Highway Projects Fund created by Utah Code § 72-2-121 for such purposes as are authorized by law. The balance of the revenues derived from the tax imposed shall be transmitted to the county to be used as provided for by state law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.10 TOURISM, RECREATION, CULTURAL AND CONVENTION FACILITIES TAX

3.10.010 Provisions
3.10.020 Statutory Authority
3.10.030 Purpose Of Provisions
3.10.040 Definitions
3.10.050 Imposition--Amount
3.10.051 Use Of Revenues
3.10.055 Tourism, Recreation, Cultural And Convention Facilities Tax Advisory Board
3.10.060 Collection
3.10.070 Licensure

3.10.010 Provisions

The ordinance codified in this chapter shall be known as the tourism, recreation, cultural and convention facilities tax of the county of Salt Lake.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.020 Statutory Authority

The authority for imposing this tax is derived from Utah Code § 59-12-601 et seq., (1953).

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.030 Purpose Of Provisions

The ordinance codified in this chapter is enacted to provide the county with a source of revenue specifically for the purposes of financing in whole or in part the development, operation and maintenance of tourist, recreation, cultural and convention facilities and the council directs that the provisions hereof be interpreted and construed to accomplish the stated purpose.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.040 Definitions

As used in this chapter:

"Convention facility" means any publicly owned or operated convention center, sports arena or other facility at which conventions, conferences and other gatherings are held and whose primary business or function is to host such conventions, conferences and other gatherings.

"Cultural facility" means any publicly owned or operated museum, theater, art center, music hall or other cultural or arts facility.

"Occupancy" of a suite, room or rooms, in a motor court, motel, hotel, inn or similar public accommodation means utilization by an individual of such accommodations.

"Recreation facility" or "tourist facility" means any publicly owned or operated park, campground, marina, dock, golf course, water park, historic park, museum, theater, monument, planetarium, bicycle trails and other recreation or tourism related facility.

"Restaurant" means any facility where food is prepared for immediate consumption, including but not limited to coffee shops, cafeterias, restaurants, luncheonettes, soda fountains, fast-food services or outlets and all other similar facilities. "Restaurant" does not include any retail establishment whose primary business or function is the sale of fuel or food items for off-premise, but not immediate, consumption.

"Short-term lease or rental of motor vehicles" means any lease or rental of a motor vehicle not exceeding thirty days in length. A lease or rental of motor vehicles when made for the purpose of temporarily replacing a person's motor vehicle that is being repaired pursuant to a repair or insurance agreement with the State Tax Commissionand which repair is supported by a written agreement, shall not be a short-term lease or rental of a motor vehicle subject to taxation under this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.050 Imposition--Amount

A. A tax is imposed at the rate of seven percent of the lease or rental amount on all short-term leases and rentals of motor vehicles as defined herein which are made within Salt Lake County. The short-term motor vehicle rental shall be deemed to have occurred within Salt Lake County, if the rental is or would be subject to a local option sales and use tax ordinance of Salt Lake County or any city or town in Salt Lake County.

B. A tax is imposed on all restaurants, as defined herein, in Salt Lake County at the rate of one percent on all sales by the restaurant of beverages and prepared foods.

C. A tax is imposed at a rate of one-half percent of the rent for every occupancy of a suite, room or rooms on all persons, companies, corporations, or other similar persons, groups or organizations doing business as motor courts, motels, hotels, inns, or similar accommodations in Salt Lake County.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.051 Use Of Revenues

The revenues received from the tourism, recreation, cultural and convention facilities tax levied pursuant to Sections 3.10.050(A), (B) and (C) shall be used solely for the purposes of financing, in whole or part, tourism promotion, and the development, operation, and maintenance of tourist, recreation, cultural, and convention facilities as defined herein. The council may issue bonds under the provisions of the Utah Municipal Bond Act to pay any costs incurred for the purposes set forth above and pledge the entire proceeds of the taxes provided for in this chapter to the payment of principal, interest, premiums and necessary reserves for any such bonds.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.055 Tourism, Recreation, Cultural And Convention Facilities Tax Advisory Board

A. There is created a tourism, recreation, cultural and convention facilities tax advisory committee consisting of nine members chosen as follows:

1. Five mayors chosen by the municipal members of the Salt Lake Council of Governments;
2. One member representing the unincorporated area of the county chosen by the county council;
3. Two members of the public residing in incorporated cities or towns chosen by the county council; and
4. One member of the public at large chosen by the county council.

B. Members initially appointed shall serve staggered terms with five serving one-year terms and four serving two-year terms chosen by lot. Thereafter, members shall be appointed to four-year terms. A member may be reappointed for one additional four-year term. Any member appointed pursuant to subsection (A) of this section who ceases to meet the qualifications for that member's appointed position shall be replaced for the balance of the unexpired term pursuant to subsection (A)of this section.

C. The committee shall, with the approval of the county council, adopt such bylaws and policies for the governing of its business, including how meetings are to be called, the frequency of the meetings, and the compensation, if any, of the members, the conduct of its members, and such other matters as it deems appropriate and as consistent with state statute, county ordinances, policies and law.

D. To ensure full committee knowledge and intent, the county mayor, in collaboration with the county council, shall provide relative information, statistics and numbers as requested. Requests will be made with appropriate time allowances to prepare accurate, thorough reports for the committee.

E. The committee shall advise the county council on the expenditures of the tax levied under this chapter for acquisition, construction, operation and maintenance of tourism, recreation, cultural and convention facilities. The county council shall provide administrative support to the committee.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.060 Collection

Taxes imposed under this chapter shall be levied at the same time and collected in the same manner as provided for in Utah Code § 59-12-201 et seq., (1953, as amended) except that the revenue derived from the tax is not subject to the collection and distribution procedures established pursuant to the provisions of Utah Code § 59-12-205(2), (1953, as amended). All revenues so collected shall be revenues of Salt Lake County. Any records, tax returns, or other information of any person, corporation, company, or other group or organization subject to the taxes imposed by this chapter which relate to the calculation, collection or remittance to

the State Tax Commission of said taxes shall be subject to review, inspection, and auditing by Salt Lake County.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.10.070 Licensure

All persons, companies, corporations or other similar persons, groups or organizations engaged in the business of short-term rental of motor vehicles or doing business as restaurants, motor courts, motels, hotels, inns or similar public accommodations shall obtain, from the State Tax Commission, a tourism, recreation, cultural or convention facilities tax license. No such additional license shall be required if the person, company, corporation, group or organization has obtained a license pursuant to Utah Code § 59-12-106, (1953, as amended).

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.12 TRANSIENT ROOM TAX*

3.12.010 Title Of Provisions
3.12.020 Purpose Of Provisions
3.12.030 Statutes Adopted By Reference
3.12.040 Transient Defined
3.12.050 Tax Imposed
3.12.060 Exclusions
3.12.070 Convention Bureau Special Reserve Fund
3.12.080 Contributions And Donations Permitted
3.12.090 Audits
3.12.100 Remittance Of Tax
3.12.110 Penalties And Interest

3.12.010 Title Of Provisions

The ordinance codified in this chapter shall be known as "the Transient Room Tax Ordinance of the County of Salt Lake."

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.020 Purpose Of Provisions

The council declares that the ordinance codified in this chapter is adopted to

achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish these purposes:

A. To adopt a transient room tax ordinance that complies with the requirements and limitations contained in Utah Code 17-31 and Utah Code 59-12 Part 3, as amended;

B. To adopt a transient room tax ordinance that incorporates provisions identical to those of Utah Code 17-31 and Utah Code 59-12 Part 3, (1953), as amended;

C. To adopt a transient room tax ordinance that imposes a tax and provide a measure therefor that can be administered and collected by the county or State Tax Commission in a manner that adapts itself as fully as practical to the existing statutory and administrative procedures followed by the State Tax Commission in administering and collecting the sales and use taxes of the state;

D. To adopt a transient room tax ordinance that can be administered in a manner that will provide funds for the purposes of establishing, financing and promoting tourism, recreation and convention bureaus and such other purposes as have been authorized by law for the expenditure of transient room taxes and for that purpose create, at the discretion of the county, a reserve fund comprised of any funds collected but not expended during any financial year.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.030 Statutes Adopted By Reference

All applicable provisions of Utah Code 17-31, (1953), as amended and Utah Code 59-12 Part 3, (1953), are incorporated and made a part of this chapter by this reference thereto.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.040 Transient Defined

For the purpose of this chapter, the term "transient" means and is defined as any individual who occupies any suite, room or rooms in a motel, hotel, motor court, inn or similar public accommodation for fewer than thirty consecutive days.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.050 Tax Imposed

A. There is levied on all persons, companies, corporations, or other like and similar persons, groups or organizations doing business in the county as motor courts, motels, inns, or like and similar public accommodations a transient room tax at the rate of four and one quarter percent of the amounts paid or charged for the accommodations and services described in Utah Code § 59-12-103(1)(i) on all persons, companies, corporations, or other similar persons, groups or organizations providing such services and accommodations in Salt Lake County.

B. The Utah Sales and Use Tax Act, Utah Code § 59-12-101 et seq., and the Utah Local Sales and Use Tax Act, Utah Code § 59-12-201 et seq., are adopted and made part of this chapter as though fully set forth but only to the extent the provisions of these Acts are relevant and pertinent to the administration and the collection of these taxes by Salt Lake County. The adoption and incorporation of these two statutory Acts are further subject to the exceptions set forth in this chapter and are limited to those provisions that are consistent with Utah Code § 17-31-1 et seq.

C. To the extent that in Utah Code 59-12 Part 1, (1953), the state of Utah is named or referred to as the taxing agency, the name of Salt Lake County shall be substituted. Nothing in this subsection shall be deemed to require substitution of the name of the county for the word "state" when that word is used to reference the State Tax Commission.

D. If an annual license has been issued to a retailer under Utah Code § 59-12-106, (1953), an additional license shall not be required by reason of this section, but a copy of such license shall be provided to Salt Lake County within thirty days after the effective date of the ordinance codified in this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.060 Exclusions

There shall be excluded from the rent paid or charged by which the tax is measured:

A. The amount of any sales or use tax imposed by the state or by any other governmental agency upon a retailer or consumer;

B. Receipts from the sale or service charge for any food or beverage or room service charges in conjunction with the occupancy of the suite, room or

rooms.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.070 Convention Bureau Special Reserve Fund

For the purposes authorized by this chapter, there is created a reserve fund, to be known as the "convention bureau special reserve fund," which shall be maintained separate and apart from general and other special funds of the county, and in which shall be deposited any and all funds collected by virtue of the tax imposed but not expended during the fiscal year.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.080 Contributions And Donations Permitted

The county executive is authorized to accept, on behalf of the county, funds contributed, donated or supplied by any person, corporation, other governmental agency, or from any other source whatever for the purposes outlined in Section 3.12.020 of this chapter, and, when such funds are received, they shall be deposited and used in the same manner as though they were derived from the tax imposed.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.090 Audits

Any records or other information of any person, corporation, company, or other group or organization subject to the taxes imposed by this chapter which relate to occupancy and occupancy revenues or to the calculation, collection or remittance to the county of such taxes shall be subject to review and inspection by the county. Audits of such records and information or the supporting records therefor shall be the responsibility of the State Tax Commission. The records of the State Tax Commission relating to the collection of sales and use taxes, or tourism, recreation, and convention center taxes on the same transactions which are the subject of this tax shall be subject to review and audit as provided in the county's contract with the State Tax Commission for the collection of the local sales and use tax and as provided by law. The taxpayer shall also be subject to such audits and reviews by the Utah State Tax Commission as are provided for by law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.100 Remittance Of Tax

The tax shall be remitted as directed by the State Tax Commission or the county and a tax return filed on forms provided or approved by the county at such times and with such frequency as are provided for by state law. All returns filed pursuant hereto shall accurately identify the locations where the transactions occurred and the gross sales upon which the tax for each location is computed.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.12.110 Penalties And Interest

Any person who fails to file any tax return or information required by this chapter, who fails to pay any tax due hereunder, or who fails to timely pay such tax shall be subject to the imposition of penalties and interest by the county in accordance with Utah Code §§ 59-1-401 and 59-1-402 or any successor provision thereto.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.15 PURCHASING, CONTRACTING AND PROCUREMENT

3.15.010 Purpose
3.15.020 Policy 2
3.15.030 Other Purchasing

HISTORY
Adopted by Ord. 18-01-001 on 1/4/2018

3.15.010 Purpose

Pursuant to State Law, the White City shall establish this ordinance, and a policy for directing the processes for the purchasing, contracting and procurement of goods and services needed to operate and govern the White City.

HISTORY
Adopted by Ord. 18-01-001 on 1/4/2018

3.15.020 Policy 2

Article 1 - General Provisions
Article 2 - Office Of The Purchasing Agent
Article 3 - Source Selection And Contract Formation -

General Provisions Article 4 - Appeals
Article 5 - Ethics In Public Contracting

Policy #2 shall direct the process for the purchasing, contracting and procurement of goods and services.

Pursuant to UCA § 63G-6a-108, to ensure a more timely and efficient process for updating and maintain compliance with State Law, the Council shall create and adopt Policy #2 - PURCHASING, CONTRACTING AND PROCUREMENT as White City's administrative guide for the process of purchasing, contracting and procurement of goods and services for White City.

HISTORY
Adopted by Ord. 18-01-001 on 1/4/2018
Adopted by Article Policy #2 Ord 18-01-01 on 1/4/2018

Article 1 - General Provisions

A. The underlying purposes of this policy are:

1. To ensure fair and equitable treatment of all persons who wish to, or do conduct business with the Metro Township.
2. To provide for the greatest possible economy in Metro Township procurement activities.
3. To foster effective broad-based competition within the free enterprise system to ensure that the Township will receive the best possible service or product at the lowest possible price.

B. Compliance - Exemptions from this policy:

1. This policy shall not prevent the Metro Township from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
2. When procurement involves the expenditure of federal assistance funds, the Metro Township shall comply with applicable federal law and regulations.

C. Definitions:

1. "Business" means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
2. "Change order" means a written order signed by the purchasing agent, directing the contractor to suspend work or make changes, which the appropriate clauses of the contract authorize the purchasing agent to order without the consent of the contractor or any written alteration in specifications, delivery point, rate of

delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.

3. "Contract" means any Metro Township agreement for the procurement or disposal of supplies, services, or construction.
4. "Invitation for bids" means all documents, whether attached or incorporated by reference, used for soliciting bids.
5. "Person" means any business, individual, union, committee, club, other organization, or group of individuals.
6. "Procurement" means buying, purchasing, renting, leasing with an option to purchase, or otherwise acquiring any supplies, services, or construction.
7. "Purchasing agent" means the person duly authorized by the Metro Township Council to enter into and administer contracts and make written determinations with respect thereto.
8. "Purchasing description" means the words used in a solicitation to describe the supplies, services or construction to be purchased, and includes specifications attached to or made a part of the solicitation.
9. "Request for proposals" means all documents, whether attached or incorporated by reference, used for soliciting proposals.

Article 2 - Office Of The Purchasing Agent

The council shall appoint a Purchasing Agent. The Purchasing Agent shall be responsible to make procurements, solicit bids and proposals, enter into and administer contracts, and make written determinations for the Metro Township.

Article 3 - Source Selection And Contract Formation - General Provisions

A. Procurements not requiring sealed bids:

1. Procurements costing less than $**10,000** in total, shall not require bids of any type. (Purchases shall not be artificially divided so as to constitute a small purchase under this section.)
2. Procurements costing more than $**10,000** but less than $**20,000** in total, shall require **2** telephone bids.
3. Purchases made through the cooperative purchasing contracts administered by the State Division of Purchasing or other governmental entity which has applied its purchasing and procurement policies.
4. Purchases made from a single-source provider.

5. Purchases required during an emergency, i.e., an eminent threat to the public's health, welfare, or safety. However, as much competition as practical should be obtained; and, such purchases should be limited to amounts necessary to the resolution of the emergency.

B. Purchases requiring sealed bids:

1. Contracts shall be awarded by competitive sealed bidding except as otherwise provided by this policy.

2. An invitation for bids shall be issued when a contract is to be awarded by competitive sealed bidding. The invitation shall include a purchase description and all contractual terms and conditions applicable to the procurement. Public notice of the invitation for bids shall be given at least **10** days prior to the date set forth therein for the opening of bids. The notice may include publication in a newspaper of general circulation, or posting on an approved public notice website.

3. Any procurement in excess of $**20,000** shall require a legal notice in a local newspaper of general circulation, or posting on an approved public notice website.

4. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitations for bids. The amount of each bid and any other relevant information, together with the name of each bidder, shall be recorded. The record and each bid shall be open to public inspection.

5. Bids shall be unconditionally accepted without alternation or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids.

6. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted. After bid opening no changes in bid prices or other provisions of bids prejudicial to the interest of the Metro Township of fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the purchasing agent.

7. The contract shall be awarded with reasonable promptness, by written notice, to the lowest bidder whose bid meets the requirements and criteria set forth in the invitation for bids.

8. The Metro Township shall follow the procedures contained in Utah Code 11-39-101 et seq. for the letting of contracts for the construction of building improvements or public works projects as

defined therein and any provision of this policy that conflicts with the provisions of the Utah Code 11-39-101 et seq. shall not apply to the letting of contracts covered by this chapter of state law.

C. Cancellation and rejection of bids: An invitation for bids, a request for proposals, or other solicitations may be canceled, or any or all bids or proposals may be rejected, in whole or in part, as may be specified in the solicitation, when it is in the best interests of the Metro Township. The reasons shall be made part of the contract file.

D. Use of competitive sealed proposals in lieu of bids (Requests for Proposals): When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the Metro Township, a contract may be entered into competitive sealed proposals. Competitive sealed proposals are most appropriately used for professional service-type contracts.

1. Proposals shall be solicited through a request for proposals. public notice of the request for proposals shall be given at least **10** days prior to the advertised date of the opening of the proposals.

2. Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation. A register of proposals shall be prepared and shall be open for public inspection after contract award.

3. The request for proposals shall state the relative importance of price and other evaluating factors.

4. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conduction discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.

5. Award shall be made to the person whose proposal is determined, in writing, to be the most advantageous to the Metro Township, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

E. Architect-Engineer services are qualification-based procurements: Requests for such services should be publicly announced. Contracts should be negotiated by the Metro Township based on demonstrated competence at fair and reasonable prices.

F. Determination of non-responsibility of bidder: Determination of non-responsibility of a bidder or offeror shall be made in writing. The

unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to the bidder or offeror. Information furnished by a bidder or offeror pursuant to this section shall not be disclosed outside of the purchasing division without prior written consent by the bidder or offeror.

G. Cost-plus-a-percentage-of-cost contracts prohibited: Subject to the limitations of this section, any type of contract which will promote the best interests of the Metro Township may be used, provided that the use of a cost-plus-a-percentage-of-cost contract is prohibited. A cost-reimbursement contract may be used only when a determination is made in writing that such contract is likely to be less costly to the Metro Township than any other type or that it is impracticable to obtain the supplies, services, or construction, required except under such a contract.

Article 4 - Appeals

A. Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may appeal to the purchasing agent. An appeal shall be submitted in writing within 5 working days after the aggrieved person knows or should have known of the facts.

B. The purchasing agent shall promptly issue a written decision regarding any appeal, if it is not settled by a mutual agreement. The decision shall state the reasons for the action taken and

inform the protestor, contractor, or prospective contractor of the right to appeal to the Council.

C. The Council shall be the final appeal on the Metro Township level.

Article 5 - Ethics In Public Contracting

A. No person involved in making procurement decisions may have personal investments in any business entity which will create a substantial conflict between their private interests and their public duties.

B. Any person involved in making procurement decisions is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use of the use or benefit of any other person or organization from any person or organization interested in selling to the Metro Township.

3.15.030 Other Purchasing

Other Purchasing, Contracting and Procurement needs not identified in Policy #2 shall be directed by UCA Title 63G. Chapter 6a- Utah Procurement Code.

On purchasing, contracting and procurement issues that Policy #2 provides to directive, the legal guidance for such purchases shall be directed by Utah Code Annotated Title 630, Chapter 6a - Utah Procurement Code.

HISTORY
Adopted by Ord. 18-01-001 on 1/4/2018

Chapter 3.16 PURCHASING AGENT*

3.16.010 Purpose
3.16.030 Director Designated--Supervisory Authority
3.16.040 Powers And Duties
3.16.045 Contributions Exempt From Purchasing Procedures
3.16.050 Execution Of Contracts
3.16.060 Local Improvement Project Duties
3.16.070 Contracts Executed In Violation Of Provisions
3.16.080 No Preferential Treatment
3.16.090 Contractors Conformance To GRAMA
3.16.100 Contracts Requiring County Council Approval
3.16.110 Conflict Of Interest Prohibited

3.16.010 Purpose

Chapters 3.16 through 3.36 provide for a centralized purchasing authority in county. Purchasing and contracting is the process of acquiring all those goods and services that are deemed necessary by county agencies to provide the public services within the purview of those agencies. The provisions contained herein shall be liberally construed to accomplish this objective.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.030 Director Designated--Supervisory Authority

The director of the division of contracts and procurement shall be the purchasing agent for the county. The purchasing agent shall be a merit employee selected and removed by the mayor subject to the advice and consent of the council and pursuant to the requirements of the County Personnel

Management Act. Subject to the direction and supervision of the mayor, the purchasing agent shall perform or direct the performance of all such duties as are required by the provisions of this chapter and state statute.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.040 Powers And Duties

The purchasing agent shall:

A. Recommend adoption, promulgation, and from time to time revision, of the rules and regulations and countywide policies for administration of the purchasing system;

B. Act as sole agent of the county in contracting for labor, materials or service, or for the purchase, lease or sale of personal property, materials, equipment or supplies, in conformity with the provisions of this chapter and Chapters 3.20 through 3.36; provided, however, that all contracts and purchase orders must be submitted to the mayor for approval and ratification as required by state statute except as provided in Section 3.16.110;

C. Open or authorize the opening of all sealed bids;

D. As an agent for the mayor, determine the lowest or highest responsible bidders, as the case may be, as required by this chapter;

E. Enforce written specifications describing standards established in conformity with this chapter and Chapters 3.20 through 3.26;

F. Require such physical, chemical or other tests as may be necessary to ensure conformity to such specifications with respect to quality and materials;

G. Coordinate the transfer and accountability of personal property to or between the various requisitioning agencies trading in, selling or disposing of such personal property as may become surplus; provided, however, that such disposition complies with the provisions of Chapter 3.36 of this title, enacted under the authority of Utah Code § 17-5-48, (1953), (as enacted 1980), notwithstanding anything in this chapter to the contrary;

H. Assume such related activities as may be assigned from time to time by the mayor;

I. Keep an accurate and complete record of all purchases and a detailed disposition of the same, as required by Utah Code § 17-5-74, (1953);

J. As an agent for the mayor, waive any minor informality or minor technicality in a bid or proposal which does not materially change the significant elements of the bid or proposal, and accept those bids and proposals deemed to be in the best interest of the county. A written determination of the basis for the waiver shall be included in the purchasing file.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.045 Contributions Exempt From Purchasing Procedures

The purchasing agent does not have authority to act for or administer on behalf of the county for services, monetary or nonmonetary assistance, or fee waivers considered contributions under Utah Code § 17-50-303 (2006 as amended) and applicable county policies or regulations. Such contributions

are exempt from these purchasing procedures.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.050 Execution Of Contracts

No department, office, advisory or policy board, or other agency of county government, nor any officer or employee thereof, shall be empowered to execute any purchase order or contract except as specifically authorized in this chapter and Chapters 3.20 through 3.36. All contracts in violation of this provision are considered void, and may result in the personal obligation and liability of persons at fault for such violations.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.060 Local Improvement Project Duties

With respect to public improvements, the purchasing agent or agent's designee shall work with engineers, architects, attorneys, and other professional persons retained by the county to assist in the preparation of plans and specifications, and to discharge other related duties. The professional persons may conduct investigations of lowest responsible bidders, supervise construction work, and perform such other tasks as provided for by their respective contracts or by the mayor.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.070 Contracts Executed In Violation Of Provisions

Any purchase order or contract executed in violation of this chapter or Chapters 3.20 through 3.36 of this code shall be void as to the county, and if public funds have been expended, the amount expended may be recovered in the name of county in an appropriate action.

HISTORY

Adopted by Ord. 17-02-03 on 2/2/2017

3.16.080 No Preferential Treatment

It shall be the policy of county to encourage vendors in all procurement practices and to provide equal opportunities to compete for contracts for construction, provision of professional services, and purchases of equipment and supplies. Upon request, the county will assist vendors by providing them with information in bid specifications, compliance with procurement policy and fulfillment of general bid requirements. Also, upon request, the county will provide information on job performance requirements, procurement opportunities and prerequisites for bidding on county contracts.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.090 Contractors Conformance To GRAMA

Contractors who agree to furnish goods or services to the county shall be required to conform with GRAMA.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.100 Contracts Requiring County Council Approval

Contracts requiring approval and execution by governing body by state statute, including interlocal agreements required in the Interlocal Cooperation Act, must be approved by the county council as the governing body of the county and executed by the mayor after completing the procurement and approval process established by the ordinance codified in this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.16.110 Conflict Of Interest Prohibited

A. Except as provided for in Section 3.16.120(B) below, no officer, employee, agent, representative or member of any council, board, committee or commission of the county shall have a financial interest in any contract, bid, or proposal; receive any compensation or gift from any offeror; or have any other conflict of interest, as defined by these ordinances, the Utah Public Officer's and Employee's Ethics Act, Utah Code 67-16, (1953), as amended, or by the County Officers and Employees Disclosure Act, Utah Code 17-16a, (1953), as amended. Contracts entered in violation of this

section are voidable and, if payments have been made, may be subject to action by the county to recover funds. Violation of this section is a Class B misdemeanor and any violator is subject to disciplinary action and criminal penalty.

B. An officer, employee, agent, representative or member of any council, committee, board or commission of the county may have an interest in any contract, bid, or proposal to provide goods or services to the county upon compliance with the following conditions:

1. The officer, employee, agent, representative or member of the council, board, committee or commission of the county shall not participate in the procurement process;

2. The officer, employee, agent, representative or member of the council, board, committee or commission shall fully disclose the individual's interests or conflicts at the time of submitting the bid or proposal to the county;

3. The officer, employee, agent, representative or member of the council, board, committee or commission of the county shall also make and file the disclosures required by the Utah Public Officer's and Employee's Ethics Act, Utah Code 67-16, (1953), as amended, the County Officers and Employees Disclosure Act, Utah Code 17-16a, (1953), as amended and Section 2.80.100, Salt Lake County Code of Ordinances, 2001;

4. The purchasing agent shall certify that the award is in the best interest of the county and that the award is:

   a. To the lowest or highest (as appropriate) responsive and responsible bidder; or

   b. That the selection process was in accordance with county ordinance; or

   c. In the event no competitive process was followed, that the acquisition was not susceptible to award by competitive bidding pursuant to Section 3.20.030.

C. Notwithstanding subsection B of this section, no public officer or employee shall have personal investments in any business entity which will create a substantial conflict between his or her private interest and his or her public duties.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.20 PURCHASING PROCEDURES*

3.20.010 Requisition Agent Authority
3.20.020 Competitive Bid Requirements
3.20.030 Procurements Not Requiring Competitive Procurement
3.20.040 Emergency Procurements
3.20.050 Advertisements For Solicitations
3.20.060 Deposit Requirements
3.20.070 Collusion Among Bidders And Advance Disclosures Prohibited
3.20.080 Opening Of Bids
3.20.090 Rejection Of Bids
3.20.100 Bonds Of Bidders
3.20.110 Awarding Of Contracts
3.20.120 Responsibility Of Bidder--Determination
3.20.130 Assignment Of Contracts
3.20.140 Disposal Of Certain County Property
3.20.150 Protests

3.20.010 Requisition Agent Authority

A. Each county agency will request access from Mayor's Financial Administration and the purchasing agent who will act jointly for those employees requiring authorization by their agency to make requests for purchases or other access to the financial and purchasing systems. This request will be made by the agency's division director or designee.

B. No procurement shall be split into parts for the purpose of avoiding the provisions of this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.020 Competitive Bid Requirements

A. All procurements shall be made on a competitive basis to the maximum practicable extent, unless an exception applies under Salt Lake County Ordinance.

B. Except as otherwise herein provided, all county procurements, for labor or services, or for the purchase, lease or sale of personal property, materials, equipment or supplies, shall be let by formal advertised solicitation to the lowest responsible and responsive bidder, best value bidder, or in the appropriate instance, to the highest responsible and responsive bidder.

C. All procurements less than the minimum amount for formal advertised solicitation and in excess of the small cost purchase limit, shall be procured in a manner calculated to ensure the best interests of the public, and after solicitation of written quotes. All quotes shall be in writing. The purchasing agent or designee shall obtain quotes, if possible, from at least three

qualified vendors. The purchasing agent must comply with the requirements specified in applicable federal or state statute or regulation.

D. Small cost purchases may be approved by the purchasing agent as small cost blanket orders.

E. Repetitive purchases may be set up as master agreement orders. These master agreement orders require the same reviews and approvals as specified by ordinance or by purchasing policies. If there is a current underlying state contract or cooperative agreement that sets forth the terms and conditions of the contract, a master agreement order may be utilized to formalize the purchasing by the county under this subsection.

F. Best Value Bid—Conditions for Use. When a county agency determines that the use of competitive sealed bidding is either not practicable or advantageous to the county, the agency may utilize best value bid if approved by the purchasing agent or designee. The agency or a properly designated buyer shall provide written justification supporting the use of best value bid.

G. Reverse Auction Bidding—Conditions for Use. Reverse auction bidding may be used if the purchasing agent determines that reverse auction bidding will provide the best value to the county. Reverse auction bidding is appropriate to use when there are multiple qualified providers of a procurement item.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.030 Procurements Not Requiring Competitive Procurement

A. All procurements shall be made by a request for bids, quotes or proposals, as provided in these ordinances, except the following circumstances do not require competitive procurement:

1. For purchases of goods and services under current contracts made available by governmental entities including federal, state, and local governmental entities, or by associations of governmental entities, where the goods or services were competitively procured by the governmental entity or the association in a manner substantially compliant with the provision of these ordinances, and the vendor is willing to extend the county the same or more favorable prices, terms, or conditions as established in, and within the scope of, the underlying agreement;

2. For real property, goods, or services related to construction of a public improvement project; which have been solicited via a formal advertised request for bids, but which the Purchasing Agent determines the bid prices are not reasonable and exceed the estimated construction cost by an unacceptable amount.

3. Exigency will not tolerate the delay incident to the formal advertising for a request for bids;

4. The aggregate amount involved does not exceed the small cost limit;

5. For a sole source procurement.

a. The determination as to whether a procurement shall be made as a sole source shall be made by the Purchasing Agent. Any agency request for a procurement to be restricted to one vendor shall be made in writing and accompanied by a sole source justification. The Purchasing Agent may specify the application of the determination and its duration. In cases of reasonable doubt, competition shall be solicited. Examples of circumstances which may necessitate sole source procurement are:

(1) Where the most important consideration in obtaining a procurement item is the standardization or compatibility of equipment, materials, technology, software, accessories, replacement parts, or service;

(2) Where transitional costs are unreasonable or cost prohibitive;

(3) Where a procurement item is needed for trial use or testing;

b. Public notice for sole source procurements exceeding the formal advertised solicitation limit shall be given by the Purchasing Agent. The notice shall be published at least seven calendar days in advance of when responses must be received. The notice shall contain a brief statement of the proposed procurement, the proposed sole source supplier and the sole source justification. The notice shall invite comments regarding the proposed soles source and provide for a closing date for comments. The Purchasing Agent shall consider the comments received before proceeding with the sole source procurement.

6. Procurements that by their nature are not adapted to award by competitive procurement, such as:

a. Legal services or expert witnesses requested by the mayor, the council or the attorney or when the services of a medical doctor or dentist are requested by the attorney in conjunction with criminal or civil litigation, or requested by the sheriff or the human services department director, but the acquisition of legal services shall be governed by Chapter 2.09 of these ordinances;

b. The publication of legal notices, ordinances, resolutions, and other legal advertising;

c. The private placement of bonds, tax anticipation notes, or other instruments of indebtedness;

d. Utility services such as water, electricity, heat, and telephone, except when alternative supplies or services are available;

e. The purchase of non-software subscriptions, media advertisement, magazines, books, trade journals, reference works, periodicals, examination or testing materials, and similar articles of an educational, informational or instructional nature. This subsection does not apply to right to use software and right to use licenses that some providers may describe as a software subscription;

f. Goods, materials, supplies and services utilized by the County clerk for purposes of performing the duties of the County clerk with regards to elections;

g. Medicines or medical supplies, which are not generic in nature;

h. Goods and supplies purchased for authorized resale;

i. Perishable or nonperishable subsistence supplies;

j. The purchase of law enforcement service animals specially trained to assist law enforcement officers in the performance of law enforcement duties;

k. The procurement of a person or entity to provide a speech, lecture, or performance;

l. Engaging the services of recreational program instructors resulting in recreational program agreements executed pursuant to County Ordinance Sec. 3.28.020(E) provided that the Division of Parks and Recreation adopt and follow a policy and procedure by which the recreational program instructors are selected.

7. Personal property or services, other than those outlined in subsection (A)(6), as the mayor may, upon the recommendation of the purchasing agent, determine to be, by their nature, not adapted to competitive procurement provided that these procurements be publically noticed as set forth in 3.20.030(A)(5)(b).

8. Otherwise procurements authorized or prescribed by law.

B. In negotiating purchase orders and other contracts for the above-referenced categories of personal property or services, the Purchasing Agent, using

agencies or such other person or committee as may be designated by the Mayor, shall ensure that:

1. All aspects of the business transaction are fully resolved, to include price, delivery date, delivery terms, acceptance period, warranties, funding terms, and such other terms and conditions as are appropriate;

2. The file reflects price or cost analysis or such other evidence of reasonable pricing and other information concerning contract or award matters as will reasonably support entering into a contract with a vendor;

3. All files relating to the award of a contract based upon public exigency reflect that the need was compelling and of unusual urgency, as when the County would be seriously injured, financially or otherwise, if the personal property or services to be purchased or contracted for were not furnished by a certain time, and when they could not be procured by that time by means of formal advertising. This applies irrespective of whether that urgency could or should have been foreseen;

4. The purchasing agent must justify in writing why the award of a contract based upon sole source is appropriate; and

5. Prior to submission of a bilateral contract to the Mayor or designee for execution, the contract shall be reviewed and approved by the agency acquiring the personal property or services and by such other agencies as may be specified by ordinance, and approved as to form by the Attorney.

C. Negotiated procurement shall be on a competitive basis to the maximum practical extent. When a proposed procurement appears to be noncompetitive, the Purchasing Agent is responsible not only for ensuring that competitive procurement is not feasible, but also for acting whenever possible to avoid the need for subsequent noncompetitive procurement.

D. In the event bids for a construction project exceed available funds and the low responsive and responsible bid does not exceed such funds by more than twenty-five percent, the Purchasing Agent or agent's designee is authorized in situations where time or economic considerations preclude re-solicitation of work of a reduced scope, to negotiate an adjustment of the bid price, including changes in the bid requirements, with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds, not to exceed a final contract amount of two hundred thousand dollars.

E. This chapter shall not apply to the acquisition of personnel pursuant to the provisions of the County Personnel Management Act, as defined by Utah law, nor shall this chapter be applicable to the granting or issuance, pursuant to powers conferred by laws, ordinances or resolutions, of

franchises, licenses, permits or other authorizations by the council, or by other agencies of the County. This chapter shall not be construed as authorizing the waiver of competitive bidding

when such bidding is required by the provisions of any federal or state grant or relevant federal or state statute or regulation.

F. No purchase order or other contract greater than the Purchasing Agent's limit may be awarded pursuant to this section except by the Mayor or designee, unless it arises pursuant to the provisions of subsection (A)(7) of this section, in which event the Purchasing Agent may award the purchase order or other contract subject to the ratification of the Mayor. The Purchasing Agent will maintain in a file a document explaining in detail why a purchase order or contract has not been bid and identifying the specific provision of this section which exempts the purchase order or other contract from the bidding requirement. Any procurement without competitive acquisition shall also include a statement from the acquiring agency explaining the recommendation for acquisition.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.040 Emergency Procurements

A. Notwithstanding any other provision of this chapter, the purchasing agent or designee, may make or authorize others to make emergency procurements when there exists a threat to public health, welfare or safety under emergency conditions, as hereinafter set forth, provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file.

B. An "emergency condition" is a situation which creates a threat to public health, welfare or safety such as may arise by reason of floods, epidemics, riots, equipment failures, earthquakes, or such other reason as may be proclaimed by the mayor. The existence of such conditions creates an immediate and serious need for supplies, services or construction that cannot be met through normal procurement methods, and the lack of which would seriously threaten:

1. The functioning of county government;

2. The preservation or protection of property; or

3. The health or safety of any person.

C. Emergency procurement shall be limited to those supplies, services or construction items necessary to meet the emergency. The purchasing

agent, or agent's designee, or any agency of the county authorized in writing by the purchasing agent, may make emergency procurements when an emergency condition arises and the need cannot be met through normal procurement methods, provided that, whenever practicable, approval by the purchasing agent or the mayor shall be obtained prior to the procurement. When prior approval is not reasonably obtainable, the mayor must consider the procurement at the earliest possible time and either approve or disapprove of the procurement. Procurement pursuant to an emergency not yet formally declared should follow the procedures outlined in the county emergency plan.

D. The purchasing agent shall select a procurement method sufficient to assure that the required supplies, services or construction items are procured in time to meet the emergency. Given this constraint, such competition as is practicable shall be obtained by the purchasing agent.

E. The purchasing agent shall make a written determination stating the basis for an emergency procurement and for the selection of a particular contractor. Such determination, together with a copy of the purchase requisitions for the materials, supplies, equipment or construction items which were purchased, shall be sent promptly to the mayor. Additionally, the purchasing agent,

as soon as practicable, shall prepare a record the emergency procurement, which shall set forth:

1. The contractor's name;

2. The amount and type of the contract; and

3. A listing of the supplies, services or construction procured under the contract. Copies of such records shall be promptly submitted to the mayor.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.050 Advertisements For Solicitations

A. Formal advertised solicitations shall be announced, on the website of the Contracts and Procurement Division, by publication of a general announcement at least once in a newspaper of general circulation published in the county, or any other lawful form of announcement or manner otherwise proscribed by law. Nothing contained in this section shall be construed to prohibit the purchasing agent from placing additional announcements in recognized trade journals. Advertisements shall describe the method to obtain a solicitation.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.060 Deposit Requirements

Cash, a cashier's check, or other acceptable form specified in the solicitation document, as a deposit of good faith, in a reasonable amount, but not in excess of ten percent of the bid amount, may be required of each bidder by the purchasing agent on all bids involving amounts in excess of twenty-five thousand dollars.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.070 Collusion Among Bidders And Advance Disclosures Prohibited

A. Any agreement or collusion among bidders or prospective bidders to bid a fixed price or limit competition shall render the bids of such bidders void and such conduct shall be unlawful and subject to criminal sanction.

B. Any disclosure made or permitted by the purchasing agent or others in advance of the opening of bids, of the terms of the bids submitted in response to an advertisement, shall render the entire proceeding void and shall require re-advertisement and re-soliciting bids.

C. All contracts with the county shall be deemed to contain a clause under which all vendors/suppliers of goods and/or services shall certify that neither they nor their agents or employees have restrained free and competitive bidding for the contract by conspiring with any other person to fix bids for, or compensation under, the contract; by obtaining information from any county agent or employee, in advance of the public opening of bids or proposals for the contract, concerning the contents of competitor's bids or proposals; by discouraging or

eliminating competition by any means; or by taking any action while seeking the contract which violates law or county purchasing policies. A violation of the clause shall entitle the mayor to immediately cancel the contract for material breach thereof and county shall thereafter be entitled to seek damages as allowed by law for breach of contract.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.080 Opening Of Bids

All sealed bids shall be publicly opened by the purchasing agent or agent's

designee who is duly authorized in writing by the purchasing agent to open such bids.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.090 Rejection Of Bids

Any or all bids may be rejected by the county if the bid is deemed not responsive, if the bidder is not deemed responsible, the character or quality of the services, supplies, materials, equipment or labor does not conform to requirements, or if in the best interest of the county. The county shall have absolute discretion to determine if the bidder is responsible and the bid is responsive.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.100 Bonds Of Bidders

A. Permissive Bonds. As determined by contracts and procurement, bonds written upon a corporate surety qualified to do business in the state and in an amount approved by the mayor may be required for the following purposes:

1. To insure performance of the contract or purchase order in the time and manner prescribed therein; and

2. To save, indemnify and hold the county harmless from and against losses, damages, claims, liabilities, judgments, costs and expenses which may accrue in consequence of contractor's actions, or failures to act, in performance of the contract or purchase order.

B. Required Bonds. Before any contract for the construction, alteration or repair of any public building, public work or public improvement of the county is awarded to any person, that person shall furnish to the county such bonds as are required by the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.110 Awarding Of Contracts

A. All purchase orders or other contracts involving amounts within the purchasing agent's limit shall be awarded by the purchasing agent to the

lowest or, in the appropriate instances the highest responsive, responsible bidders, as provided in this chapter, and shall be signed by the purchasing agent.

B. The award of any contract involving amounts greater than the purchasing agent's limit shall be made by the mayor to the lowest, or, in the appropriate instances to the highest, responsive, responsible bidders meeting specifications.

C. Each bid, with the name of the bidder, shall be entered on a record, which record, with the name of the successful bidder indicated thereon, shall after award of the contract or purchase order, be open to public inspection in the office of the purchasing agent.

D. Prior to advertising for bids or proposals for any goods or services, the purchasing agent or designee, or agencies should have the attorney review the request for bids or request for proposals. In cases of bids or proposals in excess of one hundred thousand dollars annually, the agency shall, prior to advertising, provide a copy of the bid or request for proposal and the required contract terms to the attorney.

E. An official copy of each awarded purchase order or other contract, together with all necessary attachments, including assignments and written consents of the purchasing agent, shall be retained by the purchasing agent in an appropriate file open to the public for such period of time as set by retention schedule approved pursuant to the GRAMA. After such period, purchase orders, other contracts and attachments may be destroyed by direction of the purchasing agent. (Utah Code § 63-2-101 et seq.)

F. Change orders shall be approved according to state law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.120 Responsibility Of Bidder--Determination

In determining the responsibility of any bidder, the county may take into account other factors in addition to financial responsibility, such as past records or transactions with the bidder, experience, adequacy of equipment, ability to complete performance within a specified time limit, and other pertinent considerations.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.130 Assignment Of Contracts

No contract awarded to the lowest responsible bidder, highest responsible bidder,

or best value bidder as the case may be, shall be assignable by the successful bidder without the written consent of the county. In no event, shall a contract, or any part thereof, be assigned to a bidder who is declared not to be a responsible bidder in the consideration of bids submitted in response to advertisement of the particular contract or purchase order.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.140 Disposal Of Certain County Property

The mandatory provisions of this chapter relating to public advertisement for sealed bids shall not apply to the disposal of personal or real property held by the county, unless disposal is by sale through public advertisement or sealed bids.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.20.150 Protests

Persons who are aggrieved over a request for bids, quotes, or proposals may protest to the purchasing agent. A protest in regard to the specification of requests for bids, quotes or proposals shall be submitted in writing prior to the closing date for bids, quotes, or proposals. All other protests shall be submitted in writing within five business days after notification of the award is posted on the county's bid notification system. A protestor may amend and/or supplement its protest during the five business days after notification of the award is posted on the county's bid notification system, but shall not amend and/or supplement its protest after the expiration of that time period. A protestor may file only one protest after the closing date for bids, quotes, or proposals.

A. If a protest is received, the county may proceed with its procurement process, but shall not sign the contract until the protest is withdrawn by protestor or denied by the mayor, unless the purchasing agent, makes a written determination that the signing of the contract is necessary to protect the interests of the county.

B. Protest letters should specifically completely state the facts that constitute error in the specifications of the request for bids, quotes or proposals or the award and the desired remedy. The purchasing agent will immediately notify the attorney of all protests and may refer the protest to appropriate county staff or the attorney to investigate and make a recommendation. An informal meeting may be scheduled if more information is needed. After review of the protest, the purchasing agent shall make a recommendation to the mayor who shall make a final determination on the protest.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.22 COMPETITIVE SEALED PROPOSALS

3.22.010 Conditions For Use
3.22.020 Request For Proposals (RFP)
3.22.030 Public Notice
3.22.040 Material Communications With Proposers
3.22.050 Disclosure Of Proposals
3.22.060 Evaluation Factors
3.22.070 Discussion With Responsible Proposers And Revisions To Proposals
3.22.080 Award
3.22.090 Request For Qualifications
3.22.100 Expedited Requests For Proposals

3.22.010 Conditions For Use

When the purchasing agent or mayor determines that the use of competitive sealed bidding is either not practicable or not advantageous to the county. These requirements do not apply to deposit and

investment related transactions which are subject to the State Money Management Act, Utah Code §§ 51-7-1 to 51-7-24 or to the issuance, retirement or refund of county debt which is subject to the Local Government Bonding Act, Utah Code §§ 11-14-101 to 11-14-501.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.020 Request For Proposals (RFP)

Proposals shall be solicited through a request for proposals. Request for proposals shall be prepared by the requesting agency with the assistance of the purchasing agent or designee. The attorney may assist with the preparation of a request for proposals. In cases of proposals in excess of one hundred thousand dollars annually, the agency shall, prior to advertising, provide a copy of the RFP and the required contract terms to the attorney.

A. The purchasing agent or designee shall establish a selection committee for review of the proposals. The purchasing agent or designee shall serve as the chair.

B. The actions of individual selection committee members are governed by the provisions of Chapter 2.07, and the Unlawful Conduct and Penalties Part of

the Utah Procurement Code, (Utah Code § 63G-6a-2401 et seq.).

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.030 Public Notice

Adequate public notice of the request for proposals shall be given in the same manner as provided in Section 3.20.050.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.040 Material Communications With Proposers

Once an individual is appointed to a selection committee, or becomes aware of a reasonable likelihood that he or she will be appointed to a selection committee, the individual shall not have material communications with any prospective or actual proposers concerning the procurement, outside the official process, except as requested in writing by the selection committee chair. "Material communications" is defined for this section as communications that could reasonably provide, or could reasonably create the appearance of providing, a competitive advantage in the procurement process.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.050 Disclosure Of Proposals

Proposals shall be disclosed pursuant to GRAMA and other applicable laws.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.060 Evaluation Factors

The request for proposals shall state the relative importance of price and other evaluation factors.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.070 Discussion With Responsible Proposers And Revisions To Proposals

As provided in the request for proposals, discussions may be conducted with responsible proposers who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirement. Proposers shall be accorded fair and equal treatment with respect to any opportunity for negotiation, discussion, and revision of proposals and such revisions may be permitted after submissions and prior to award.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.080 Award

An award shall be made by the proper signing authority to the proposal that is determined to be the most advantageous to the county, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made. The proper signing authority within 14 calendar days thereafter shall approve the selection committee's recommendation for contract negotiations with the recommended proposer; or reject the recommendation of the selection committee and request one of the remaining proposers be submitted. Upon selection of a proposer, a contract shall be prepared and approved by the proper signing authority in accordance with county contract procedures.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.090 Request For Qualifications

When services are required on an intermittent but ongoing basis, the selection committee shall pre-quality persons and entities interested in providing such services and shall establish eligibility lists from which county agencies may select from. With the approval of the purchasing agent a request for qualifications process may precede any other form of procurement unless prohibited by law. This process may be used to establish a list of qualified vendors or providers from which further bids or proposals may be sought. Being chosen as a qualified vendor does not require or guarantee that any specific contract or project shall be awarded. The request for qualifications process shall follow the procedures required in the request for proposals process and these ordinances.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.22.100 Expedited Requests For Proposals

A. The expedited RFP procedure set forth in this section shall apply in the following instances:

1. When grant funds are used to procure goods or services pursuant to the terms and conditions of the grant and the standard RFP procedure would prevent the county from timely compliance with the terms of the grant. The expedited RFP cost limit does not apply when grant funds are used to procure goods or services pursuant to the terms and conditions of the grant;

2. When a partner is needed for a grant application and the standard RFP procedure would prevent the county from timely submitting the grant application. The expedited RFP cost limit does not apply when a partner is needed for a grant application;

3. When an agency requires goods or services over the small cost purchase limit and under the expedited RFP cost limit. The resulting contract shall be prepared with a not to exceed amount stated in the contract.

B. Expedited RFP Procedure:

1. An expedited request for proposals shall be prepared by the requesting agency and issued by the division of contracts and procurement. The division of contracts and procurement shall establish a format to be used for the expedited request for proposals. The requesting agency shall establish a selection committee to review and score the proposals received;

2. Once the requesting agency has evaluated the proposals received, the agency shall make a written request to the purchasing agent or designee detailing the recommendation for a certain proposer. The request shall reflect the cost of the services and verify the cost is within the requesting agency's budget;

3. The purchasing agent or designee shall review the request. Following this review, the purchasing agent or designee may approve the request. In the event the purchasing agent disagrees with the recommendation of the agency and the disagreement cannot be mutually resolved, the matter shall be referred to the mayor;

4. Upon approval of the selected proposer, a contract shall be signed by the proper signing authority;

5. The attorney may prepare a standard form expedited contract. The aggregate of the agreement and any amendments or renewals shall not exceed the expedited RFP limit.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.24 PREFERENCE SYSTEM IN PROCUREMENT OF GOODS AND SERVICES

3.24.010 Policy Of The County
3.24.020 Preference System
3.24.030 Exceptions To Preference System

3.24.010 Policy Of The County

It is the policy of the county to award contracts for goods or services based upon a preference system that encourages responsible business practices and that benefits local businesses.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.24.020 Preference System

A. The county shall grant the following preferences as provided by this chapter and by countywide policies and procedures:

1. The health care preference;

2. The local business preference; and

3. The veterans hiring preference.

B.A. The purchasing agent shall determine if the vendor qualifies for the preference(s). The burden is on the vendor to demonstrate that it qualifies for the preference(s).

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.24.030 Exceptions To Preference System

The following procurements are exempt from the preference system:

A. Procurements where federal law or regulations would prohibit application of this preference;

Chapter 3.36 PROPERTY DISPOSAL

3.36.010 Purpose

The purpose of this chapter is to provide for the management, surplus, sale, donation, and disposal of City personal and real property in a manner consistent with Utah law and the best interests of the City.

3.36.020 Management of Property

A. Personal Property Management: Department heads shall exercise supervision of the receipt, storage, and distribution of all inventories of City personal property within the control of or assigned to their respective departments. All City property located in warehouses and similar storage areas shall be inventoried annually, and accountability for the property shall reside with the respective department heads.

B. Real Property Management: The mayor or designee shall exercise supervision of the acquisition, purchase, sale, and disposal of all real property of the City. The mayor or designee shall update the Council annually upon all acquisitions, disposals, and leasing of City-owned real property.

3.36.030 Surplus of Personal Property

Department heads shall dispose, sell, or donate personal property as follows:

A. Internal Surplus Property: Except as otherwise specified below, the department head having control or possession of City property, including any vehicle, that is so used, obsolete, depreciated, excess, or is no longer necessary to current and projected needs as to be determined unfit or undesirable for use or retention by the City may recommend to the mayor that such property be surplused. Upon such notice, and as applicable, the purchasing manager or designee shall send notice to City departments of the availability of items to be surplused. If no department is in need of the property on the list, the mayor may approve in writing the property as surplus, whether in whole or in part, and authorize the disposal, sale, or gift of the property at a public auction in accordance with applicable law.

B. Property No Longer Needed as Evidence: The police chief having control or possession of property, including firearms, no longer needed as evidence shall follow the procedures set forth in Utah Code Annotated §§ 24-3-101 et seq., as amended. All dispositions of such property shall be for a public-interest use, including the donation of property to public or private charities, and must first be approved by the City Council in accordance with Utah state code.

C. Lost, Mislaid, Unclaimed, or Abandoned Property: The police chief having control or possession of property that is lost, abandoned, unclaimed, or mislaid shall follow the procedures set forth in Utah Code Annotated §§ 77-24a-1 et seq., as amended. All dispositions of such property shall be for public-interest use, including the donation of property to public or private charities, and must first be approved by the City Council in accordance with Utah state code.

D. Unique, Special, or Limited-Use Property: Unless otherwise stated above, a department head having control or possession of property that is unique or special, dangerous to the public, or is limited in its public use shall present a written list to the mayor or designee with a recommendation to dispose, sell, or donate the property to another person or governmental agency to use or dispose of. Examples under this category include, but are not limited to, fire trucks, dangerous weapons, police vehicles, and equipment that only specific persons or agencies are trained and licensed to use.

E. Unsold Property: If the surplus item is subjected to sale to the highest bidder at public auction and remains unsold, the mayor may sell the property, donate it to a charitable organization, or dispose of it to any person for such price as the mayor deems appropriate, or may dispose of it as the

mayor directs.

F. Damaged, Unsafe, or Unrepairable Property: Upon approval of the purchasing manager, the department head may recycle or otherwise dispose of damaged, unsafe, or mechanically unrepairable property that is deemed unsuitable for public use.

G. Minimal Value: Upon approval of the purchasing manager, a department head may dispose of an item of minimal value, defined as property that is valued at less than $50 or estimated by the purchasing manager to have a value of less than $50. If the property is posted for sale for $50 or more and does not sell, it is presumed to be property with minimal value and may be disposed of in accordance with this provision.

H. Public Auction of Personal Property: The purchasing manager, or designee, shall advertise through public notice the sale of any City-owned personal property at public auction if the purchasing manager deems that such a sale would be desirable and in the best interests of the City.

3.36.040 Surplus of Real Property

The mayor or designee may authorize the sale or donation of real property as follows:

A. Sale or Donation of Real Property that Is Not a Significant Parcel: From time to time, the mayor or designee may compile a list of surplus City real property. If a parcel of surplus property is not a "significant parcel," the mayor may sell it for fair market value using any means that is reasonable, fair, and advances the best interest of the City.

B. Sale or Donation of Real Property that Is a Significant Parcel: From time to time, the mayor or designee may compile a list of significant parcels of real property and shall follow the procedures set forth below:

1. Public Hearing: The mayor or designee shall schedule and provide reasonable notice of a public hearing so that public comment may be received regarding the sale of the significant parcel of real property. The mayor or designee shall conduct the public hearing.

2. Public Hearing Notice: Reasonable notice of the public hearing must be published not less than 14 days before the public hearing. "Reasonable notice," as used in this section, means: (a) publication in a newspaper or newsletter of general circulation within the City; (b) publication on the City's website; (c) publication on the Utah Public Notice Website; and (d) mailing such notice to the adjacent property owners.

3. Before any significant parcel of property may be sold or disposed of, the City Council must declare the property as surplus.

4. Before the Council may declare as surplus and authorize the sale or disposition of a significant parcel of real property, the City shall provide reasonable notice at least fourteen (14) days before a public hearing at which the public may have an opportunity to provide input on the proposed surplus and disposition.

C. Significant Parcel Defined: For purposes of this chapter, a significant parcel of real property is: (1) a single parcel of real property, or a combination of contiguous parcels of real property, having an estimated value in excess of $50,000 as determined by using the county assessed value; or (2) a single parcel of real property or a combination of contiguous parcels of real property having a

size in excess of one-half (1/2) acre; or (3) an agreement involving an interest in property for less than a fee, the value of which exceeds $50,000.

D. Method of Sale or Disposition: Property to be sold by the mayor must be reliably appraised and sold for at least fair market value, except that the Council may make a finding by resolution that specific parcels need not be sold for fair market value if the City will receive specifically identified intangible benefits that justify selling the property for less than fair market value. An appraisal is not required where the reasonable estimated value of the surplus property is negligible in relation to the costs of an appraisal, or where the surplus property is of such size, shape, or is otherwise so unique as to be unmarketable. In such circumstances, the mayor may dispose of the surplus property in any manner that ensures that the transaction is in the best interest of the City. To the extent allowed by law and at the discretion of the mayor, property declared as surplus may be disposed of through public offering and competitive bid, public sale, private sale, listing with a real-estate broker, exchange, option to purchase, lease, lease with option to purchase, or by any other lawful and reasonable means.

E. Authority to Execute: Subject to the requirements of this chapter, every sale, exchange, lease, encumbrance, or other conveyance of surplus real property shall be made by the mayor or the City attorney.

3.36.050 Recordkeeping

B. The mayor or designeeProcurements regarding construction to the extent they are governed by Utah state law;

C. Procurements partially or fully funded by donations and/or gifts to the county to the extent the provisions would conflict with any special condition attached to the gifts and/or donations;

D. Procurements not requiring competitive procurement, as listed in Section 3.20.030;

E. Procurements with private citizens. If any contract is bid upon by a private citizen, in their capacity as a private citizen, the lowest responsive bid shall be determined without the consideration of preference for any of the bidders.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.25 REQUEST FOR APPLICATIONS

3.25.010 Conditions For Use
3.25.020 Request For Applications (RFA)
3.25.030 Evaluation Factors
3.25.040 Public Notice
3.25.050 Disclosure Of Applications
3.25.060 Discussion With Applicatns And Revisions To Applications
3.25.070 Application Award

3.25.080 Application Appeals

3.25.010 Conditions For Use

A request for applications (RFA) process may be used when a county agency administers a grant or funding program that requires applications in order to participate in the program and the county is not the direct recipient of, or directly procuring, goods or services.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.25.020 Request For Applications (RFA)

Request for applications shall be prepared by the requesting agency. The agency shall establish a format to be used for the request for applications. The attorney may assist with the preparation of a request for applications. Prior to advertising, the agency shall obtain approval as to form of any required contract terms by the attorney.

The requesting agency shall establish an application review committee for review of the applications.

A. All review committee members shall impartially review the submitted applications.

B. The actions of individual review committee members are governed by the provisions of the Salt Lake County Ethics Ordinance, Chapter 2.07, and the Unlawful Conduct and Penalties Part of the Utah Procurement Code, (Utah Code § 63G-61-2401 et seq.).

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.25.030 Evaluation Factors

The request for applications shall state the relative importance of evaluation factors. The county's preference system in procurement of goods and services, Chapter 3.24, does not apply to the request for applications process.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.25.040 Public Notice

At a minimum, adequate public notice of the request for applications shall be given on the county's website. Notice may also be given by publication of general

announcement in a newspaper of general circulation published in the county, or any other lawful form of announcement or manner otherwise proscribed by law. Nothing in the section shall be construed to prohibit placing additional announcements or advertising.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.25.050 Disclosure Of Applications

Applications shall be disclosed pursuant to GRAMA and other applicable laws. The program administrator shall keep public records and process applicable GRAMA requests.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.25.060 Discussion With Applicatns And Revisions To Applications

As provided in the request for applications, discussions may be conducted with applicants who submit applications determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the application requirements. Applicants shall be accorded fair and equal treatment with respect to any opportunity for submission, clarification, discussion, and revision of applications and such revisions may be permitted after submissions and prior to award.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.25.070 Application Award

The application review committee shall recommend a contract or grant to applicants whose applications are the most responsive or advantageous, taking into consideration the evaluation factors set forth in the request for applications. The administering agency shall keep a file of the applications and award recommendations. The file shall contain the basis on which the award is made. The mayor or proper administering authority shall approve or reject the review committee's recommendation. Upon selection of approved applicant(s), a contract may be prepared and approved by the mayor or designee in accordance with county contracting procedures.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.25.080 Application Appeals

Persons who are aggrieved over a request for applications award may appeal to the program administrator. All appeals shall be submitted in writing within seven calendar days after notification of the award is posted on the county's website or delivered to the applicants. An appeal may be amended and/or supplemented during the seven calendar days after notification of the award is posted, but shall not amend and/or supplement its appeal after the expiration of that time period. An aggrieved applicant may file only one appeal after the closing date for applications.

If an appeal is received, the county may proceed with its application process, but shall not execute the contract until the appeal is withdrawn by the applicant or denied by the mayor, unless the program administrator, makes a written determination that the execution of the contract is necessary to protect the interests of the county.

Appeal letters should specifically and completely state the facts that constitute the error in the applications process or the award and the desired remedy. The program administrator will immediately notify the attorney of all appeals and may refer the appeal to appropriate county staff or the attorney to investigate and make a recommendation. An informal meeting may be scheduled if more information is needed. After review of the appeal, the program administrator shall make a recommendation to the mayor who shall make a final determination on the appeal.

HISTORY

Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.28 CONTRACT PROCESSING AND PAYMENTS

3.28.010 Contracts Required--Exceptions
3.28.020 Contracts Management--Powers And Duties
3.28.030 Purchase Orders
3.28.040 Bilateral Contracts
3.28.045 Amended Contracts
3.28.050 Purchase Orders--Preparation And Documentation
3.28.060 Bilateral Contracts--Preparation And Documentation
3.28.070 Contract And Purchase Order Register
3.28.080 Approval Of Contracts As To Form
3.28.090 Determination Of Amount Of Expenditures
3.28.100 Availability Of Funds
3.28.110 Contracts Required Prior To Performance--Emergencies And Exigencies
3.28.120 Payment Procedures--Purchase Orders
3.28.130 Payment Procedures--Bilateral Contracts

3.28.010 Contracts Required--Exceptions

Whenever the county acquires, pursuant to Chapters 3.16 to 3.22, 3.32, and 3.36 of this code, labor or services, materials, equipment, supplies or other personal or real property, whether by purchase or lease, a contract shall be prepared formalizing such acquisition. The contract may take the form of a properly completed purchase order. Small cost purchases and approved charges against statutory and general accounts, as defined by policies adopted by the council are exempt from these requirements. Contracts shall also be required and processed

as provided in this chapter for all grants and contributions as provided for in countywide policies.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.020 Contracts Management--Powers And Duties

A. The division of contracts and procurement shall act as a repository for all county contracts and purchase orders.

B. Upon receipt of a contract preparation package the purchasing agent will:

1. Ensure that the contract is approved as to form by the attorney's office;

2. Ensure that the contract is reviewed and approved by the requisitioning agency; and

3. Ensure that Mayor's Financial Administration has reviewed the availability of funds prior to the contract being executed by either the purchasing agent or the mayor.

C. After the contract has been approved and executed by the mayor or proper signing authority, the purchasing agent will make available a fully executed copy of the contract to the appropriate agencies and to the vendor or contractor. Additionally, a copy of the fully executed contract, the contract preparation package, and any other documents or correspondence relating to the acquisition will be maintained by the contracts and procurement division.

D. Under circumstances approved by the purchasing agent and the attorney, standard form contracts may be used. Contracts using a standard format prepared by the attorney's office do not need to be individually approved as to form. The designation, "Standard Form Contract,"

form number, and date the standard form was approved shall be included in the contract title. Any alteration of the standard form language without approval of the attorney shall render the agreement void and without effect which will be stated in an appropriate part of the contract. The attorney shall approve as to form any changes to the boilerplate language in standard form contracts.

E. The mayor or designee may execute the following agreements, provided they are approved as to form by the attorney, without processing through the division of contracts and procurement:

1. Promoter's and facility or equipment rental agreements, and contracts for providing utility services, to exhibitors at the Salt Palace, South Towne Center, and Center for the Arts facilities;

2. Planetarium show distribution, and rental of equipment and facility rental contracts;

3. Recreation facility and equipment rental agreements, recreation facility license agreements, and recreational program agreements; and

4. Library facility and equipment rental agreements.

F. Agreements under the Interlocal Cooperation Act shall be executed as provided therein.

G. Each agency will administer the operation of its contracts.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.030 Purchase Orders

A. A purchase order may be used whenever goods or services are to be acquired by outright purchase, with payment to be made after the goods or services have been delivered or performed and accepted, and where the delivery of all items or the performance of all services is expected to occur at the same time, or as otherwise specified in the purchase order. All purchase orders shall specify the nature of the goods or services to be acquired, the purchase price thereof, freight charges, prompt payment discounts, the delivery date, the person or entity from whom the same is being acquired, the agency for whom the acquisition is being made, and such other provisions as may be appropriate or required. The purchase order shall incorporate by reference all the terms, conditions and specifications, if any, contained in the request for bids. Purchase orders may be approved as standard form contracts.

B. The purchase order shall be signed by the proper signing authority.

C. The purchase order shall not be submitted to the proper signing authority, until after it has been approved for encumbrance by Mayor's Financial Administration.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.040 Bilateral Contracts

A. A bilateral contract and not a purchase order, is required:

1. Whenever property is acquired by means of lease, rental, or installment purchase, where the total cost is greater than the formal advertised solicitation limit;
2. Whenever personal property is required where the exact quantity of goods, or the specific date when the goods will be needed, are unknown;
3. Whenever services are required by the county where the total cost is greater than the formal advertised solicitation limit;
4. Whenever goods or services are to be acquired through the expedited request for proposals process where the cost is greater than the small cost purchase limit;
5. Whenever real property or any interest therein is to be acquired, except:
    a. When acquired pursuant to the power of eminent domain and entry of a decree by a court;
    b. When acquired as the result of the filing and recording of a map or plat as required by law;
    c. When acquired as a condition of the issuance of a building permit;
    d. When acquired as the result of the prior owner's failure to pay property taxes when due; or
    e. When acquired by gift;
6. Whenever the requesting agency, the contracts and procurement division or the mayor shall otherwise so specify;
7. Whenever the vendor requires that a contract, other than a purchase order, is signed by the county;
8. Whenever required by countywide policy on contribution agreements and grants; or
9. Whenever otherwise required by law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.045 Amended Contracts

A. Contracts shall only be amended pursuant to the provisions of the original agreement. Any amendment to the contract must be authorized and

processed according to the requirements of this chapter. The total cost of both the original and amended contract must be used to determine the appropriate procurement and contracting method.

B. The amendment must be in writing, and in the same form as the original agreement, and expressly specify all terms and conditions amended and which terms remain unchanged. The same parties that signed the original agreement must sign the amended agreement unless an authorized assignment is part of the amendment.

C. Contract amendments shall not be used to procure a new product, project or service that is not within the scope of the original agreement. Amendments including change orders should be used to procure goods or services that are compatible with the terms and conditions of the original agreement but were unforeseen at the time of contracting.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.050 Purchase Orders--Preparation And Documentation

Where a purchase order will serve as the contract:

A. The purchasing agent shall ensure that all purchase orders contain, at a minimum, the information set forth in subsection A of Section 3.28.030.

B. The purchasing agent will retain on file, by hard copy or on-line computer system storage, all original requisitions, request for bids or proposals, all bids or proposals submitted, evidence of publication showing that there has been advertisement for bids or proposals, and any other documents or correspondence relating to the acquisition.

C. Requisitions and purchase order records are to be kept on file or in computer storage for such time as prescribed in retention schedule adopted pursuant to GRAMA.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.060 Bilateral Contracts--Preparation And Documentation

Where a bilateral contract will serve as the contract:

A. Whenever the purchasing agent is responsible for acquiring goods or services where a bilateral contract is required by this chapter, the purchasing agent will obtain a contract. The purchasing agent may prepare

a contract preparation package for the attorney. The contract package, if prepared, shall contain those documents and materials that the purchasing agent deems necessary to assist the attorney in preparing the contract. The attorney may request additional documents from the purchasing agent as necessary to prepare a contract. The purchasing agent will retain on file, by hard copy or computer system storage, the original requisition, request for bids or proposals, the evidence of publication, all bids or proposals submitted, a copy of any contract which is prepared and approved, and any other documents or correspondence relating to the acquisition as prescribed in retention schedule adopted pursuant GRAMA.

B. The attorney will draft the contract and approve it as to form in accordance with this chapter. The purchasing agent will ensure that the contract is reviewed and approved by the requesting agency, and will have the contract executed by the vendor.

C. Whenever goods or services are to be acquired by the county pursuant to a request for proposals, the chair of the selection committee shall ensure that a contract preparation package is assembled and forwarded to the attorney's office for approval as to form. When a standard form contract is used without any alteration as provided in this chapter, no further approval is necessary. The package shall include a copy of the request for proposals, a copy of the successful proposal, and a copy of the proper signing authority's action. The Division of Contracts and Procurement will retain on file the original agency document requesting services, the request for proposals, all proposals submitted, resulting contract and any other documents or correspondence relating to the acquisition as prescribed in retention schedule adopted pursuant to GRAMA.

D. Whenever grant or service provider funds are being allocated to qualified recipient agencies, the director of the requesting agency shall ensure that a contract preparation package is submitted to the division of contracts and procurement. The package will include the request for proposals, the approved successful proposal, and a cover letter specifying any matters which need to be covered in the contract that may not be specified in the above documents. The director of the

requesting agency will retain on file the request for proposals, the affidavit of publication, all proposals submitted, a copy of any contract which is prepared, and any other documents or correspondence relating to the acquisition of services or grant of funds.

E. Whenever public funds are to be expended for the construction of any public work or facility, the contracts and procurement division will ensure that a contract preparation package is assembled. The construction package will include the approved successful bid and a cover letter specifying any known matters which need to be covered in the contract that may not otherwise be set forth in the contract preparation documents. The contract package shall be forwarded to the attorney's office for approval as to form unless an attorney-approved standard form contract is used without

any alteration as provided in this chapter. Standard form bid, general and special conditions, and contract forms may be used if prepared as provided in Section 3.28.020. The division of contracts and procurement will retain on file a copy of the request for the construction services, the original request for bids, all bids submitted, a copy of any contract that is prepared, and any other documents or correspondence relating to the acquisition as prescribed in retention schedule adopted pursuant to GRAMA.

F. All awards shall be subject to the execution of a satisfactory contract.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.070 Contract And Purchase Order Register

The purchasing agent, in compliance with this chapter and Chapters 3.16 to 3.22, 3.32, and 3.36 of this title, shall deliver at least monthly to the mayor for approval and ratification a register of all purchase orders or other contracts. The register shall reflect the purchase order or contract number, the vendor or contractor to whom the award has been made, the goods or services to be acquired, the agency for which the same is being acquired, and the price for such goods or services. At the end of the register the purchasing agent shall certify to the mayor that (1) he has reviewed the register, (2) the selection process was made as provided in this chapter, and (3) request that the award of the contracts be approved and ratified by the mayor. Small cost purchases do not require prior approval by the purchasing agent.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.080 Approval Of Contracts As To Form

A. All contracts and contract amendments, except standard form contracts, shall reflect on each page to be signed that the same has been "approved as to form" by the attorney prior to submission to the proper signing authority for execution.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.090 Determination Of Amount Of Expenditures

All county officers and employees, when deciding whether the acquisition is one which will result in the expenditure of moneys in excess of any specified dollar

amount set forth in this chapter and Chapters 3.16, 3.32, and 3.36 of this title, shall make such determination after adding together all amounts to be

paid annually including shipping charges, maintenance which is part of the contract, and any other costs or expenses to be borne by the county in connection with the acquisition. No contract, project, or order shall be amended or split into parts by any agency so as to produce lesser amounts for the purpose of avoiding the provisions of this chapter and Chapters 3.16 through 3.28, 3.32 and 3.36 of this title.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.100 Availability Of Funds

Certification of the availability of funds shall be the approvals as entered in the county's electronic procurement system by the agencies for all contracts. Availability of funds must be certified prior to execution of the contract.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.110 Contracts Required Prior To Performance--Emergencies And Exigencies

A contract, whether a purchase order or a bilateral contract, must be properly completed and executed as set forth in this chapter prior to the delivery of any goods or the performance of any services by a vendor, or the acceptance thereof by the county, except when the public exigency will not tolerate the delay or when the acquisition is an emergency procurement. However, the contract must be executed prior to any payment by the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.120 Payment Procedures--Purchase Orders

The purchase order shall serve as the basis for payment only where it is the sole contract relating to the acquisition of such goods or services and, then, only if the acquisition is one which should be made by means of a purchase order instead of a bilateral contract, except where there is an underlying bilateral contract which provides for acquisitions by means of a purchase order. Payment requests against purchase orders shall be processed by Mayor's Financial Administration in the manner described in Section 3.28.130.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.28.130 Payment Procedures--Bilateral Contracts

A. Whenever a bilateral contract exists or, in accordance with this chapter, should exist, payments shall be initiated by means of a written request for payment from the authorized agency representative directed to Mayor's Financial Administration. Contract payments shall reference the contract number, and payment shall be made as a release against that contract, or as a reduction of the encumbered amount.

B. No payments shall be made for the acquisition of any goods or services acquired, except for small cost purchases with prior payment required as part of the terms and conditions of the underlying contract, unless Mayor's Financial Administration:

1. Has determined there are funds available both in existing appropriations and within the limits of the contract amount specified in the automated system;

2. Has determined the amount will be charged against the appropriate budgetary unit, and is classified in the appropriate general ledger account;

3. Has received a properly authorized request from the requisitioning agency that payments are made under the terms and conditions of the contract;

4. Has matched the payment request against a valid invoice or an appropriate substitute form of original billing from the vendor/payee, or has otherwise determined the billing to be proper, and has resolved any and all pricing and quantity differences; and

5. Has reviewed the request and determined compliance with existing payment procedures, and recommends approval.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.29 CLAIMS PROCEDURES

3.29.010 Claims Processing
3.29.020 Claims For Goods And Services
3.29.030 Claims For Liability Or Governmental Immunity
3.29.040 Defense Of Officers, Employees And Approved Volunteers--Liability And

Settlement
3.29.050 Claims Of The County Council And Mayor
3.29.060 Advocating Claims
3.29.070 Attorney Opposition To Unauthorized Payments Or Claims

3.29.010 Claims Processing

A. Whenever payment is requested from Salt Lake County that is not provided for by contract, purchase order or other process under this Title, the payment will be processed as a claim under the procedures of this chapter.

B. The mayor may delegate any duty required to be performed by the mayor to the deputy mayor or other designee of the mayor.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29.020 Claims For Goods And Services

A. The mayor shall review all claims for goods and services not otherwise provided for by these ordinances. The mayor shall approve the claim if it appears to be just, lawful and properly due and owing, and meets the requirements of Utah Code 17-50 Part 4, otherwise the mayor shall disapprove it.

B. A review for lawfulness shall be done by the attorney at the request of the mayor. The request and the response shall be in writing.

C. All claims except those by a member of the council for their own expense shall be forwarded to the auditor for review and recommendation. The response shall be in writing.

D. All claims for goods and services must contain the following: itemization including names, dates, goods provided, and services rendered; if for service of process, character of process served, upon whom served, number of days or trips to serve, and number of miles traveled; be substantiated as to the correctness and that it is justly due; if for materials, to whom materials furnished, by whom ordered, and quantity and price agreed upon.

E. All claims must be presented to the mayor within one year of the last item of account or service or credit accrued. If the mayor rejects the claim because it is not properly made out, the mayor shall give written notice to the claimant or agent and allow a reasonable time for clarification or further itemization or substantiation. Further time allowed herein shall toll the one-year limitation but not to exceed thirty days from the mayor's written notice.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29.030 Claims For Liability Or Governmental Immunity

A. All claims against the county, elected officials, employees or approved volunteers of the county caused by an act or omission that occurs during the performance of duties, within the scope of employment or under color of authority, shall be filed pursuant to the provisions of the Utah Governmental Immunity Act. Claims for no-fault sheriff's office liability are processed in accordance with the provisions of Chapter 3.29A.

B. The county clerk is designated as the records custodian of all notice of claims and shall, upon receipt of a notice of claim, maintain a record of the date, time and manner of delivery to the clerk, together with the name of the claimant and the parties claimed against. The county clerk shall, upon receipt of a notice of claim, deliver copies of the notice of claim to the mayor and the attorney identifying the date and time the claim was received by the county clerk. The attorney shall respond to the mayor in writing within seventy-five days of receipt of the claim from the clerk's office. For claims which may qualify as no-fault sheriff's office claims, the attorney shall direct the processing of such claims in accordance with Chapter 3.29A of this title, by referring the matter to the sheriff's office for investigation and by further processing the no-fault claim and making a recommendation to the mayor, as provided in Chapter 3.29A. All notices of claim are barred unless filed in strict compliance with the provisions of the Act. The attorney or his or her designated deputy and the mayor or his or her designated representative, shall review and make recommendations on all claims and no claim may be settled by the attorney without the concurrence or delegation of the mayor.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29.040 Defense Of Officers, Employees And Approved Volunteers--Liability And Settlement

A. The county, through the office of the mayor, will provide defense and indemnification of the county parties including individual officers, employees and approved volunteers under the requirements of the Act. The mayor will control the direction, defense and settlement of all

actions where the county is a party and where the mayor has directed that the county assume the defense and indemnification of the individual officer, employee or approved volunteer after consultation with the attorney. The attorney will prosecute or defend actions involving the county or county parties under the Act and pursuant to policies of the attorney and make

decisions on the proper legal methods or means to implement the mayor's directions. The mayor may hire counsel either to assist the attorney, when requested by the attorney, or when there is a legal conflict of interest precluding the attorney from conducting the defense. In cases where an officer, employee or approved volunteer is sued in his or her representative, official, individual or personal capacity, he or she shall be consulted prior to settlement or resolution of the case.

B. Individual officers, employees and approved volunteers will direct a written request for defense to the mayor pursuant to the act within ten days of being served with process. The mayor will forward the request to the attorney for recommendation. After consultation with the attorney the mayor will notify the employee, within ten days of the written request for defense, in writing of the decision regarding the defense including the reasons if defense is denied and any reservation or limitation regarding the defense. The mayor will keep a record of all requests for defense including dates and times received and forwarded. Failure to make a written request to the major may result in denial of a defense. Officers, employees and approved volunteers and their supervisors must fully cooperate with the mayor and attorney in conducting the defense.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29.050 Claims Of The County Council And Mayor

A claim presented by a member of the county council or mayor for the member's or mayor's own expense for service rendered shall be itemized as provided in this chapter and shall be presented to the attorney. The attorney shall endorse in writing his opinion about the legality of the claim and if rejected the reasons for the rejection. If approved, the claim and opinion will be forwarded to the auditor for payment. Council members shall follow the financial requirements of the county concerning expenditures and claims.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29.060 Advocating Claims

No officer or elected official shall present or advocate a claim made for any other person, except a county officer may forward to the mayor a request for payment by another person. A county officer may forward to the mayor a request for payment or relief from payment and may endorse on the claim the officer's recommendation.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29.070 Attorney Opposition To Unauthorized Payments Or Claims

Pursuant to Utah Code § 17-53-103, the attorney may refer for investigation by a county or district attorney from another county any payment paid or warrant drawn or payment requested without authority of law or lawful count purpose. The requested investigation may proceed without approval by the mayor or the county council.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.29A NO-FAULT SHERIFF'S OFFICE CLAIMS

3.29A.010 Purpose
3.29A.020 Application, Investigation And Recommendation
3.29A.030 Criteria For Payment
3.29A.040 Maximum Payments
3.29A.050 Payment Does Not Imply Liability
3.29A.060 Establishment Of Regulations

3.29A.010 Purpose

The purpose of this chapter is to compensate persons for property or other damage sustained as a result of lawful sheriff's office enforcement activities, regardless of fault and within the restrictions, procedures and limitations of this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29A.020 Application, Investigation And Recommendation

A. Applications and claims received for allegations of injuries or damages caused by sheriff's office enforcement activities shall be filed with the clerk as set out in Section 3.29.030 of this title.

B. Upon the receipt of a claim from the clerk, the risk manager, under the direction of the attorney, shall forward the claim to the sheriff's office for investigation and recommendation. Upon receipt of the results of that investigation, the attorney shall make a recommendation to the mayor as to whether or not to pay the claim, under the procedures and criteria set out in this chapter.

C. Claims shall be made by the owner of the damaged property. If a claim is made by a tenant or renter, the claimant must have written authorization from the owner before the claim will be considered. Claims from insurers will not be processed under this chapter.

D. All payments authorized by the attorney for no-fault sheriff's office claims shall be made solely from funds to be set aside under this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29A.030 Criteria For Payment

A. A determination as to whether to make payments for losses under this chapter shall be based on the following criteria:

1. The claimant suffered an otherwise uninsured property loss caused by sheriff's office law enforcement activities, under circumstances where the applicant acted responsibly and nonnegligently to avoid the loss;

2. The nature and amount of the loss is adequately substantiated by the facts;

3. There are sufficient budgeted and encumbered funds available to pay the claim.

B. The following shall result in denial of the claim:

1. The claim was not submitted properly or timely;

2. The claimant's loss is fully covered by private insurance;

3. The claimant is otherwise ineligible for reimbursement under the terms of this chapter or under other county ordinance or state statute;

4. The loss was proximately caused by an irresponsible or negligent act of the claimant, the claimant's agent or employee, or a member of the claimant's household;

5. The loss or the claimant's eligibility is unsubstantiated;

6. The claimant knew, or reasonably should have known, that illegal activities were occurring on the claimant's premises or involving the claimant's property.

C. The following shall result in a reduction of the amount paid for the claim:

1. The loss was only partially covered by insurance;

2. The loss exceeded the funding limits for maximum payments set out in this chapter;

3. The claimant failed to act responsibly, acted negligently, or otherwise failed to act in a reasonable manner to minimize the

claimant's losses.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29A.040 Maximum Payments

Payments to be made under this chapter shall be limited by the following restrictions:

A. One thousand dollars per claimant, per incident;

B. One payment per street address or location per fiscal year; and

C. The maximum funding limit of ten thousand dollars per fiscal year for all no-fault sheriff's office claims has been reached or exceeded, regardless of the number or nature of claims made.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29A.050 Payment Does Not Imply Liability

A. Any payment of a claim made under this chapter shall not be construed, in any forum, as an admission or implication of any negligence, misconduct, or other legal responsibility on the part of the county, the sheriff's office, or individual sheriff's deputies, for any purpose.

B. The provisions and procedures in this chapter shall not in any way supersede, change, negate, or abrogate the Utah Governmental Immunity Act, as amended, in its application to the county or the county's employees or volunteers and it shall not establish in any person a right to sue the county.

C. Any payment of a claim made under this chapter and accepted by the claimant shall constitute a full and complete release of any and all claims against the county, its officers, employees, and agents arising from the circumstances or incident upon which the claim is based.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.29A.060 Establishment Of Regulations

The attorney and the sheriff may establish such internal regulations and

procedures as may be necessary to provide for the efficient handling of claims and the disbursement of funds based on those claims pursuant to the provisions of this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.30 ACQUISITION OF REAL PROPERTY

3.30.010 Title Of Provisions
3.30.020 Purpose Of Provisions
3.30.030 Authority For Provisions
3.30.040 Real Property Acquisition
3.30.050 Consideration For Acquisition Of Real Property
3.30.060 Bilateral Contract

3.30.010 Title Of Provisions

This chapter shall be known as the "Acquisition of Real Property."

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.30.020 Purpose Of Provisions

It is the intent of the council in adopting the ordinance codified in this chapter to provide for the manner in which real property is acquired by Salt Lake County.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.30.030 Authority For Provisions

Salt Lake County is authorized by state statute to acquire real property for county purposes. The state statute requires the Council, as the county legislative body, to provide by ordinance, resolution, rule or regulation for the manner in which the County acquires real property.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.30.040 Real Property Acquisition

The Council authorizes the Executive to acquire real property and any interest in real property on behalf of the County by the Council's approval of a specific capital

construction project requiring real property acquisition through appropriation of designated funding to acquire the real property in the budget process or pursuant to individual Council resolution.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.30.050 Consideration For Acquisition Of Real Property
The consideration paid or given for all acquisitions of real property or any interest in real property acquired on behalf of the county shall be subject to the laws of the State of Utah and the ordinances of Salt Lake County.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.30.060 Bilateral Contract
A bilateral contract, in accordance with Chapter 3.28.040(A)(5) of these ordinances, shall be required.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.32 LIBRARY SYSTEM PURCHASES
3.32.010 Purchasing Agent For Salt Lake County Library System

3.32.010 Purchasing Agent For Salt Lake County Library System
Notwithstanding the provisions of subsection B of Section 3.16.040 of this title, the director of the Salt Lake County Library System shall be the purchasing agent of the county in contracting for the purchase, lease or sale of books, magazines, periodicals, films, and similar materials of an educational or instructional nature for the Salt Lake County Library System use. The director of the Salt Lake County Library System shall conform to the same provisions as the county's purchasing agent as set forth in Chapters 3.16 through 3.36.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.33 BANKING SERVICES AND INVESTMENT OF PUBLIC MONIES
3.33.010 Purchasing Agent For Bank Services

3.33.020 Investment Of Public Monies
3.33.030 Costs Of Debt Issuance And Related Charges

3.33.010 Purchasing Agent For Bank Services

Notwithstanding the provisions of subsection B of Section 3.16.040 of this title, the treasurer shall be the purchasing agent of the county in contracting for ordinary and necessary bank services for all offices, departments, divisions and subdivisions of Salt Lake County. Ordinary and necessary bank

services are services routinely and regularly provided by financial institutions to their corporate customers in the ordinary course of business, including: depository facilities deposit processing, remittance processing, electronic collection services, electronic payment services, check clearance, credit reconciliation, debit reconciliation, securities safekeeping, account maintenance services, cash management services and treasury management services. The actual net cost of bank services shall be charged by the treasurer against gross cash management earnings and is not subject to the provisions of Chapter 3.28.130 of this code. The treasurer shall conform to the same provisions as the county's purchasing agent as set forth in Chapters 3.16 through 3.36. If the mayor disagrees with the treasurer on a proposed award, the dispute shall be resolved pursuant to Section 2.11 of the Plan.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.33.020 Investment Of Public Monies

All public monies in the custody of the treasurer shall be held and invested by the treasurer in accordance with Utah Code 17-24, (1953) and Utah Code 51-7, (1953), State Money Management Act, and Chapter 3.64 of this code and the treasurer shall execute and maintain a copy of all agreements required thereby.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.33.030 Costs Of Debt Issuance And Related Charges

The treasurer may pay or provide for the payment of costs of issuing, retiring or refunding county debt in accordance with the resolution authorizing issuance of the debt. The provisions of Chapter 3.28.130 of this code do not apply to the costs of issuing, retiring or refunding county debt.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.36 PROPERTY DISPOSAL

3.36.010 Purpose Of Provisions--Statutory Authority
3.36.020 Disposal Of Property Authorized When--Procedures
3.36.030 Personal Property
3.36.040 Real Property
3.36.050 Public Hearings
3.36.060 Recordkeeping
3.36.070 Applicability Of Provisions--Credits For Certain Agencies
3.36.080 Public Library System Materials
3.36.090 Purchase Of Property--Fee Required

3.36.010 Purpose Of Provisions--Statutory Authority

In enacting the ordinance codified in this chapter, it is the purpose of the council to provide for the manner of disposal of surplus property held by the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.020 Disposal Of Property Authorized When--Procedures

Except as modified by other provisions of this chapter, the mayor may dispose of, or control the disposition of any county property, including lost or abandoned property, or any legal or equitable interest in property, the disposition of which is determined to be in the public interest and in accordance with good property management. The disposition of property, or any interest therein, may be by public or private sale, exchange, exchange and sale, option to purchase, lease, lease with an option to purchase, rental, trade-in, public auction, public advertisement for sealed bids, or any other lawful manner or means. Such disposition shall not be for less than a full and adequate consideration unless otherwise permitted by law, and such consideration may be other than monetary. Any sale or other disposition by public advertisement for sealed bids shall be conducted in accordance with the provisions of Chapter 3.20 of this title.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.030 Personal Property

A. The power to dispose of surplus, obsolete or unusable personal property held by the county is vested in the county purchasing agent, and such disposition may be made in any manner authorized in Section 3.36.020 of this chapter.

B. The fleet management board may declare as surplus personal property those public safety vehicles with public safety equipment installed in and on the vehicles, whether marked or unmarked police vehicles, upon the advice of the director of the county fleet management division and authorize the

fleet director to sell the surplus vehicles to other local government public safety organizations for fair and adequate consideration without advertisement or sealed bid. The county mayor must ratify the sales of all surplused public safety vehicles prior to finalization of the sale. If the fleet director cannot sell the surplused public safety vehicles as public safety vehicles to any other governmental entity, then the public safety equipment will be removed and the surplused vehicles will be sold through the county's surplus sales.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.040 Real Property

A. The disposition of real property shall be made only with the approval of the council. Real property that is in public use with a value in excess of fifty thousand dollars and real property not in public use with a value in excess of one-hundred thousand dollars are deemed significant parcels of real property and shall be disposed of only after a public hearing and notice thereof. For purposes of this section easements are not deemed significant parcels of real property.

1. Real property in public use is that including, but not limited to, realty and improvements thereon in actual current use as governmental offices or other public buildings, courthouses, jails, police stations, fire stations, developed parks or other recreational or entertainment facilities, libraries, schools or other educational facilities, utilities, cemeteries, animal control facilities, hospitals or other health facilities, facilities for the welfare of the indigent, sanitary landfills, or any other realty or improvement thereon,

   public roads or public rights-of-way, held for the benefit or advantage of the general public and not confined to use by privileged or particular individuals, without regard to whether that use may be classified as governmental or proprietary.

2. Realty not in public use is that including, but not limited to, realty or improvements thereon existing as vacant lands; real property with vacant or unused buildings, structures or other improvements thereon; buildings used as maintenance or repair facilities and not open to the general public; buildings rented or leased by the county to private entities; or any other realty or improvements thereon not held for the benefit or advantages of the public nor open to the general public or to a substantial portion thereof.

B. The real estate section shall have discretion over the disposition and manner of disposition of surplus real property subject to this section, and in

accordance with the best interests of county government, the protection of the people of the county, and good property-management techniques; provided, however, no such disposition shall be finalized without the approval of the council.

C. An organization may request in writing to the division that certain real property be disposed of. The request shall be forwarded to the council for approval along with the division's recommendation.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.050 Public Hearings

When required by this chapter, the council shall call and hold a public hearing concerning dispositions of realty, which hearing may be at any special or regularly scheduled meeting of the council at which hearing all interested persons may appear and be heard. Public notice shall be given of the hearing, which shall contain the date, time and place thereof, a statement of the purpose of the hearing, and a description of the property or the interest therein to be disposed of. Such notice shall be published at least once prior to the hearing in a newspaper of general circulation in the county, and the hearing shall be held not sooner than fourteen days after the publication of the notice thereof.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.060 Recordkeeping

The real estate section shall maintain permanent public records reflecting a description of the property sold or otherwise conveyed, an appraisal of the property (if required),, the manner of disposition, the consideration received by the Citycounty, the identity of the person to whom such property was sold or otherwise disposed of, the date of disposition, the date of approval by the Council (if required),council, and the nature of the City'scounty's use of the property beforeprior to disposition. The division shall notify the auditor of disposal of property carried on the county fixed asset inventory.

3.36.060 No Preferential Treatment

It is the policy of the City to encourage fair and open disposal of surplus property and to provide equal opportunities to compete for the purchase of surplus City property. No elected officer, appointed officer, or municipal employee of the City shall knowingly purchase surplus City personal property, consistent with the Utah Municipal Officers' and Employees' Ethics Act, Utah Code Annotated §§ 10-3-1301 et seq.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.070 Applicability Or Provisions--Credits For Certain Agencies

The provisions of this chapter shall be applicable to all boards, commissions, authorities, councils or other bodies within the jurisdiction of the county owning or holding real or personal property. When real or personal property is disposed of under the provisions of this chapter and such property was purchased by a county agency or other body that has an independent revenue base or that has a fund separate from the general fund, and the procedure established by the auditor have been properly followed, that agency's fund shall be credited with the amount realized from the disposition. For net proceeds less than one thousand dollars per separate sale, the amount will be credited to the general fund. If the county receives something other than monetary consideration for the disposition, distribution of that consideration shall be in accordance with the direction of the mayor.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.080 Public Library System Materials

A. Upon the request of the county library board of directors, the mayor may declare surplus and authorize the disposal by the library director of books, audio-visual materials, or other informational materials that are no longer needed, required or suitable for use in the county library system. Such disposition may be accomplished in any manner authorized under this title or by sale to individual members of the public after the item being sold has been publicly displayed as being for sale and the sale price has been clearly marked thereon prior to the sale. The sale price of each item sold by public display shall be as determined by the library director and approved by the library board, and upon the sale of the item it shall be marked "purchased at public sale." All proceeds from the sale of books, audio-visual materials, and other informational materials under this chapter shall be deposited into the county library fund for library use. The library director may, subject to the approval by the library board of directors, dispose of surplus books, magazines, audio-visual and informational items displayed for sale, but remaining unsold, by transferring to such public entities, non-profit entities, or community groups or projects as the library board deems appropriate. The transfer to nonprofit entities, community groups or projects shall be for fair and adequate consideration unless in the judgment of the library director and the library board the items have little or no market value, in which event the property may be transferred without consideration if the recipient pays the cost of delivery and agrees to use the materials for educational or informational purposes, or, if such a recipient cannot be

located with reasonable effort, the material may be discarded or donated without consideration to a nonprofit entity, community group or project. The disposition of property other than books, audio-visual materials or other informational materials held by the library system shall be under the control of the county purchasing agent in accordance with Section 3.36.030 of this chapter.

B. The disposition of real estate and improvements thereon held in the name of the county for the use and benefit of the library system must be made with the approval of the council as provided in Utah Code § 9-7-504, (1953). Such approval shall be granted only for the disposition of library real property by and under the direction of the contracts and procurement division, as provided and in accordance with Sections 3.36.040 and 3.36.050 of this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.36.090 Purchase Of Property--Fee Required

Any person requesting to purchase surplus real property from the county, other than at a public auction or in response to a solicitation from the county, shall pay to the county a fee in the amount of one

hundred dollars at the time such request is made. Such fee shall be nonrefundable, but shall be a credit against the sale price of such property in the event the sale is completed.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.42 CHARGES AND FEES*

3.42.010 Purpose
3.42.020 Definitions And Categories
3.42.030 Fees By Statute, By Policy And By Schedule
3.42.040 Adopting And Amending Fee Schedules
3.42.050 Debt Collection Fees
3.42.060 Setting Rates For Services
3.42.070 Determining Full Cost
3.42.080 Fees For Recorder, Sheriff And Constables
3.42.085 Surveyors "Public Land Corner Preservation Fund"
3.42.090 Center For The Arts--Preservation Fund Fee

3.42.010 Purpose

The purpose of this chapter is to provide guidance to all county offices in determining fees and charges to users for services, information or materials

provided by the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.020 Definitions And Categories

A. "Elected officials" means elected county officers, as described in statute, with the exception of recorder, sheriff and appointed constables.

B. The categories of fees and charges relating to services shall include, but not be limited to:

1. Statutory Fines, Fees and Charges. Fines, fees and charges set out by state statute shall be imposed at the amount so set.

2. Nonstatutory Fines, Fees and Charges. For fees and charges not set out by statute, the level of cost recovery should be established at the full cost of the service, including overhead.

3. Services Performed through Interlocal Agreements. All charges for services performed by the county through interlocal agreement should be charged at full cost.

4. Services Provided to Public or Private Agencies. Services provided to any public or private agencies, for their sole use, should be charged at full cost. Services or information provided to any public or private agency for resale should be charged at fair market value.

5. Interfund or Intrafund Services. Services provided by a fund, agency or organization for or on behalf of another fund, agency or organization should be charged at full cost.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.030 Fees By Statute, By Policy And By Schedule

A. In any case where the process or authority for adopting fees or specific fees are set in statute, these fees shall be adopted or imposed by the affected county office, board, or entity in accordance with the governing statute.

B. In the case of fees regarding records, records duplication and related subjects, fees shall be imposed as provided in countywide records policies, adopted in accordance with Section 2.82.090.

C. In the case of fees not set in statute and not covered by records policies, fees shall be imposed as provided by law or this ordinance.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.040 Adopting And Amending Fee Schedules

A. Salt Lake County fee schedules shall be adopted according to the following process:

1. Unless otherwise authorized by statute for adoption by a separate board or entity, nonstatutory fees to be charged by a county office or agency shall be proposed by the office or agency each year as part of the annual budget processes or at such other time(s) as the council shall provide for by resolution.

2. Fees shall be separately listed for each office or agency and shall be compiled and separately set forth by the auditor in the tentative budget.

3. Upon review and approval of fees by the county council, the fee schedule shall be placed on file with the county clerk.

4. Each office and agency shall post its approved fee schedule and shall additionally post a listing of statutory fees it is authorized by law to charge and collect.

5.

a. New fees may be adopted and existing fees may be amended or repealed at any time by resolution of the council.

b. Fees adopted or amended pursuant to this subsection shall become effective on the date specified in the resolution.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.050 Debt Collection Fees

A. Salt Lake County may, by following the procedures and requirements of this chapter, establish a fee to cover the administrative costs of debt collection on accounts administered by the district attorney's office.

B. In addition to the fee to cover the administrative costs of collection on accounts administered by the district attorney's office, there is also imposed the following:

1. A late penalty fee of ten percent of the account receivable on accounts administered by the district attorney's office; and

2. An interest charge that is:

a. two percent above the prime rate as of July 1 of each fiscal year for accounts receivable for which no court judgment has been entered; and

b. the post-judgment interest rate established by Utah Code § 15-1-4 for judgments established by the courts.

3. Reasonable attorney's fees.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.060 Setting Rates For Services

Nonstatutory fees or charges for services provided by the county shall be set by the council, based upon its review of the full costs of providing such services. Such rates shall be reviewed annually each June. In the setting of rates, the council may take into account circumstances where the charge or fee would create an economic hardship that precludes the use of a basic service or would diminish use of or participation in a service below the level deemed desirable.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.070 Determining Full Cost

The methodology of determining full costs of county services shall be the responsibility of the county auditor, who shall maintain and disseminate forms and review procedures as necessary for the determination of the full costs of county services. The procedures and methodology for cost allocation shall be set forth in countywide policies and procedures.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.080 Fees For Recorder, Sheriff And Constables

The recorder, sheriff and constables shall adopt, amend, publish and post fees according to statute. Fees adopted by the recorder, sheriff and constables and fees authorized for adoption by a separate board or entity shall be included in the tentative budget and posted in accordance with Section 3.42.040 of this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.085 Surveyors "Public Land Corner Preservation Fund"

A. Pursuant to the provisions of Utah Code § 17-23-19, the council establishes a Public Land Corner Preservation Fund. Moneys generated for the fund shall be used only to pay expenses incurred and authorized by the county surveyor in the establishment, reestablishment, and maintenance of corners of government surveys pursuant to the powers and duties provided under Utah Code § 17-23, and Utah Code 57-10, (1953).

B. The council establishes a fee schedule for filing maps in the county surveyor's office of surveys filed under Utah Code § 17-23-17, subdivisions, road dedication plats, and other property plats. All moneys collected under this subsection shall be deposited with the county treasurer to be credited to the Public Land Corner Preservation Fund.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.42.090 Center For The Arts--Preservation Fund Fee

A. The Center for the Arts, as part of its ticketing fees for its venues, specifically the Capitol Theater, Abravanel Hall, and the Rose Wagner Performing Arts Center, is authorized to charge and collect a preservation fund fee on all paid admissions except as otherwise provided in this section.

B. The revenues from this preservation fund fee shall be dedicated funds to be used solely and exclusively for capital equipment and capital improvements for the preservation of the Capitol Theater, Abravanel Hall, and the Rose Wagner Performing Arts Center. Preservation fund fees collected shall be deposited into a special fund and used with other funding annually budgeted and appropriated, to enhance and accelerate capital maintenance and improvement projects at these venues.

C. Salt Lake County and its Center for the Arts will solicit input from the residents, tenants and frequent users of the named venues with regard to the use of the revenues collected as preservation fund fees, with the final decision as to the acquisition of capital equipment or capital improvements to these venues being the sole decision of Salt Lake County.

D. The preservation fund fee shall be waived for students, as defined by the Center for the Arts, and senior citizens age sixty-five and older, for those students and senior citizens presenting valid personal identification.

E. The preservation fund fee shall not be charged with complimentary tickets, or tickets for educational performances or free rehearsals.

F. For annual subscription ticketing, the preservation fund fee per individual subscription shall not exceed six dollars per individual subscription.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.44 DISPOSITION OF STOLEN PROPERTY

3.44.010 Stolen Property Defined
3.44.020 Investigation And Seizure Of Goods Reported Stolen
3.44.030 Return And Other Disposal Of Property

3.44.010 Stolen Property Defined

For purposes of this chapter, "stolen property" means all property held by the sheriff as part of a criminal investigation into the theft or robbery of goods, or related offenses.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.44.020 Investigation And Seizure Of Goods Reported Stolen

The sheriff shall investigate all goods reported stolen by theft or deception and may seize the same pending the completion of the criminal investigation.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.44.030 Return And Other Disposal Of Property

A. All property seized by the sheriff as part of a criminal investigation shall be returned in accordance with any court orders governing the disposition of the goods in the criminal proceeding.

B. If the case is not prosecuted or there is no court order governing the disposition of the property, the property will be disposed of as follows:

1. All property stolen or wrongfully taken from an owner without any form of consent or acquiescence on his part shall be returned to the owner, provided that the owner can establish his right to possess such property and the attorney has authorized it.

2. All property involved in theft by fraud or deceit, where the owner may have consented or acquiesced in the taking of property by the thief, shall not be returned to the owner until the case file is reviewed by the attorney to insure that any intervening interests that may have

inured to a bona fide purchaser or pledgor of goods having a voidable title under the Uniform Commercial Code, Utah Code § 70A-1-101, et seq., (1953), as amended, are protected. In the case of goods transferred with a voidable title, the sheriff shall dispose of this property in accordance with the instructions of the attorney. After returning the property, the sheriff shall notify all parties who may have an interest in the goods as to the disposition of the property. However, it is expressly understood that firearms seized by the sheriff shall be returned to the owner only if the owner is entitled to possess the firearms under state and federal law.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.48 ENGINEERING FEES

3.48.010 Right-Of-Way Improvement Permit Fees
3.48.020 Plat Filing And Engineering Checking Fees
3.48.025 Engineering Checking Fee For Subdivisions Where No Plat Must Be Recorded
3.48.030 Engineering Checking Fees For Nonsubdivision Development
3.48.040 Road Dedication Fees For Nonsubdivision Development

HISTORY
Amended by Ord. 20-06-01 on 7/2/2020

3.48.010 Right-Of-Way Improvement Permit Fees

Before any permit is issued pursuant to the provisions of Section 14.36.010 of this code, the applicant shall pay to the planning and development services division the following fees:

A. Where there is no existing curb and gutter (there may or may not be a sidewalk), and the design, staking and inspection is done by county forces:

1. Curb, gutter, sidewalk and drive approaches, two hundred dollars plus two dollars per foot;

2. Curb, gutter and drive approaches, two hundred dollars plus two dollars per foot;

3. Sidewalks only, two hundred dollars plus two dollars per foot;

4. Drive approaches only, one hundred thirty dollars plus two dollars per foot.

B. Where there is no existing curb and gutter (there may or may not be a sidewalk), and the design and staking are done by private engineers with checking and inspection done by county forces:

1. Curb, gutter, sidewalk and drive approaches, one hundred fifty dollars plus one dollar per foot;
2. Curb, gutter and drive approaches, one hundred fifty dollars plus one dollar per foot;
3. Sidewalks only, one hundred dollars plus one dollar per foot;
4. Drive approaches only, one hundred dollars plus fifty cents per foot.

C. Where curb and gutter is existing and checking and inspection are done by county forces:

1. Sidewalks with drive approaches, twenty dollars plus one dollar per foot;
2. Drive approaches only, twenty dollars plus one dollar per foot.

D. For replacement of existing improvements, no charge.

E. Restaking fee: In the event a developer elects to have the county complete staking pursuant to subsection A of this section, and the stakes are destroyed or removed, and restaking is required, the developer shall pay a restaking fee based upon the cost to the county to complete the restaking. The maximum restaking fee shall not exceed seventy-five percent of the original staking fee. The minimum restaking fee shall be one hundred dollars.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.48.020 Plat Filing And Engineering Checking Fees

A. Any and all persons filing plats with the County Recorder's Office shall first have paid all fees required in Chapter 3.52. In addition, persons filing plats shall pay to the Planning and Development Services Department, or designated agency, the Plat Filing and Engineering Checking Fee set out in the Planning and Development Services Fee Schedule, which shall be on file with the Planning and Development Services Department, or designated Agency.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017
Amended by Ord. 20-06-01 on 7/2/2020

3.48.025 Engineering Checking Fee For Subdivisions Where No Plat Must Be Recorded

Any person proposing to subdivide a parcel of land where no plat must be recorded (a non-regular subdivision) shall pay to the Planning and Development Services Department, or Designated Agency the Engineering Checking Fee for Subdivision with no plat set out in the Planning and Development Services Fee Schedule, which shall be approved by the Council and shall be on file with the Planning and Development Services Department, or Designated Agency.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017
Amended by Ord. 20-06-01 on 7/2/2020

3.48.030 Engineering Checking Fees For Nonsubdivision Development

Any person proposing to develop a parcel of land, either as a permitted use, or conditional use, but not a Planned Unit Development or a subdivision, shall pay to the Planning and Development Services Department, or Designated Agency the Engineering Checking Fee for non-subdivision development set out in the Planning and Development Services Fee Schedule, which shall be on file with the Planning and Development Services Department, or Designated Agency.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017
Amended by Ord. 20-06-01 on 7/2/2020

3.48.040 Road Dedication Fees For Nonsubdivision Development

Any person proposing to develop a parcel of land, either as a permitted use, conditional use or planned unit development, other than a subdivision, where dedication is required for street widening and improvements in accordance with Chapter 15.28 shall pay to the planning and development services division a fee equal to one hundred fifty dollars for document review, preparation and processing.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.52 PLANNING AND DEVELOPMENT SERVICES FEE SCHEDULE

3.52.010 Fees As Set Forth In Fee Schedule

HISTORY
Approved by Ord. 20-06-01 on 7/2/2020

3.52.010 Fees As Set Forth In Fee Schedule

Subdivision and zoning fees shall be established in accordance with Section 3.42.040 of these ordinances. These fees shall be set out in the Planning and

Development Services Fee Schedule, which shall be approved by the Council, and shall be on file with the Planning and Development Services Department, or Designated Agency.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017
Repealed by Ord. 20-06-01 on 7/2/2020

Chapter 3.54 BOND ISSUANCE

3.54.100 Bond Issuance--Legislative Intent--Ballot Language
3.54.200 Bond Proposition--Time For Election

3.54.100 Bond Issuance--Legislative Intent--Ballot Language

A. The council may issue a bond proposition to the voters by approving a resolution submitting the question of the issuance of the bonds to the voters in the time and manner provided for by state law.

B. If the council approves a resolution to submit a bond proposition to the voters, it shall require the county clerk to prepare and submit a ballot, in the form and including the content required by state law.

C. In addition to the requirements of state law and to the extent applicable, bond propositions relating to capital facilities that will be owned and maintained by the county shall include the following:

1. In addition to the bond payment costs as outlined above, the average annual combined net operational and maintenance costs for this facility during its first ten years of operation is projected to require additional annual expenditures of $ _____ increase.

2. Property Tax Cost of Bonds. A general obligation bond is a debt owed by government. The government uses tax revenue to pay for the debt. If the bonds are issued as planned, an annual property tax to pay debt service on the bonds will be required over a period of _____ years in the business property having the same value.

[If applicable] If there are other outstanding bonds, an otherwise scheduled tax decrease may not occur if these bonds are issued.

D. The mayor's fiscal staff as validated by the county debt review committee and approved by the county council shall determine the annual combined net operational and maintenance costs for each facility subject to a bond proposition.

E. For purposes of this chapter, "net operational and maintenance costs" is defined as gross operating and maintenance expenses less the following:

1. Existing operating and maintenance costs if the new project replaces an existing project;

2. Lease payments that cease as a result of the new project; and

3. New revenue that results directly from the project.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.54.200 Bond Proposition--Time For Election

A. All elections for a bond proposition shall be conducted and administered in accordance with the provisions of state law. A bond election may be held, and the proposition for the issuance of bonds may be submitted, on the same date as any general election held in Salt Lake County or at a special election as permitted by state law. A bond election may not be held on the same date as a municipal election or any other date prohibited by state law.

B. Notwithstanding the provisions of subsection A. a bond election may be held, and the proposition for the issuance of bonds may be submitted, on the same date as any municipal election if:

1. The ordinance or resolution calling for a bond election is adopted by a two-thirds majority of all members of the council: or

2. The Mayor has declared a local emergency proclamation under state law and the Council approves an ordinance or resolution in which it:

a. Determines that it is necessary to submit a bond proposition in response to the local emergency: and

b. Identifies specifically the nature of the local emergency and the reasons for holding the bond election on a municipal election date.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.56 PUBLIC WORKS BONDS

3.56.010 Bonding Office--Establishment
3.56.020 Bonding Office--Bond Processing Duties
3.56.030 Bond Review And Approval Requirements
3.56.040 Monitoring Of Construction Progress

3.56.050 Release Of Bonds
3.56.060 Bond Administration Fee
3.56.070 Fee For Partial Bond Release
3.56.080 Fee For Reinspections

3.56.010 Bonding Office--Establishment

A bond office is established for the county public works department in order to coordinate the bonding requirements of the various divisions within the public works department. The bond office shall be the responsibility of the planning and development services division of the public works department.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.56.020 Bonding Office--Bond Processing Duties

The bond office shall complete and process all bonds that must be filed with the county by developers or other persons to guarantee installation of improvements required under the county highway, flood control, building inspection, zoning, fire protection or subdivision ordinances. The public works director may direct that the bonding office complete and process any additional bonds required by the public works department.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.56.030 Bond Review And Approval Requirements

The completed bond shall be forwarded by the bonding office to the attorney's office for review as to form, sufficiency and manner of execution. The attorney's office shall then forward the bond to the mayor or designee for acceptance. Upon favorable action by the mayor or designee, the bond shall be returned to the bond office for monitoring.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.56.040 Monitoring Of Construction Progress

The bond office shall monitor the progress of construction of the required improvements in order to insure that the construction schedule and sequence established for the completion of the improvements is followed. It shall be the responsibility of the developer or his authorized agent to call for all required inspections. The county may require all work on the project to stop if construction of the bonding improvements deviates in any way from the approved plan. Any deviation from the approved plan must be approved in writing by all the divisions of

the public works department affected by the deviation.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.56.050 Release Of Bonds

The bond office shall, upon receiving written notice from the appropriate county divisions certifying that the improvements have been satisfactorily completed in accordance with county standards, recommend that the mayor or designee release the bond amount represented by the improvements, except that twenty-five percent of the total bond amount for public improvements such as curb, gutter, sidewalks, road surfacing, flood control and fire hydrants shall be retained for a period of one year after completion of the improvements to guarantee against defects in the installed public improvements, and may be utilized by the county to correct any defects occurring within the year. If there are no defects in the improvements at the end of the one-year period, the retained percentage of the bond shall be released.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.56.060 Bond Administration Fee

Any person filing a performance bond with the county to guarantee completion of improvements for a conditional use, a permitted use, a subdivision where no plat must be recorded (a nonregular subdivision), a road dedication, or Chapter 70 of the building code, shall pay a fee of one hundred dollars for the administration of such bond. The fee shall be paid to the bond office prior to acceptance of any such bond by the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.56.070 Fee For Partial Bond Release

Any person requesting that the county inspect improvements for the purpose of a reduction in the bond amount (a partial bond release) shall pay a fee of one hundred dollars to the bond office for such inspection. Partial releases of improvement bonds shall be subject to the policies of the planning and development services division.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.56.080 Fee For Reinspections

In the event a developer requests final inspection for the purpose of obtaining a release of an improvement bond and the county inspector determines the improvements have not been satisfactorily completed, the developer shall pay a fee of one hundred dollars for each reinspection which must be scheduled by the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.60 SERVICE CHARGE ON DISHONORED CHECKS

3.60.010 Service Fee For Bad Checks Charged When--Debt Collection Procedures
3.60.020 Identification Required For Certain Checks
3.60.030 Definition

3.60.010 Service Fee For Bad Checks Charged When--Debt Collection Procedures

Any person, firm, corporation, partnership or business entity that tenders a check or other negotiable instrument to the county in consideration for any service, tax, fee, assessment, chattel, or property of any kind whatsoever, that is not honored by payor's bank when it is presented for payment, shall be charged the maximum service fee allowed pursuant to Utah Code § 7-15-1, (1953), for the additional handling of the dishonored instrument.

This provision shall be applicable in those instances where the collection of the sum is handled through extrajudicial means. In the event the county seeks to collect the debt represented by the dishonored instrument through judicial means, the provisions of the state code governing collection of bad checks shall govern and supersede this section.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.60.020 Identification Required For Certain Checks

When the drawer of a check personally presents a check to the county for payment, the check may not be accepted by the county, unless the drawer presents a valid form of identification. This section shall not apply to checks drawn upon commercial checking accounts, checks presented to the treasurer's office in payment of real property taxes and assessments or checks presented to the assessor's office.

HISTORY

Adopted by Ord. 17-02-03 on 2/2/2017

3.60.030 Definition

"Valid form of identification" means the following forms with a current expiration date: driver's license, Utah identification card or check guarantee card.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.64 MANAGEMENT OF PUBLIC FUNDS

3.64.010 Establishment Of Fund Management System
3.64.020 Definitions
3.64.030 Policies And Procedures
3.64.040 Fund Management Policy Committee
3.64.050 Public Funds And Public Monies--Review And Examination

3.64.010 Establishment Of Fund Management System

In order to comply with state law, provide consistency of procedure, maximize the investment income from public funds, and provide appropriate physical and procedural safeguards for public funds the county council finds it to be in the best public interest to establish countywide policies for all county employees charged with receiving or handling public funds.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.64.020 Definitions

For purposes this chapter, the following definitions shall apply:

"Cashier" means an employee of the county who receives money from the public or the county, or is authorized to receive, advance or disburse funds.

"Employee" means all employees of the county, whether or not they are of merit status. For purposes of this chapter, "employee" shall also include volunteers, and all other persons, whether compensated or not, serving on any county special, regular full-time committee, agency or board.

"Public funds" and "public monies" means money and other funds and accounts, regardless of the source from which these funds and accounts are derived, which are owned, held or administered by the county, its employees, or any of its offices, boards, commissions, departments, divisions, agencies or other similar instrumentalities. "Public monies" also includes monies, funds or accounts that have been transferred to a private contract provider of programs or services. Those

monies, funds or accounts maintain the nature of public monies while in the possession of the private entity that has contracted with the county to provide programs or services.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.64.030 Policies And Procedures

The operation of the fund management system, the duties of cashier, and all other matters, including physical security, designation of cashiers and accountability for the receipt, deposit, transmittal or disbursement of funds not otherwise specified by state statute, shall be regulated by countywide policies and procedures adopted by the county council. Unless specifically authorized by the county council, such countywide policies shall supersede any departmental or division policy relating to the same subject.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.64.040 Fund Management Policy Committee

There is hereby created a fund management policy committee consisting of the auditor, the attorney, the assessor, the treasurer and one representative selected by the mayor. The committee shall be chaired by the treasurer. The auditor, attorney, assessor and treasurer may designate a representative to serve on the committee. The committee shall meet as needed and shall have responsibility for developing, reviewing and making recommendations to the county council on any proposed fund management policy or procedure or amendment thereto. The committee, through its chair, shall be responsible for providing clarification and guidance with respect to the interpretations of fund management policies.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.64.050 Public Funds And Public Monies--Review And Examination

A. Public funds or monies held by any employee are subject to the same statutory controls and restrictions as public funds or monies held in the direct custody of the treasurer.

B. To ensure compliance with state law, ordinances and county wide policies, the treasurer may review cash handling practices, books, papers and accounts of any agency or private contract provider of programs or services to which public monies, funds or accounts have been transferred and may recommend revision of procedures to strengthen controls, improve processes or simplify procedures. Public funds or monies are subject to the

order of the treasurer, including the requirement to pay over amounts held, when the treasurer deems such action necessary and appropriate to protect public funds or monies from loss or misuse.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.65 TAX SALE PROCEDURES

3.65.010 Authority And Purpose
3.65.020 Bidder Registration Procedures
3.65.030 Redemption Rights And Procedures
3.65.040 Prohibition Of Collusive Bidding
3.65.050 Conflict Of Interest Prohibitions And Disclosure Requirements
3.65.060 Criteria For Accepting Or Rejecting Bids
3.65.070 Criteria For Granting Bidder Preference
3.65.080 Sale Ratification Procedures
3.65.090 Procedures For Recording Tax Deeds
3.65.100 Payment Methods And Procedures
3.65.110 Procedures For Contesting Bids And Sales
3.65.120 Criteria For Striking Properties To The County
3.65.130 Procedures For Disclosing Properties Withdrawn From The Sale For Reasons Other Than Redemption
3.65.140 Disclaimers By The County With Respect To Sale Procedures And Actions

3.65.010 Authority And Purpose

In accordance with the authority granted by Utah Code § 59-2-1331 and to facilitate the sale of properties certified for Final Tax Sale and provide consistency of procedure, when, pursuant to Utah Code § 59-2-1351.1, the county auditor conducts the final tax sale, the sale shall be conducted in accordance with this part and Chapter 3.66, where applicable.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.020 Bidder Registration Procedures

A. At the time specified in the Notice of Final Tax Sale as prescribed under Utah Code § 59-2-1351, (1953), as amended, the county auditor shall offer for sale and sell all such real estate for which an acceptable bid is made.

B. Any party wishing to bid on property offered for sale must register in advance and may be required to submit a written, sealed first bid accompanied by certified funds for an amount of not less than the tax,

penalty, interest and costs as determined by the county treasurer. In the event that more than one bid is received prior to the time of sale of the property, the property will be offered and, upon completion of the bidding, will be awarded to the successful bidder. Certified funds must be deposited with the county treasurer in the amount equal to the bid price at the time the bid is accepted.

1. If a bidder is the record owner of the property, or an agent of the record owner, or a contract buyer, no competitive bidding will be permitted. An agent shall include a personal representative or administrator, mortgage holder or trustee under a trust deed. In the event that a bid is made by such person, the property will be redeemed in the name of the record owner.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.030 Redemption Rights And Procedures

A. Property certified for sale may be redeemed on behalf of the record owner by any person at any time prior to the final tax sale.

B. A person redeeming property must pay to the county treasurer all delinquent taxes, interest, penalties and administrative costs that have accrued on the property.

C. If two or more persons own a piece of property on which a delinquency exists, any owner may redeem the owner's interest in the property upon payment of that portion of the taxes, interest, penalties and administrative costs which the owner's interest bears to the whole, as determined by the council.

D. If any property is redeemed, the county treasurer shall make the proper entry in the record of tax sales filed in the treasurer's office and issue a certificate of redemption, which is prima facie evidence of the redemption, and may be recorded in the office of the county recorder without acknowledgment.

E. Where the record owner is deceased, the property may be redeemed by and all documents issued in the name of the personal representative or administrator of the estate. If the estate of the deceased owner has not yet been probated, the delinquent taxes may be paid in the name of the deceased record owner. No redemption certificate will be issued until a personal representative or administrator for the estate has been appointed.

HISTORY

Adopted by Ord. 17-02-03 on 2/2/2017

3.65.040 Prohibition Of Collusive Bidding

Collusive bidding is prohibited. Collusive bidding is defined as any agreement or understanding reached by two or more parties that changes the bids the parties would otherwise offer absent the agreement or understanding.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.050 Conflict Of Interest Prohibitions And Disclosure Requirements

A. No officer or employee of any county office connected with the tax sale may bid on or benefit from the purchase of property offered for sale, directly or indirectly, except where the officer or employee is the record owner, an heir or personal representative of a deceased record owner or an abutting property owner.

B. When an officer or employee of an office involved in the conduct of the tax sales knows that a relative or business associate desires to participate in the tax sale, the officer or employee shall make complete written disclosure of the relationship prior to the sale.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.060 Criteria For Accepting Or Rejecting Bids

A. At Final Tax Sale, only the highest bid amount for the entire parcel of property may be accepted. A bid may not be accepted for an amount which is insufficient to pay the taxes, penalties, interest and administrative costs.

B. The council may find that none of the bids are acceptable.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.070 Criteria For Granting Bidder Preference

Parcels meeting the following criteria shall be sold without competitive bidding as an entire parcel only:

A. The parcel that has been determined not to be an economically viable unit of property to other than a preferential interest based upon consideration of such characteristics as size, shape, access, zoning, or other factors that may affect the economic value and use of the parcel.

B. A non-preference sale of the parcel would create a nuisance and/or cloud upon an existing interest in the property and could unreasonably diminish the value of such an interest.

C. Priority of Preference.

1. First priority is given to any possessory interest;

2. If no possessory interest exists, priority is given to abutting property owners;

3. If there is a conflict between two or more possessory interests or two or more abutting property owners, the auditor may direct that the property be bid as between the two conflicting possessory interests.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.080 Sale Ratification Procedures

All accepted bids will be submitted to the council for ratification.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.090 Procedures For Recording Tax Deeds

A. Upon payment, the county treasurer will issue a temporary receipt. Within sixty days of the date of the sale and after approval of all sales by the council, the county auditor will issue and record the tax deed, and mail the recorded deed to the name and address listed on the bid sheet and bidder registration form. Deeds issued by the county auditor shall recite the following:

1. The total amount of all the delinquent taxes, penalties, interest and administrative costs which were paid for the execution and delivery of the deed;

2. The year for which the property was assessed, the year the property became delinquent, and the year the property was subject to tax sale;

3. A full description of the property; and

4. The name of the grantee.

B. When the deed is executed and delivered by the auditor, it shall be prima

facie evidence of the regularity of all proceedings subsequent to the date the taxes initially became delinquent and of the conveyance of the property to the grantee in fee simple.

C. The deed issued by the county auditor under this section shall be recorded by the county recorder.

D. The fee for the recording shall be included in the administrative costs of the sale.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.100 Payment Methods And Procedures

A. For redemptions after the date of certification for sale, all amounts must be paid in cash or with funds acceptable to the treasurer. For post-certification redemptions, an administrative fee is added to delinquencies.

B. Property will be auctioned by class. When property has been bid and sold, purchasers must remit the full amount bid for the purchase in cash or certified funds. In the event that a bidder is unable to produce the total amount at that time, his/her bid shall be considered null and void and the property shall be resold by the county auditor.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.110 Procedures For Contesting Bids And Sales

Any person wishing to contest any action taken in conjunction with the tax sale must file a written protest containing all relevant information and arguments with the council within ten days after the date of the tax sale. The council need not grant hearings for purposes of reviewing a contested bid or sale, but may render a decision based upon all information within the possession of the county following a review of submissions. The council may award the property to one of the bidders, reject all bids and order it re-offered for sale, or, upon a finding that it is in the best public interest, withdraw the property from the sale.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.120 Criteria For Striking Properties To The County

A. Any property offered for sale for which there is no purchaser and which it is

not in the public interest to withdraw and recertify to a subsequent sale, shall be struck off to the county by the county auditor, who shall then:

1. Publicly declare substantially as follows: "All property here offered for sale which has not been struck off to a private purchaser is hereby struck off and sold to the County of Salt Lake, and I hereby declare the fee simple title of the property to be vested in the County."

2. Make an endorsement opposite each of the entries in the delinquency tax sale record described in Utah Code § 59-2-1338, substantially as follows: "The fee simple title in the property described in this entry in the year of _____ sold and conveyed to the County of Salt Lake in payment of general taxes charged to the property"; and

3. Sign the auditor's name to the record.

B. The fee simple title shall then vest in the county.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.130 Procedures For Disclosing Properties Withdrawn From The Sale For Reasons Other Than Redemption

The county auditor, with the approval of the council, may withdraw from the sale property having title, description or other deficiencies, or property which is found to be in the best interest of the public to withdraw from sale. Property so withdrawn from such sale may be recertified to a subsequent sale if the cause of the original withdrawal has been remedied. Recertification must be approved or ratified by the council.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.65.140 Disclaimers By The County With Respect To Sale Procedures And Actions

Properties sold during the tax sale shall be conveyed by tax deed. This form of deed is not a warranty deed. The county makes no representations as to the title conveyed, nor as to the purchaser's right of possession of the property. Similarly, the county makes no warranties or representations as to whether the property is buildable or developable, nor does the county make any representations regarding whether the property complies with applicable zoning regulations. The county does not warrant or represent that any property purchased during the tax sale is habitable or in any particular condition. The county also makes no warranties or

representations regarding the accuracy of the assessment of the property or the accuracy of the description of the real estate or improvements therein.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.66 TAX SALE OF CONTAMINATED PROPERTIES

3.66.010 Purpose
3.66.020 Legislative Findings
3.66.030 Research And Disclosure
3.66.040 Sale Procedures

3.66.010 Purpose

The purpose of this policy is to set out the circumstances under which the council deems it in the best interest of the public for the county auditor to withdraw environmentally contaminated property scheduled for final tax sale from that sale and to designate appropriate procedures governing the sale of such properties.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.66.020 Legislative Findings

The council makes the following findings with respect to the sale of environmentally contaminated properties and the ability of the county to manage, control, and direct the sale of those properties and the management of any properties which might come into county ownership.

A. The county finds that it has insufficient resources to manage properties impacted by environmental contamination which might be struck to the county at a final tax sale.

B. The county lacks the resources to coordinate or perform either the remediation of contaminated properties or litigation directed to establishing responsible parties and pro rata contribution by those parties.

C. The involuntary acquisition of such properties by Salt Lake County and the ongoing responsibility for their management at public expense is not in the public interest.

D. The effective solicitation of bids for properties with environmental contamination requires specialized advertising and bidding procedures not generally applicable to other tax sale properties.

E. The best public interest requires that the properties with environmental contamination be withdrawn from the final tax sale when either further

information is required with respect to the subject property or no acceptable bids are received either prior to or at the sale.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.66.030 Research And Disclosure

A. In the first year a property is subject to final tax sale and environmental concerns are alleged or discovered, the property will be withdrawn from the sale unless the county can comply with the balance of the policy and procedures set out in this chapter.

B. After initial withdrawal, the county auditor may acquire and place on file information which is readily available from public sources relating to the alleged contamination. Such information may include sites in Utah listed on the Nation Priorities List ("NPL"), the Comprehensive Environmental Response, Compensation and Liability Information System ("CERCLIS"), and the Leaking Underground Storage Tank ("LUST") list. Such information will be made available in the offices of the county auditor for inspection by any member of the public. The county makes no representation that the information on file is accurate, exhaustive or complete. Potential bidders are encouraged to conduct such other research consistent with ASTM Standard E-1527-93 (Standard Practice for Environmental Site Assessments) as they deem necessary or appropriate. Information maintained with respect to any parcel may be supplemented by the county or any other party at any time prior to the sale.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.66.040 Sale Procedures

A. Notice.

1. Notice of the potential sale shall be given as required by law to all interests of record.

2. Public notice shall be given by advertising at such times and frequency as are provided for by law. Properties alleged to be affected by environmental contamination shall be segregated in the final tax sale notice with a designation that environmental contamination has been alleged with respect to the properties.

B. Diminution of Original Parcel Not Allowed.

1. The council determines that it is not in the public interest to allow the environmentally affected portions of any parcel to be severed from the balance of the property and accordingly will not accept bids for diminishing portions of the property. Full parcels only will be sold to the bidder offering the highest amount in excess of the taxes, penalties, interest and costs.

2. Aggregation of Parcels. Two or more contiguous parcels owned by the same owner may be combined when:

    a. The parcels are a single economic or functional unit;

    b. The combined sale will best protect the financial interest of the delinquent property owner; and

    c. Separate sales will reduce the economic value of the unit by reducing the likelihood of remediation or the likelihood that the contaminated parcel or portion of any parcel will be sold.

C. Registration. Any party wishing to bid on environmentally affected property offered for sale must register in advance and submit a written, sealed bid accompanied by certified funds for an amount of not less than the tax, penalty, interest and costs as determined by the county treasurer; and submit in conjunction with the submission of its sealed bid, an executed indemnification and release agreement and an executed environmental covenant, copies of which are available from the county auditor at least twenty calendar days prior to the day of the tax sale. The successful bidder must agree to the recordation of the environmental covenant, if in the opinion of the county it is deemed necessary. In the event one or more bids are received prior to the time of sale of the property, the property will be offered and, upon completion of the bidding, will be awarded to the highest bidder. Certified funds must be on deposit with the county treasurer in the amount equal to the bid price at the time the bid is offered and accepted. If no qualifying bid is received, the auditor shall cause the property to be withdrawn from sale and recertified to a subsequent sale or subject to county council approval, may if no qualifying bid is received, strike the property to the county.

D. Excess Receipts. Any amount in excess of the taxes, penalty, interest and costs will be transferred to the State Treasurer as required by statute. For purposes of this chapter, costs shall include not only the standard administrative fee established by the council for all properties offered at final tax sale, but also any additional expenses incurred by the county in acquiring and making available for inspection evidence related to alleged contamination and any additional advertising costs incurred as a result of complying with this chapter.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.67 WAIVER OF PROPERTY TAX RELATED INTEREST, PENALTIES AND FEES

3.67.010 Uniform Policies Established
3.67.020 Processing Of Requests For Waivers, Reductions Or Refunds
3.67.030 Final Tax Sale Administrative Fee
3.67.040 Penalties, Interest And Fees Imposed On Delinquent Property Taxes Or Greenbelt Rollback Taxes
3.67.050 Penalties Imposed For Failure To File Property Affidavits Or Signed Statements
3.67.060 Penalties Imposed For Wilful Concealment Or Misrepresentation
3.67.070 Refunds/Setoff

3.67.010 Uniform Policies Established

In order to provide consistency of procedure and uniformity of application in the processing of requests for reductions, waivers, or refunds of certain property tax related fees, penalties or interest, the council finds it to be in the best interests of the public welfare to establish uniform standards and policies governing property tax related penalties, interest and fees.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.67.020 Processing Of Requests For Waivers, Reductions Or Refunds

A. Except for routine requests pursuant to 3.67.020(d), requests for refunds, reductions, or waivers of property tax related penalties, fees or interest pursuant to this chapter shall be by written application and shall set out the specific basis and evidence supporting the request.

B. Except as specifically authorized by the council, all requests for refunds, reductions, or waivers of property tax related penalties, fees, or interest shall be referred to the property tax committee established pursuant to Policy 3001. The chair of the committee may refer the request to involved offices for recommendations. Recommendations shall be submitted to the property tax committee for review and transmittal to the council.

C. Requests which may be submitted directly to an individual office may be referred with recommendations consistent with county policy directly to the council or, in the event the request involves significant policy issues affecting other offices or departments of the county, to the property tax committee. Recommendations or requests made directly by an individual office to the council shall be subject to review by the office of tax administration prior to action by the council.

D. Routine requests involving nominal amounts may be granted directly by an individual office pursuant to policies adopted by the council which shall contain such limits, conditions and reporting requirements as are established by the council. Full documentation with respect to each request shall be maintained in the office granting the relief.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.67.030 Final Tax Sale Administrative Fee

Subject to approval by the council the final tax sale administrative fee may be waived for those properties either individually or by class where the following conditions exist: (a) the property is of nominal value and the fee exceeds the amount of the delinquent taxes, penalties and interest; or (b) there is evidence that the imposition of the fee discourages or has discouraged retention of the property in private ownership; or (c) the property is to be sold to an abutting property owner and included with that property in a consolidated legal description and the present and future benefit to the county from such consolidation exceeds the amount of the fee; or (d) in conjunction with a settlement or deferral of special district charges by the district governing body and property taxes pursuant to Utah Code § 59-2-1347, the best human interest and the interests of the state and county are served by the waiver of or

reduction in the fee.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.67.040 Penalties, Interest And Fees Imposed On Delinquent Property Taxes Or Greenbelt Rollback Taxes

A. Upon submitting an appropriate application within sixty days after the date of delinquency for property taxes, interest and penalties imposed as a result of the failure of a property owner to make timely payment of property taxes may be waived or reduced upon demonstration of the following factors: (a) failure to receive notice of the assessment or of the taxes due based upon an error by the county when it is clear from the county records that such error arose solely as a result of the failure of the county to implement information contained in its records; or (b) medical circumstances which precluded the taxpayer from both making a timely payment and appointing an agent for such matters.

B. Upon submitting an appropriate application within sixty days after the date the greenbelt rollback penalty was imposed, interest and penalties imposed as a result of the failure of a property owner to make timely payment of

greenbelt rollback taxes may be waived or reduced upon demonstration of the following factors: failure to receive notice of the taxes due based upon an error by the county when it is clear from the county records that such error arose solely as a result of the failure of the county to implement information contained in its records.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.67.050 Penalties Imposed For Failure To File Property Affidavits Or Signed Statements

The penalty imposed for the failure to file a signed and completed affidavit or signed statement pursuant to Utah Code § 59-2-307 may be waived, reduced, or refunded upon evidence of the following: (a) failure to receive the affidavit form or statement based upon an error by the county when it is clear from the county records that such error arose solely as a result of the failure of the county to implement information contained in the records; (b) medical circumstances which precluded the taxpayer from both filing a timely affidavit or statement and appointing an agent for such matters; (c) the failure to file the affidavit or statement arose out of a change of ownership with respect to the organization or property and the purchaser of the property reasonably believed, based upon the seller's representations, either that all taxes had been paid or that no assessment or request for a statement pursuant to Utah Code § 59-2-306 had been made. No waiver or reduction may be granted where a change in ownership exists and the failure of the buyer to receive notice occurs solely as a result of the buyer's failure to notify the assessor of the change in ownership.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.67.060 Penalties Imposed For Wilful Concealment Or Misrepresentation

Penalties imposed pursuant to Utah Code § 59-2-309(2) may not be reduced or waived absent a written application made under oath setting forth all justification for the taxpayer's or agent's actions and a finding by the county that the owner or agent acted without the intent to evade taxation. Concealment shall include the deliberate refusal to identify and report property after receipt of a written request by the

assessor or board of equalization. It shall be no defense to the imposition of the penalty that the taxpayer believed the property to be exempt from taxation. In such cases, the property must be identified and the basis for the claim for exemption specifically set forth.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.67.070 Refunds/Setoff

Refunds or adjustments will be made only to parties who have actually paid or are legally obligated to pay the taxes, penalties, or interest. Refunds or adjustments shall first be applied to any known existing delinquencies for that property. Any refund granted to a current property owner may be applied to any known existing delinquency on property in the name of that owner.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.69 RESIDENTIAL PROPERTY TAX EXEMPTIONS

3.69.010 Authority And Purpose
3.69.020 Procedure
3.69.030 Criteria
3.69.040 Grandfather Provision
3.69.050 Conflict
3.69.060 Incorporation Provision
3.69.070 Savings Clause

3.69.010 Authority And Purpose

The Utah Constitution, article XIII, sec. 2(8) and Utah Code § 59-2-102(22) and 103(2), (2001) provides that a residential exemption from property tax of forty-five percent is available for "primary residences, and the Utah Legislature enacted Utah Code § 59-2-103.5, (2002) establishing procedures to obtain an exemption for residential property and authorizing the county legislative body to adopt an ordinance for the allowance of a residential exemption for residential property.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.69.020 Procedure

A. All owners of residential property as defined in Utah Code § 59-2-102(27), (2001) shall submit an application to the County Board of Equalization for exemption from property taxes for residential property used as a primary residence no later than March 1 of the current tax year. The application shall include the following information:

1. Property parcel number and location address;

2. Name of the applicant;

3. Basis of the applicants' knowledge of the use of the property;

4. Description of the use of the property;

5. Evidence of domicile of the inhabitant(s) of the property;

6. Signature of all owners of the property and a certification that the property is residential property.

B. In the event that an application is not timely filed, an exemption may be granted by the Board of Equalization on an individual appeal basis for the current tax year only. Applicants for exemption shall be accepted for the current year only.

C. Except for those properties receiving a partial residential exemption, which are required to file an application each year, the County Board of Equalization may require an owner of the residential property to file the application described in 3.69.020A only if:

1. that residential property was ineligible for the residential exemption authorized under Utah Code § 59-2-103 during the calendar year immediately preceding the calendar year for which the owner is seeking to claim the residential exemption for that residential property; or

2. the County Board of Equalization determines that there is reason to believe that the property no longer qualifies for the residential exemption in accordance with Utah Code § 59-2-103.

D. The County Board of Equalization or Assessor may request or collect information sufficient to verify the primary residence status and make the determination if the property is entitled to the residential exemption.

E. If an applicant requests a property be designated as a primary residence, the residential exemption shall not be granted without clear and convincing evidence that the property serves as the primary residence. The burden of proof shall remain at all times with the applicant.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.69.030 Criteria

A. A primary residence means the location where domicile has been established. "Domicile" means the place where an individual has a true, fixed, permanent home and principal establishment, and to which place he has (whenever he is absent) the intention of returning. It is the place in

which a person has voluntarily fixed the habitation of himself and family, not for a mere special or temporary purpose, but with the present intention of making a permanent home. After domicile has been established, two things are necessary to create a new domicile: first, an abandonment of the old domicile; and second, the intention and establishment of a new domicile. The mere intention to abandon a domicile once established is not of itself sufficient to create a new domicile; for before a person can be said to have changed his domicile, a new domicile must be shown. Factors or objective evidence determinative of domicile are set forth in Utah Code Admin. Rule R884-24P-52(E).

B. To qualify for the residential exemption, a property need not be owner occupied. Apartments and other rental housing used as a primary residence of the occupant(s) qualify for the residential exemption in accordance with Section 3.69.020 above. A primary residence does not include property used for transient residential use, or condominiums used in rental pools. In addition to other evidence of domicile, only the primary residence which is occupied more than six months out of the year qualifies for the residential exemption. The residential exemption is limited to up to one acre of land per residential dwelling unit on a single property description.

C. A partial exemption may be applied against the property taxes of mixed commercial and residential property but it is presumed that the entire property is commercial. This presumption may be rebutted by the filing of the application referred to in Section 3.69.020(A) every year, which includes evidence of domicile of each qualifying resident. The assessor may require additional information as necessary to make a determination of the percentage of the property qualifying for the residential exemption.

D. A partial exemption may be applied against the property taxes of qualifying nursing homes. In addition to the information required in Section 3.69.020(A), the affidavit, which must be filed every year, shall include the number of residents living at the facility and the number that have established their primary residence at the facility; the total square footage of the facility and the total non-residential square footage. The assessor may require additional information as necessary in order to determine the percentage of eligibility of the property for the exemption.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.69.040 Grandfather Provision

As of the effective date of this ordinance, owner-occupied residential property, apartments and other rental property being used as the primary residence of the occupants, where the property is currently listed by the county assessor as having a residential exemption shall not be required to file an application to continue its

status. Owner occupied residential property, apartments and other rental property being used as the primary residence of the occupants where the property is subsequently listed by the county assessor as having a residential exemption constructed after the effective date of this ordinance, shall not be required to file the application required by Section 3.69.020(A). However, should use change from primary residence, the property shall no longer be considered exempt and an application under the provision of this ordinance shall be required.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.69.050 Conflict

In the event of any conflict between this ordinance and state or federal law, the provisions of the latter shall be controlling.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.69.060 Incorporation Provision

This ordinance shall incorporate the provisions of Utah Code Admin. Rule 884-24P-52: Criteria for Determining Primary Residence pursuant to Utah Code §§ 59-2-102 and 59-2-103; and, Property Tax Standard 2.13 Primary Residential Exemption.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.69.070 Savings Clause

In the event one or more of the provisions of this ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under any applicable laws, such enforceability or invalidity shall not affect any other provision; and in such an event, this ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.70 LOCAL OPTION TRANSPORTATION CORRIDOR FUNDING

3.70.010 Local Option Motor Vehicle Registration Fee

3.70.010 Local Option Motor Vehicle Registration Fee

A. There is adopted in Salt Lake County a local option motor vehicle registration fee, in the amount of ten dollars for annual registration of all motor vehicles in Salt Lake County.

B. Funds derived from the fee established in this chapter shall be devoted to such purposes as are authorized by the provisions of Utah Code §§ 41-1a-1222, 72-2-117.5, and 72-2-121 relating to this fee.

C. Funds derived from this motor vehicle registration fee shall be administered by the Utah Department of Transportation, in accordance with state statute.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.71 COUNTY PARTICIPATION IN AND APPROPRIATION TO A PRIVATE ENTERPRISE PROJECT

3.71.010 Title
3.71.020 Statutory Authority
3.71.030 Purpose Of Provisions
3.71.040 Definitions
3.71.050 Procedures

3.71.010 Title

The ordinance codified in this chapter shall be known as the "County Participation in and Appropriation to a Private Enterprise Project" ordinance.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.71.020 Statutory Authority

The authority for this chapter is Utah Code § 17-50-303.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.71.030 Purpose Of Provisions

A. The ordinance codified in this chapter is enacted to provide the county with a mechanism to:

1. Appropriate county funds or resources in aid of a private enterprise project if, in the judgment of the county council, the aid contributes to the safety, health, prosperity, moral well-being, peace, order,

comfort, or convenience of county residents.

B. The county may appropriate county funds or resources to a private enterprise project from the county's own funds or resources, or from funds or resources the county receives from the state or any other source.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.71.040 Definitions

As used in this chapter:

"Net value" shall be measured by the county for funds or resources appropriated by the county to a private entity on a project-by-project basis over the life of the project.

"Private enterprise" means a person or entity that engages in an

activity for profit. "Project" means an activity engaged in by a private

enterprise.

"Study" means an inquiry conducted or commissioned by the county into the proposed private enterprise project, and the written report of the results of the study.

"Value" means tangible and intangible benefits the county receives from a private enterprise project.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

3.71.050 Procedures

A. The county may appropriate funds or resources in aid of a private enterprise project if:

1. The county receives value in return for the funds or resources appropriated. The county shall measure the net value received by the county for funds or resources appropriated by the county to a private entity on a project-by-project basis over the life of the project; and

2. In the judgment of the county council, the private enterprise project

enhances the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the county residents.

B. Before the county council may appropriate funds or resources in aid of a private enterprise project, the county council shall:

1. Adopt by resolution a determination of the value the county will receive in return for funds or resources appropriated based on the following criteria:

a. Expenditures saved; or

b. Expenses forgone; or

c. Intangible benefits received by the county; or

d. Intangible benefits received by county residents; or

e. Other conveniences or comforts to the county residents.

2. Conduct and make available to the public at least fourteen days immediately prior to the scheduled day of the public hearing described in Subsection 3, below, a study on the proposed appropriation and private enterprise project. The study shall consider:

a. Any value the county will receive in return for funds or resources appropriated to a private entity;

b. The county's stated purpose for the appropriation, including an analysis of the way the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the county residents; and

c. Whether the appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of the county in the area of economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures, analyzing and improving county government structure or property, or any other public purpose.

3. Post notice and hold a public hearing on the proposed appropriation and the private enterprise project. The county shall publish notice of the public hearing:

a. In a newspaper of general circulation at least fourteen days before the date of the hearing, or if there is no newspaper in general circulation, by posting notice in at least three conspicuous places within the county for the same time

period; and

b. On the Utah Public Notice Website created in Utah Code § 63F-1-701, at least fourteen days before the date of the hearing.

C. The county council may direct and the mayor may request that the provisions of this chapter be used to process any collaboration between the county and a private entity in which decisions regarding the proposed collaboration would be improved by conducting a study and public hearing in accordance with this chapter.

D. A person may appeal the decision of the county council to appropriate funds or resources under this chapter as follows:

1. A person shall file an appeal with the Third District Court within thirty days after the date on which the county council approves a budget to appropriate funds or resources.

2. The court shall:

a. Presume that an appropriation made under this chapter is valid; and

b. Determine only whether the appropriation is arbitrary, capricious, or illegal.

3. A determination of illegality requires a determination that the appropriation violates a law, statute, or ordinance in effect at the time the appropriation was made.

4. The district court's review is limited to:

a. A review of the resolution adopted by the county council;

b. The record created by the county council at the public hearing;

c. The record created by the county in preparation of the study and the study itself;

d. If there is no record, the court may call witnesses and take evidence.

HISTORY
Adopted by Ord. 17-02-03 on 2/2/2017

Chapter 3.80 ENACTMENT OF MET

3.80.010 Purpose
3.80.020 Definitions
3.80.030 Municipal Energy Sales And Use Tax Levied

3.80.040 Exemptions
3.80.050 No Effect Upon Existing Franchises; Credits For Franchise Fees
3.80.060 Tax Collection Contract With The Tax Commission
3.80.070 State Statues Incorporated
3.80.080 No Additional License Or Reporting Required

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.010 Purpose

It is the intent of White City to adopt a municipal energy sales and use tax pursuant to, and in conformance with, Utah Code § 10-1-301 et seq., the "Municipal Energy Sales and Use Tax Act."

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.020 Definitions

All words and phrases in this chapter shall have the same meaning given them in the MET Act, with the following additions:

A. "Consumer" means a person who acquires taxable energy for any use that is subject to the MET Act.

B.A. "MET" means municipal energy sales and use tax.

C. "MET Act" means Utah Code§ 10-1-301 et seq., the "Municipal Energy Sales and Use Tax Act."

D. "Sale" shall mean any transfer of title, exchange, or barter, conditional or otherwise, in any manner, of taxable energy or fuel for consideration. It includes:

E. "Installment and credit sale " means:

1. Any closed transaction constituting a sale; and

2. Any transaction under which right to acquire, use, or consume taxable energy is granted under a lease or contract and the transfer would be taxable if an outright sale were made.

F. "Storage" means any keeping or retention of taxable energy in White City for any purpose, except the sales in the regular course of business.

G. "Use" means the exercise of any right or power over taxable energy incident to the ownership or the leasing of the taxable energy, excluding the sale, display, demonstration, or trial of the taxable energy in the regular course of business and or taxable energy which is held for resale.

HISTORY

Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.030 Municipal Energy Sales And Use Tax Levied

Pursuant to Utah Code § 59-12-301 et seq., the Municipal Energy Sales and Use Tax Act, there is hereby levied, subject to the provisions of this Ordinance, a tax on every Sale or Use of taxable energy made within White City equaling 6% of the value of the taxable energy to the consumer and effective on and after October 1, 2024. This tax shall be known as the Municipal Energy Sales and Use Tax ("MET"). The MET shall be calculated on the delivered value of the taxable energy to the consumer. The MET shall be in addition to any sales or use tax imposed by White City under Utah Code § 59-12-201 et seq., the Local Sales and Use Tax Act.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.040 Exemptions

Pursuant to Utah Code § 10-1-305(2)(b), the MET exempts from its terms the sale and use of:

A. Aviation fuel, motor fuel, or special fuel which is subject to taxation under Utah Code § 59-13;

B. Taxable energy where the primary use is for compounding or producing taxable energy or a fuel which is subject to taxation under Utah Code § 59-13;

C.A. Taxable energy that White City is prohibited from taxing under federal law or the Constitutions of the United States or Utah;

D.A. Taxable energy purchased or stored in White City for resale;

E. Taxable energy brought into the state by a nonresident for his or her own personal use while in the state, except taxable energy purchased for use in the state by a nonresident living or working in the state at the time of purchase;

F.A. Taxable energy for any purpose other than use as a fuel or energy; and

G.A. Taxable energy for use outside of White City.

H. Pursuant to Utah Code § 10-1-305(4), the sale, storage, use, or other consumption of taxable energy is exempt from the MET if:

1. The delivered value of the taxable energy has been subject to a municipal energy sales and use tax levied by another municipality within Utah under an ordinance enacted in accordance with the MET Act; and

2.1. White City shall be paid the difference between the tax paid to the other municipality and the tax that would otherwise be due under

the MET if the tax due under the MET exceeds the tax paid to the other municipality.

The MET further incorporates all other exemptions required by Utah law.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.050 No Effect Upon Existing Franchises; Credits For Franchise Fees

This MET shall not alter any existing franchise agreements unless otherwise terminated or altered by agreement or applicable law. Any energy supplier who (a) pays a contractual franchise fee to White City pursuant to a contract which was in effect as of July 1, 1997, (b) passes the fee through to taxpayers as a separately itemized charge, and (c) accepts the franchise shall receive a tax credit equal to its contractual franchise fee.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.060 Tax Collection Contract With The Tax Commission

A. On or before the effective date of the ordinance from which this chapter is derived, White City shall contract with the state Tax Commission to perform all functions related to the administration and collection of the MET, save those functions reserved to White City by law and described below. The Mayor and City Recorder are hereby authorized to enter into such agreement or amended agreement as needed with the state Tax Commission that may be necessary to the continued administration and operation of the MET.

B. An energy supplier shall pay the MET collected from its consumers directly to White City monthly if:

1. White City is the energy supplier; or

2. The energy supplier estimates that the MET collected annually from its Utah consumers equals one million U.S. dollars ($1,000,000.00) or more and (c) the energy supplier collects the MET.

C. An energy supplier paying the MET directly to White City may retain the percent of the tax authorized under Utah Code § 59-12-108(2) for energy supplier's cost of collecting and remitting the tax.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.070 State Statues Incorporated

A. Except as herein provided, and except insofar as they are inconsistent with

the provisions of the MET Act, as well as this Chapter, all of the provisions of Utah Code § 59-12-1, as amended, and in force and effect on the effective date hereof insofar as they relate to the sales and use taxes levied therein, are hereby adopted and made a part of this chapter as if fully set forth herein.

B. Wherever, and to the extent that in Utah Code § 59-12-1 or the MET Act the State of Utah is named or referred to as the taxing agency, the name of White City shall be substituted, insofar as is necessary for the purposes of those parts. In no event shall the word "state" be substituted when used in junction with the "state tax commission," nor shall the State Tax Commission be substituted with White City in any way or for any matter of liability which is assigned by statute to the State Tax Commission.

C. Any amendments made to Utah Code § 59-12-1 that relate to levying or collecting a municipal energy sales and use tax are hereby adopted by reference.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.80.080 No Additional License Or Reporting Required

No additional license to collect or report the MET tax is required, provided the energy supplier collecting the tax has a license issued under Utah Code § 59-12-106.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

Chapter 3.90 ENACTMENT OF TLT

3.90.010 Purpose
3.90.020 Definitions
3.90.030 TLT Levied
3.90.040 Agreement With The Tax Commission
3.90.050 Procedure For Taxes Erroneously Recovered From Customers

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.90.010 Purpose

It is the intent of the Council to adopt a TLT pursuant to, and in conformance with, Utah Code § 10-1-401 et seq., the "Telecommunications License Tax Act."

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.90.020 Definitions

All words and phrases in this Chapter shall have the same meaning given them in

the TLT Act, with the following additions:

A. "TLT" means a telecommunications license tax authorized under the TLT Act.

B. "TLT Act" means the Telecommunications License Tax Act, Utah Code § 10-1-401 et seq.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.90.030 TLT Levied

There is hereby levied, subject to the provisions of this Chapter, a tax on the gross receipts of telecommunications services attributable to White City in accordance with Utah Code §§ 59-12 and 10-1-407. The rate of the TLT shall equal 3.5% of each telecommunications provider's gross receipts from telecommunications services that are attributed to White City. The tax shall be effective on and after October 1, 2024. White City may exceed this rate if a higher rate is approved by a majority vote among those persons who vote in a municipal general election or a regular general election.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.90.040 Agreement With The Tax Commission

On or before the effective date of the ordinance from which this chapter is derived, White City shall enter a uniform interlocal agreement described in Utah Code § 10-1-405 with the Utah Tax Commission.

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

3.90.050 Procedure For Taxes Erroneously Recovered From Customers

A customer may not bring a cause of action against a telecommunications provider on the basis that the telecommunications provider erroneously recovered from the customer municipal telecommunications license taxes authorized by this ordinance unless the customer meets the same requirements that a purchaser is required to meet to bring a cause of action against a seller for a refund or credit as provided in Utah Code § 59-12-110.1(3).

HISTORY
Adopted by Ord. 2024-O-04 on 6/10/2024

Title 3 REVENUE AND FINANCE

Chapter 3.02 VOTER APPROVAL TO IMPOSE SALES AND USE TAX

Chapter 3.03 CITY PROCUREMENT

Chapter 3.04 CLAIMS AND RISK MANAGEMENT

Chapter 3.05 TELECOMMUNICATIONS LICENSE TAX

Chapter 3.07 PREFERENCE SYSTEM IN PROCUREMENT OF GOODS AND SERVICES

Chapter 3.08 REVIEW AND APPLICATION FEES

Chapter 3.09 ENACTMENT OF MET

Chapter 3.11 LOCAL SALES AND USE TAX

Chapter 3.12 ADDITIONAL LOCAL SALES AND USE TAX

Chapter 3.36 PROPERTY DISPOSAL

Chapter 3.02 VOTER APPROVAL TO IMPOSE SALES AND USE TAX

3.02.100 Voter Approval to Impose Sales and Use Taxes – Time for Election

A. This section applies to each sales and use tax set forth under this title that requires voter authorization before the City imposes the sales and use tax.

B. The City shall hold an election to obtain voter authorization to impose a sales and use tax under this title at a regular general election conducted in accordance with the procedures and requirements of state law.

C. Except as provided in this section, the City may not hold an election to authorize the imposition of a sales and use tax on the same date as a municipal general election or any other date that state law prohibits.

D. Notwithstanding the provisions of this section, the City may submit an election to authorize the imposition of a sales and use tax on the same date as a municipal general election if the Council adopts the ordinance or resolution calling for the election by a two-thirds majority of all members of the Council.

Chapter 3.03 CITY PROCUREMENT

3.03.010 Purpose and Scope

A. The purpose of this chapter is to maximize the purchasing value and efficiencies of public funds;

B. Provide safeguards for maintaining a procurement system of quality and integrity;

C. Foster transparency and effective broad-based competition while providing quality goods and services to the citizens and businesses of the City; and

D. Provide for the fair and equitable treatment of all who conduct public procurement and related business activities within the City.

Unless state or federal law otherwise requires, this chapter shall govern all processes, contracts, and expenditures of the City on and after 12:00 noon, May 20, 2026. This chapter does not adopt the state or federal procurement codes or any portions of those codes.

3.03.020 Definitions

The definitions stated in this section apply exclusively to this chapter.

ADDENDUM OR AMENDMENT: A written modification or revision to any document used in the competitive solicitation process.

AGENCY CONTRACT: A contract between the City and another governmental agency to buy goods or services.

APPELLANT: A person who has standing and files an appeal to an administrative law judge for review and determination of whether the purchasing manager's decision on a protest should be upheld.

APPROVED VENDOR LIST (AVL): A list of vendors that City staff individually evaluated and deemed qualified to perform certain services for the City in later competitive solicitations based on information the vendor submitted in response to the City's request for a statement of qualifications.

BEST AND FINAL OFFER (BAFO): An offeror's revised terms of its proposal after initial reviews, scoring, interviews, and discussions have concluded with all offerors who have progressed through the advancement criteria stated in an RFP.

BID: A sealed document or set of sealed documents representing the bidder's offer to sell goods or services at a specified price, terms, and specifications set forth in the invitation for bids.

BUILDING IMPROVEMENT: The construction or repair of a public building or structure.

BUILDING IMPROVEMENT INFORMAL COMPETITIVE SOLICITATION THRESHOLD: The estimated dollar amount of a good or service that does not require the use of formal methods of competitive solicitation as set forth in this title.

COMPETITIVE SOLICITATION: Competitive solicitation may be either informal or formal as set forth below:

A. Informal Competitive Solicitation Process: An informal process in which the City invites potential bidders, offerors, and contractors to submit quotes or surveys by telephone, email, online procurement service, direct vendor delivery, or another written price comparison.

B. Formal Competitive Solicitation Process: A formal process in which the City invites potential bidders, offerors, and contractors to submit bids and proposals through an online procurement service.

CONFLICT OF INTEREST: Any action that an elected official or employee of the City takes that may cause direct or financial benefit or detriment to themselves, their immediate family, or an entity that they own or hold an interest in, if that benefit or detriment is distinguishable from the effects of that action on the public or on the elected official or employee's profession, occupation, or association generally.

CONSTRUCTION: The process of building, altering, repairing, improving, or demolishing any City structure or building, or other improvements to any City real property. It does not include routine repairs or maintenance of existing structures, buildings, or real property.

CONTRACT: A legally enforceable agreement between two or more competent parties for the procurement of goods or services.

CONTRACTOR: Any person who legally buys or sells goods or services to the City or desires to do so through the competitive solicitation processes.

COOPERATIVE PURCHASING ORGANIZATION: An organization, association, or alliance of purchasers established to combine purchasing power in order to obtain the best value for the purchasers by engaging in procurements.

DE MINIMIS SOLICITATION THRESHOLD: Threshold for small-dollar purchases that do not require procurement requests for quotes or formal competitive solicitation processes.

DESIGNEE: A person whom the City has delegated purchasing authority to perform functions that another person would regularly hold.

DISBURSEMENT: The payment of the following liabilities, goods, and services: (1) media advertising; (2) insurance premiums; (3) legal fees and services; (4) credit card payments; (5) land and building purchases or rentals; (6) registration for meetings or training sessions, including prepaid hotel costs; (7) subscriptions, memberships, professional registrations, and publications; (8) utility payments; (9) petty cash reimbursements; (10) employee reimbursements including eyewear, health insurance, and educational; (11) postal charges or fees; (12) parking fees; (13) worker compensation fees; (14) credit reporting fees; (15) bond releases; (16) witness fees; (17) phone bills; (18) radio service (UCAN); (19) refunds of City fees or charges; (20) title searches or rights-of-way; (21) animal control adoption, spay, and neuter program; (22) seized assets (police); (23) found property (police); (24) K9 veterinary services; (25) revenue-generating contracts; (26) used vehicles and equipment; and (27) employee team-building events and trainings.

EMERGENCY CONDITION: An event or action that creates an immediate and serious need for goods and services that the City cannot adequately address using customary procurement methods. Such a need may arise, for example, by reason of a natural disaster, epidemic, riot, equipment failure, or other reason.

EMERGENCY PROCUREMENT: The procurement of goods and services that the City cannot reasonably purchase through normal procurement methods because of an existing or imminent emergency condition, public threat, or unforeseen circumstances without compromising City

property or without delaying any work that may affect the life, health, safety, or welfare of the public.

FORMAL COMPETITIVE SOLICITATION THRESHOLD: The estimated dollar amount of a good or service that requires the use of formal methods of competitive solicitation as set forth in this title.

INFORMAL SURVEY: A procurement process in which a department may informally survey one or more vendors regarding their services and pricing on specific matters to determine the most appropriate vendor in a given circumstance.

INVITATION FOR BIDS (IFB): A document, and all attachments to it, that the City uses for seeking bids on purchases usually estimated to be greater in total value than the formal competitive solicitation thresholds.

MINIMAL VALUE: A calculated labor-hour value that, given the number of labor hours needed to perform the surplus function of the City-owned property, exceeds the estimated current value of that property.

MINOR IRREGULARITY OR INFORMALITY: A variation in an official bid, offer, or contract that does not: (i) affect the price of the bid, offer, or contract; (ii) give a bidder or offeror an advantage or benefit not shared by other bidders or offerors; or (iii) adversely impact the interest of the City.

MULTIPLE STAGE PROCUREMENT: A procurement process used in an IFB or RFP to advance qualified bidders through a series of criteria and stages before a bidder may submit a cost element for a bid or proposal.

ONLINE PROCUREMENT SERVICE: A website or group of websites designed to assist in posting IFBs, RFPs, RFQs, SOQs, and other procurement solicitations and receiving responses to those solicitations by vendors.

PERSON: An individual, corporation, company, business, organization, association, or governmental entity, and their respective employees and agents.

PROFESSIONAL SERVICES: The furnishing of labor, time, or effort by a professional who possesses an elevated degree of specialized knowledge and discretion that formal education, certification, advanced training, or other qualification may exemplify.

PUBLIC AUCTION: An online or in-person forum that provides the general public an opportunity to bid on surplus goods that the City sells to the highest bidder.

PUBLIC INFRASTRUCTURE: Essential public services and functions that the City provides to meet the needs of the community that typically include water supply, sewage and waste-management systems, public transportation networks, road maintenance, parks and recreation, and public buildings.

PUBLIC INFRASTRUCTURE INFORMAL COMPETITIVE SOLICITATION THRESHOLD: The estimated dollar amount of a good or service that does not require the use of formal methods of competitive solicitation as set forth in this title.

PUBLIC THREAT: A circumstance that appears likely to adversely impact the public's health, welfare, convenience, or safety.

PURCHASING: The process of buying, procuring, renting, leasing, or otherwise acquiring any good or service. The term "procurement" is interchangeable with the term "purchasing."

PURCHASING CARD (P-CARD): City-issued credit cards that employees generally use for expenditures less than the current informal competitive solicitation limit.

PURCHASING DIVISION: A division within the finance department that is responsible for obtaining goods and services needed in support of the City's departments.

PURCHASING MANAGER: An authorized agent of the City who reviews purchase requests, prepares bids, quotes, proposals, and specifications, issues purchase orders and contracts, evaluates responses to solicitations, and awards contracts.

PURCHASE ORDER (PO): A document that the purchasing manager or designee drafts and issues to formalize a purchasing transaction with a supplier.

REQUEST FOR INFORMATION (RFI): A document or set of documents that solicits information, comments, or suggestions from potential bidders or offerors before any competitive solicitation begins. An RFI may not result in an award of a purchase order or contract.

REQUEST FOR PROPOSALS (RFP): A document, and all attachments to it, that the City uses for seeking proposals for goods and services where the lowest price is generally not the most important criterion or is only one of several determining factors in the selection of the winning proposer.

REQUEST FOR QUOTES (RFQ): A verbal or written request for the cost, availability, and quality of goods or services that are estimated to total less than the formal competitive solicitation threshold over the initial term of the proposed contract or purchase order and all potential renewal periods.

REQUEST FOR STATEMENT OF QUALIFICATION (SOQ): A document or set of documents requesting the qualifications of potential offerors for a specific project or goods and services.

REQUISITION: An internal document by which a requisitioner requests the purchasing manager or designee to initiate a purchase.

REQUISITIONER: The person who creates a requisition that is sent to the purchasing manager or designee to initiate a purchase.

RESPONSIBLE: A person that has the capability, as the City determines in its sole discretion, to perform all requirements of the competitive solicitation, the final contract, or purchase order.

RESPONSIVE: A person that has submitted the quote, bid, or proposal that conforms in all material respects to the competitive solicitation specifications, terms and conditions, and all other requirements of the competitive solicitation, as the City determines in its sole discretion.

SERVICES: Labor, effort, or work that provides a benefit to the City, including but not limited to construction work necessary to complete public infrastructure services projects or building improvements.

SIGNIFICANT PARCEL OF REAL PROPERTY: For purposes of this chapter, a significant parcel of property is: (A) a single parcel or combination of contiguous parcels having an estimated value in excess of $50,000 as determined by using the county assessed value; (B) a single parcel or combination of contiguous parcels having a size in excess of one-half (1/2) acre; or (C) an agreement involving an interest in property for less than a fee, the value of which exceeds $50,000.

SOLICITATION THRESHOLDS: Monetary limits that determine when an informal or formal solicitation process is required. The City shall publish approved thresholds annually in the City's budget.

SPECIFICATION: Any description of the physical or functional characteristics or of the nature of the good or service being procured through the competitive solicitation process.

STANDING: A protesting potential or official bidder, offeror, or contractor will only have standing if the bidder, offeror, or contractor has suffered or is about to suffer imminent harm caused by the City's conduct that is an infringement of the protestor's own right, and a decision in favor of the protestor is reasonably likely to redress the harm.

SUPPLIER: A person or business entity that provides goods and services in response to any procurement solicitation. The term is interchangeable with "vendor," "provider," and "contractor."

SURPLUS PROPERTY: City real and personal property.

TIE BID: Low responsive bids from responsible bidders that are identical in price and that meet all the requirements and criteria set forth in the Invitation for Bids or Request for Quotes.

TIE SCORE: Identical overall scores that two or more respondents receive from a Request for Proposal evaluation committee and that meet all the requirements and criteria set forth in the RFP.

TRANSIT FACILITY: An existing or proposed transit passenger station, maintenance, storage, or service facility, or right-of-way for use in providing transit services.

TRANSITIONAL COSTS: The costs of changing from an existing provider or type of procurement item to another, including training, conversion, compatibility, downtime, disruption-of-service, staff time, installation, and ancillary costs. Transitional costs do not include the costs of preparing for or engaging in a procurement process or contract negotiation or drafting costs.

TRANSPORTATION FACILITY: Highways, turnpikes, airports, railroads, bicycle and pedestrian facilities, waterways, pipelines, electric utility facilities, communication lines and facilities, public transportation facilities, port facilities, and facilities appurtenant to other transportation facilities.

UNFORESEEN CONDITION: A circumstance that creates a need to procure goods or services within time frames that could not be reasonably anticipated or reasonably accommodated under customary procurement methods to preclude identifiable adverse impact to the City or to the public's health, welfare, convenience, or safety.

3.03.030 General Purchasing Requirements

The following general requirements apply to all purchases for goods and services:

A. Requisitions. A requisition or purchase order is required for purchases that are not paid for with a P-Card, that are applied to an approved purchase order or contract, or that are listed as a disbursement. The requisition must contain program and account numbers, quantity, description, specifications, scope of work, quotes or bid tabulation and supporting documentation, department-head or designee financial-system workflow approval, and email addresses of known potential suppliers, if applicable. Requisitions are approved through the financial system's approval workflow process.

B. Unless otherwise exempted, purchases over the de minimis micro-value solicitation threshold that are not classified as a public infrastructure or building-improvement project shall require competitive solicitation. Purchases under that threshold do not require competition and may be purchased from any available vendor.

C. Unless otherwise exempted, all public infrastructure and building-improvement projects over the de minimis macro-value solicitation threshold shall require competitive solicitation. Purchases under that threshold do not require competition and may be purchased from any available vendor.

D. Unless otherwise exempted or procured through the informal survey process, professional-service projects that exceed the formal solicitation threshold shall require competitive solicitation. Purchases under that threshold do not require competition and may be purchased from any available vendor.

E. The City prohibits dividing purchases into two or more smaller purchases to avoid using a standard procurement process.

F. Purchases above the applicable threshold without a requisition or purchase order ("after-the-fact" purchases) are non-compliant with the City's purchasing policies. Employees who fail to comply may be subject to disciplinary action, up to and including termination. This provision does not apply to P-Card purchases.

G. For any purchase using federal funding, the City must check contractors using the www.sam.gov website to ensure they have not been excluded from providing goods and services for federal award programs.

H. Council staff, City officers, and employees who use a P-Card must submit all receipts, supporting documentation, and account-funding information to the Administrative Services Department, P-Card administrator(s), or the Council director, as applicable, on a monthly basis.

I. When determining the proper level of procurement authority or whether a competitive solicitation is required, the City shall consider the length of the contract, including all potential renewal terms, for purposes of calculating the total estimated price.

For example, if the purchasing manager estimates that a good or service has a value of $20,000 annually for a one-year term with options to renew for four additional one-year terms, the value of the contract is $100,000. Competitive solicitation is required.

J. The mayor, purchasing manager, or their respective designee(s) may allow others to assist in the preparation of specifications for the City's use in making procurements, provided there is no conflict of interest.

K. The City reserves the right to reject or cancel any or all invitations for bids, requests for proposals, requests for quotations, or other solicitations. The mayor or purchasing manager may waive any immaterial formality, error, technicality, or other irregularity if doing so would be in the best interest of the City.

3.03.040 Procurement Authority

A. Purchases under the Public Infrastructure Formal Competitive Threshold: Department heads, the purchasing manager, or their respective designee(s) may purchase goods and services where the total estimated value is less than the formal competitive threshold.

B. Purchases for Building Improvements: Department heads or their designee(s) shall be authorized to purchase necessary goods and services required to complete building improvements where the dollar amount is less than the formal competitive solicitation threshold.

C. Purchases for Professional Services: Department heads, the purchasing manager, or their designee(s) shall be authorized to purchase professional services up to the formal competitive solicitation threshold.

D. General Delegation of Authority: The mayor may delegate authority to purchase goods and services for the City as deemed appropriate and within the mayor's scope of procurement authority. These delegations shall be in writing and may be limited in scope as the mayor directs.

E. Before award, the mayor must approve the procurement of goods and services where the dollar value exceeds the limits described in this section.

3.03.050 General Goods and Services Formal Competitive Solicitation Thresholds

Except as otherwise exempted in this chapter, the procurement of goods and services requires formal competitive solicitation when the estimated total amount of the purchase or contract exceeds the informal competitive solicitation threshold. The City may increase this formal competitive solicitation threshold annually as adopted in the budget.

3.03.060 Right to Inspect Place of Business of Contractors and Suppliers

The mayor or designee may, at reasonable times, inspect the place of business of a contractor or supplier that is related to the performance of any contract that the City has awarded or will award.

3.03.070 Ethical Standards for Current and Former City Officers and Employees

By submitting a quote, bid, or proposal in response to any solicitation request, the bidder, offeror, or contractor represents that the bidder, offeror, or contractor has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or to that person's relative or business

entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, other than as exempted in the City conflict-of-interest ordinance; or (3) knowingly influenced (and hereby promises that it will not knowingly influence) a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in the White City municipal code.

Chapter 3.04 CLAIMS AND RISK MANAGEMENT

3.04.010 Risk and Insurance Management

The City participates in purchasing appropriate insurance coverage to protect the assets, investments, and funds of the City pursuant to Utah Code Annotated §§ 63G-7-801 et seq., as amended. Under the direction of the mayor, the City will annually evaluate the risk and insurance programs of the City to determine the effective implementation of risk management and insurance purchasing. The City's participation in risk and insurance programs shall not be deemed to constitute a waiver of any of the City's rights or immunities under the Utah Governmental Immunity Act, Utah Code Annotated §§ 63G-7-101 et seq., as amended, or the Constitution of the State of Utah.

3.04.020 Procedure for Filing and Processing Claims

A. Time Limit for Filing a Notice of Claim: A notice of claim is governed by the Utah Governmental Immunity Act and is barred unless the claimant files the notice of claim pursuant to the requirements of Utah Code Annotated §§ 63G-7-401 et seq., as amended.

B. Form; Administrative Procedures: The claimant shall file the notice of claim consistent with the standards of Utah Code Annotated § 63G-7-401, as amended. The mayor, or the mayor's designee, may prescribe the use of forms and promulgate administrative procedures to expedite the claims-processing procedures of the City.

C. Settlement and Compromise: The mayor, or the mayor's designee, after conferring with the City attorney, may compromise and settle any claim as to the damages or other relief sought.

D. Time Limit for Action by City: The City shall respond to claims in accordance with the Utah Governmental Immunity Act and will approve or deny a claim pursuant to the requirements of Utah Code Annotated §§ 63G-7-403 et seq., as amended.

3.04.030 Indemnification of Employees

The City, City officials, and City employees are governed by the Utah Governmental Immunity Act for all claims brought against a City officer or employee, and the requirements of Utah Code Annotated §§ 63G-7-902 and 63G-7-903, as amended, shall be followed. A written request for indemnification shall be made to the mayor, and a copy shall be provided to the City attorney. The City official or City employee seeking indemnification shall follow all requirements of this ordinance and Utah Code Annotated §§ 63G-7-902 and 63G-7-903, as amended. If the person seeking indemnification does not follow all requirements of this ordinance and those statutes, the City may decline to defend or indemnify.

Chapter 3.05 TELECOMMUNICATIONS LICENSE TAX

3.05.010 Purpose

It is the intent of the Council to adopt a telecommunications license tax pursuant to, and in conformance with, Utah Code Annotated §§ 10-1-401 et seq., the Telecommunications License Tax Act ("TLT Act").

3.05.020 State Statute Adopted by Reference

The Municipal Telecommunications License Tax Act, Utah Code Annotated §§ 10-1-401 et seq., as amended from time to time, is hereby adopted by this reference in its entirety as if set forth in full in this chapter.

3.05.030 Definitions

All words and phrases in this chapter shall have the same meanings given to them in the TLT Act, Utah Code Annotated §§ 10-1-401 et seq. In addition:

A. "Municipality" means the City of White City.

B. "TLT" means a telecommunications license tax authorized under the TLT Act.

C. "TLT Act" means the Telecommunications License Tax Act, Utah Code Annotated §§ 10-1-401 et seq.

3.05.040 Tax Levy

There is hereby levied a municipal telecommunications license tax on the gross receipts from telecommunications service attributed to the municipality in accordance with Utah Code Annotated § 10-1-407, or any successor provision.

3.05.050 Rate

The rate of the tax levy shall be three and one-half percent (3.5%) of the telecommunications provider's gross receipts from telecommunications service that are attributed to the municipality in accordance with Utah Code Annotated § 10-1-407, or any successor provision.

3.05.060 Rate Limitation

The rate of this levy shall not exceed three and one-half percent (3.5%) of the telecommunications provider's gross receipts from telecommunications service attributed to the municipality, unless a majority of the voters in the City who vote in a municipal general election, a regular general election, or a local special election approve a higher rate.

3.05.070 Procedure for Taxes Erroneously Received or Recovered from Customers

The provisions of Utah Code Annotated § 10-1-408, and any successor provisions, are hereby incorporated by this reference. A customer may not bring a cause of action against a telecommunications provider on the basis that the telecommunications provider erroneously recovered from the customer municipal telecommunications license taxes authorized by this chapter unless the customer meets the same requirements that a purchaser is required to meet to bring a cause of action against a seller for a refund or credit as provided in Utah Code Annotated § 59-12-110.1(3).

3.05.080 Change or Repeal of Tax; Changes in Rate of Tax

This chapter is subject to the requirements of Utah Code Annotated § 10-1-403, or successor provisions. If the tax rate is changed, the City shall give the appropriate notice as provided in Utah Code Annotated § 10-1-403, or any successor provisions.

3.05.090 Interlocal Agreement for Collection of Tax

On or before the effective date of this chapter, the municipality shall enter into the uniform interlocal agreement with the State Tax Commission described in Utah Code Annotated § 10-1-405, or any successor provisions, under which the Commission collects, enforces, and administers this municipal telecommunications license tax.

3.05.100 Repeal of Inconsistent Taxes and Fees

Nothing in this chapter shall be interpreted to repeal any City ordinance or fee that provides that the City may recover from a telecommunications provider the management costs of the City caused by the activities of the telecommunications provider in the rights-of-way of the City, if those costs are imposed in accordance with and not prohibited by state law, including the provisions of Utah Code Annotated § 72-7-102, or any successor provisions. This chapter does not limit the City's right to charge fees, costs, or taxes on persons that are not subject to the municipal telecommunications license tax under this chapter and that locate telecommunications facilities, as defined in Utah Code Annotated § 72-7-108.

3.05.110 Effective Date of Tax Levy

The tax levy shall take effect on October 1, 2024.

Chapter 3.07 PREFERENCE SYSTEM IN PROCUREMENT OF GOODS AND SERVICES

3.07.010 Policy of the City

It is the policy of the City to award contracts for goods or services based upon a preference system that encourages responsible business practices and that benefits local businesses.

3.07.020 Preference System

A. The City shall grant the following preferences as provided by this chapter and by citywide policies and procedures:

1. The health-care preference;

2. The local-business preference; and

3. The veterans-hiring preference.

B. The purchasing agent shall determine if the vendor qualifies for the preference(s). The burden is on the vendor to demonstrate that it qualifies for the preference(s).

3.07.030 Exceptions to Preference System

The following procurements are exempt from the preference system:

A. Procurements where federal law or regulations would prohibit application of this preference;

B. Procurements regarding construction to the extent they are governed by Utah state law;

C. Procurements partially or fully funded by donations or gifts to the City to the extent the provisions would conflict with any special condition attached to the gifts or donations;

D. Procurements not requiring competitive procurement under Chapter 3.03; and

E. Procurements with private citizens. If any contract is bid upon by a private citizen in that person's capacity as a private citizen, the lowest responsive bid shall be determined without consideration of preference for any of the bidders.

Chapter 3.08 REVIEW AND APPLICATION FEES

3.08.010 Fees Established

In order to offset a portion of the costs that the City incurs to review and process various development applications, fees shall be charged as the City Council may from time to time establish in fee schedules adopted by resolution or ordinance. All fees, unless expressly stated otherwise in the fee schedules, shall be nonrefundable.

Chapter 3.09 ENACTMENT OF MET

3.09.010 Purpose

It is the intent of White City to adopt a municipal energy sales and use tax pursuant to, and in conformance with, Utah Code Annotated §§ 10-1-301 et seq., the Municipal Energy Sales and Use Tax Act.

3.09.020 Definitions

All words and phrases in this chapter shall have the same meaning given them in the MET Act, with the following additions:

A. "Consumer" means a person who acquires taxable energy for any use that is subject to the MET Act.

B. "MET" means municipal energy sales and use tax.

C. "MET Act" means Utah Code Annotated §§ 10-1-301 et seq., the Municipal Energy Sales and Use Tax Act.

D. "Sale" means any transfer of title, exchange, or barter, conditional or otherwise, in any manner, of taxable energy or fuel for consideration. It includes installment and credit sales.

E. "Installment and credit sale" means: (1) any closed transaction constituting a sale; and (2) any transaction under which the right to acquire, use, or consume taxable energy is granted under a lease or contract and the transfer would be taxable if an outright sale were made.

F. "Storage" means any keeping or retention of taxable energy in White City for any purpose, except sales in the regular course of business.

G. "Use" means the exercise of any right or power over taxable energy incident to the ownership or the leasing of the taxable energy, excluding the sale, display, demonstration, or trial of the taxable energy in the regular course of business and taxable energy that is held for resale.

3.09.030 Municipal Energy Sales and Use Tax Levied

Pursuant to Utah Code Annotated §§ 10-1-301 et seq., there is hereby levied, subject to the provisions of this chapter, a tax on every sale or use of taxable energy made within White City equaling six percent (6%) of the value of the taxable energy to the consumer, effective on and after October 1, 2024. This tax shall be known as the Municipal Energy Sales and Use Tax ("MET"). The MET shall be calculated on the delivered value of the taxable energy to the consumer. The MET shall be in addition to any sales or use tax that White City imposes under Utah Code Annotated §§ 59-12-201 et seq.

3.09.040 Exemptions

Pursuant to Utah Code Annotated § 10-1-305(2)(b), the MET exempts from its terms the sale and use of:

A. Aviation fuel, motor fuel, or special fuel that is subject to taxation under Utah Code Annotated Title 59, Chapter 13;

B. Taxable energy where the primary use is for compounding or producing taxable energy or a fuel that is subject to taxation under Utah Code Annotated Title 59, Chapter 13;

C. Taxable energy that White City is prohibited from taxing under federal law or the Constitutions of the United States or Utah;

D. Taxable energy purchased or stored in White City for resale;

E. Taxable energy brought into the state by a nonresident for that person's own personal use while in the state, except taxable energy purchased for use in the state by a nonresident living or working in the state at the time of purchase;

F. Taxable energy for any purpose other than use as a fuel or energy; and

G. Taxable energy for use outside of White City.

H. Pursuant to Utah Code Annotated § 10-1-305(4), the sale, storage, use, or other consumption of taxable energy is exempt from the MET if: (1) the delivered value of the taxable energy has been subject to a municipal energy sales and use tax levied by another municipality within Utah under an ordinance enacted in accordance with the MET Act; and (2) White City shall be paid the difference between the tax paid to the other municipality and the tax that would otherwise be due under the MET if the tax due under the MET exceeds the tax paid to the other municipality.

The MET further incorporates all other exemptions required by Utah law.

3.09.050 No Effect Upon Existing Franchises; Credits for Franchise Fees

This MET shall not alter any existing franchise agreements unless otherwise terminated or altered by agreement or applicable law. Any energy supplier who (a) pays a contractual franchise fee to White City

pursuant to a contract that was in effect as of July 1, 1997, (b) passes the fee through to taxpayers as a separately itemized charge, and (c) accepts the franchise shall receive a tax credit equal to its contractual franchise fee.

3.09.060 Tax Collection Contract with the Tax Commission

A. On or before the effective date of the ordinance from which this chapter is derived, White City shall contract with the State Tax Commission to perform all functions related to the administration and collection of the MET, save those functions reserved to White City by law. The Mayor and City Recorder are hereby authorized to enter into such agreement or amended agreement as needed with the State Tax Commission.

B. An energy supplier shall pay the MET collected from its consumers directly to White City monthly if: (1) White City is the energy supplier; or (2) the energy supplier estimates that the MET collected annually from its Utah consumers equals one million dollars ($1,000,000.00) or more and the energy supplier collects the MET.

C. An energy supplier paying the MET directly to White City may retain the percent of the tax authorized under Utah Code Annotated § 59-12-108(2) for the energy supplier's cost of collecting and remitting the tax.

3.09.070 State Statutes Incorporated

A. Except as provided in this chapter, and except insofar as they are inconsistent with the provisions of the MET Act and this chapter, all of the provisions of Utah Code Annotated Title 59, Chapter 12, Part 1, as amended and in force and effect on the effective date of this chapter, insofar as they relate to the sales and use taxes levied in that part, are hereby adopted and made a part of this chapter as if fully set forth herein.

B. Wherever, and to the extent that, in Utah Code Annotated Title 59, Chapter 12, Part 1 or the MET Act the State of Utah is named or referred to as the taxing agency, the name of White City shall be substituted, insofar as is necessary for the purposes of those parts. In no event shall the word "state" be substituted when used in conjunction with the "State Tax Commission," nor shall the State Tax Commission be substituted with White City for any matter of liability that statute assigns to the State Tax Commission.

C. Any amendments made to Utah Code Annotated Title 59, Chapter 12, Part 1 that relate to levying or collecting a municipal energy sales and use tax are hereby adopted by reference.

3.09.080 No Additional License or Reporting Required

No additional license to collect or report the MET tax is required, provided the energy supplier collecting the tax has a license issued under Utah Code Annotated § 59-12-106.

Chapter 3.11 LOCAL SALES AND USE TAX

3.11.010 Title of Provisions

The ordinance codified in this chapter shall be known as the Local Sales and Use Tax Ordinance of White City.

3.11.020 Purpose of Provisions

The Council hereby declares that the ordinance codified in this chapter is adopted to achieve the following, among other purposes, and directs that the provisions of this chapter be interpreted in order to accomplish these purposes:

A. To adopt a sales and use tax ordinance that complies with the requirements and limitations contained in the Local Sales and Use Tax Law of Utah, Utah Code Annotated Title 59, Chapter 12, Part 2, as amended;

B. To adopt a sales and use tax ordinance that incorporates provisions identical to those of Utah Code Annotated Title 59, Chapter 12, as amended, insofar as those provisions are not inconsistent with the requirements and limitations contained in the Local Sales and Use Tax Law of Utah;

C. To adopt a taxing ordinance that levies a municipal sales and use tax, that provides the measure upon which to impose that tax as state law permits, and that meets the statutory requirements and administrative procedures that the State Tax Commission follows in the administration and collection of sales and use taxes in the state; and

D. To adopt a sales and use tax ordinance that can be administered in a manner that will exclude the receipts of particular sales from the measure of the sales tax imposed by this City that have been included in the measure of the sales tax imposed by any other municipality, county, or metro township, and avoid imposing a use tax on the storage, use, or other consumption of tangible personal property in this City when the gross receipts from the sales of or the use of that property have been subject to a sales or use tax by any other municipality, county, or metro township of the State of Utah.

3.11.030 Sales Tax – Imposed – Amount

There is hereby levied for collection a tax upon every retail sale of tangible personal property, services, and meals made within White City, which sales tax shall be imposed at the rate of one percent of the purchase price paid or charged on that retail sale. The taxability of any sale or use shall be determined pursuant to the provisions of Utah Code Annotated Title 59, Chapter 12, Part 1.

3.11.040 Place Where Sales Consummated

For the purposes of this chapter, all retail sales shall be presumed to have been consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination. If a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be as determined under the rules and regulations that the State Tax Commission prescribes and adopts.

3.11.050 Retailer License and Registration

If the State Tax Commission has issued a license pursuant to Utah Code Annotated § 59-12-106, as amended, to a person in White City who is required to collect a sales tax, that person shall not be required to obtain a similar license from White City because of the provisions of this chapter.

3.11.060 Exclusions

There shall be excluded from the purchase price paid or charged by which the tax is measured: (A) the amount of any sales or use tax imposed by the state upon a retailer or consumer; and (B) receipts from the sale of tangible personal property upon which a sales or use tax has become due by reason of the same transaction to any other municipality, county, or metro township in the State of Utah under a sales or use tax ordinance enacted in accordance with the Local Sales and Use Tax Law of Utah.

3.11.070 Use Tax – Imposed – Amount

There is hereby levied for collection a tax upon the storage, use, or other consumption in White City of tangible personal property purchased from any retailer for storage, use, or other consumption in White City. Such use tax shall be imposed at the rate of one percent of the sales price of the property.

3.11.080 Exemptions

There shall be exempt from the taxes due under this chapter: (A) the amount of any sales or use tax imposed by the state under Utah Code Annotated Title 59, Chapter 12, as amended; and (B) the sale, storage, use, or other consumption of tangible personal property, the purchase price or cost of which has been subject to a sales or use tax under a sales and use tax ordinance enacted in accordance with Utah Code Annotated Title 59, Chapter 12, Part 2, as amended, by another municipality, county, or metro township in another county in the State of Utah.

3.11.090 Statutes Adopted – Alternating Operability

A. Except as provided in this chapter, and except insofar as they are inconsistent with the provisions of the Local Sales and Use Tax Law of Utah, all of the provisions of Utah Code Annotated Title 59, Chapter 12, Part 1, as amended, are hereby adopted and made a part of this chapter as though fully set forth herein.

B. Wherever and to the extent that in Utah Code Annotated Title 59, Chapter 12, Part 1, as amended, the State of Utah is named or referred to as the taxing agency, the name of this City shall be substituted therefor. Nothing in this subsection shall be deemed to require substitution of the name of the City for the word "state" when that word is used as part of the title of the State Tax Commission, or of the Constitution of the state, nor shall the name of the City be substituted for that of the state when the result of that substitution would require action to be taken by or against the City or any agency thereof, rather than by or against the State Tax Commission.

3.11.100 Credits for Taxes Paid to Cities and Towns

Any person subject to the payment of sales and use taxes as provided in this chapter shall be entitled to credit against the amount of taxes due under this chapter the amount of any taxes due to a city or town in the county, provided the city or town to which the taxes are due has levied a sales and use tax pursuant to and in accordance with Utah Code Annotated Title 59, Chapter 12, as amended.

3.11.110 Administration – Contract with State Tax Commission

Before the effective date of the amendatory ordinance codified in this chapter, White City shall contract with the State Tax Commission for the Commission to perform all functions required and incidental to the administration and operation of this chapter, and collect the taxes levied under this chapter. The State Tax Commission shall be compensated for its services pursuant to Utah Code Annotated § 59-12-206.

3.11.120 Violation – Penalty

Any person violating any of the provisions of this chapter shall be deemed guilty of a Class B misdemeanor, and upon conviction shall be punishable as set forth in Chapter 1.12 of this code.

Chapter 3.12 ADDITIONAL LOCAL SALES AND USE TAX

3.12.010 Title of Provisions

The ordinance codified in this chapter shall be known as the Local Sales and Use Tax Addition for a Low-Fare Public Transportation System.

3.12.020 Statutory Authority

The authority for imposing this tax is derived from Utah Code Annotated Title 59, Chapter 12, Part 5, as amended.

3.12.030 Purpose of Provisions

The ordinance codified in this chapter is enacted to provide a source of revenue specifically for the funding and operation of a low-fare public transportation system, and for the County of the First Class State Highway Projects Fund. The Council hereby directs that the provisions of this chapter be interpreted and construed to accomplish these stated purposes.

3.12.040 Imposition – Amount

A. Pursuant to Utah Code Annotated § 59-12-501 and in addition to the other taxes imposed by this title, there is imposed and levied for collection a 0.30 percent sales and use tax upon the retail sales and uses described in Utah Code Annotated § 59-12-103(1), subject to the exemptions provided in Utah Code Annotated § 59-12-104 and the exemption from tax for amounts paid for food and food ingredients. The tax is imposed and levied for collection on a countywide basis, including the areas within the corporate limits of the cities and towns of the county. The funds received from the imposition of this tax shall be used and expended as provided for by state statute.

B. Pursuant to Utah Code Annotated § 59-12-502 and in addition to the other taxes imposed by this title, there is imposed and levied for collection a quarter of one percent sales and use tax upon the retail sales and uses described in Utah Code Annotated § 59-12-103(1), subject to the exemptions provided in Utah Code Annotated § 59-12-104 and the exemption from tax for amounts paid for food and food ingredients. The tax is imposed and levied for collection on a countywide basis, including the areas within the corporate limits of the cities and towns of the county. The funds received from the imposition of this tax shall be used and expended as provided for by state statute.

3.12.050 Statutes Adopted by Reference

The appropriate provisions of Utah Code Annotated Title 59, Chapter 12, Part 2, as amended, and the applicable provisions of Utah Code Annotated Title 59, Chapter 12, as amended, are enacted and incorporated herein by this reference insofar as they relate to sales and use tax, except that the name of the taxing agency shall be substituted for that of the state wherever necessary, that an additional seller's permit shall not be required if one has been or is issued to the seller, and that any retailer who has registered with the State Tax Commission shall not be required to repeat such registration.

3.12.060 Exemptions

A. The sale, storage, use, or other consumption of tangible personal property, the purchase price or the cost of which has been subject to sales or use tax under a sales and use tax ordinance enacted in accordance with Utah Code Annotated Title 59, Chapter 12, Part 2, as amended, by any other county or municipality in any other county in this state, shall be exempt from the tax due under this chapter.

B. The amount of any sales or use tax paid under Utah Code Annotated Title 59, Chapter 12, Parts 1 and 2, as amended, shall not be included as part of the purchase price paid or charged for a taxable item under this chapter.

C. The sales and uses that are exempt from sales or use tax under state statute shall be exempt from the taxes imposed by this chapter.

3.12.070 Credits

Any person subject to the provisions of this sales and use tax chapter shall be entitled to a credit against the payment of taxes due under this chapter such amounts as are authorized by law.

3.12.080 Collection

Any records, tax returns, or other information of any person, corporation, company, or other group or organization subject to the taxes imposed by this chapter that relate to the calculation, collection, or remittance to the State Tax Commission of those taxes shall be subject to review, inspection, and auditing as provided by law and by the interlocal agreement with the State Tax Commission.

Chapter 3.36 PROPERTY DISPOSAL

3.36.010 Purpose

The purpose of this chapter is to provide for the management, surplus, sale, donation, and disposal of City personal and real property in a manner consistent with Utah law and the best interests of the City.

3.36.020 Management of Property

A. Personal Property Management: Department heads shall exercise supervision of the receipt, storage, and distribution of all inventories of City personal property within the control of or assigned to their respective departments. All City property located in warehouses and similar storage areas shall be inventoried annually, and accountability for the property shall reside with the respective department heads.

B. Real Property Management: The mayor or designee shall exercise supervision of the acquisition, purchase, sale, and disposal of all real property of the City. The mayor or designee shall update the Council annually upon all acquisitions, disposals, and leasing of City-owned real property.

3.36.030 Surplus of Personal Property

Department heads shall dispose, sell, or donate personal property as follows:

A. Internal Surplus Property: Except as otherwise specified below, the department head having control or possession of City property, including any vehicle, that is so used, obsolete, depreciated, excess, or is no longer necessary to current and projected needs as to be determined unfit or undesirable for use or retention by the City may recommend to the mayor that such property be surplused. Upon such notice, and as applicable, the purchasing manager or designee shall send notice to City departments of the availability of items to be surplused. If no department is in need of the property on the list, the mayor may approve in writing the property as surplus, whether in whole or in part, and authorize the disposal, sale, or gift of the property at a public auction in accordance with applicable law.

B. Property No Longer Needed as Evidence: The police chief having control or possession of property, including firearms, no longer needed as evidence shall follow the procedures set forth in Utah Code Annotated §§ 24-3-101 et seq., as amended. All dispositions of such property shall be for a public-interest use, including the donation of property to public or private charities, and must first be approved by the City Council in accordance with Utah state code.

C. Lost, Mislaid, Unclaimed, or Abandoned Property: The police chief having control or possession of property that is lost, abandoned, unclaimed, or mislaid shall follow the procedures set forth in Utah Code Annotated §§ 77-24a-1 et seq., as amended. All dispositions of such property shall be for public-interest use, including the donation of property to public or private charities, and must first be approved by the City Council in accordance with Utah state code.

D. Unique, Special, or Limited-Use Property: Unless otherwise stated above, a department head having control or possession of property that is unique or special, dangerous to the public, or is limited in its public use shall present a written list to the mayor or designee with a recommendation to dispose, sell, or donate the property to another person or governmental agency to use or dispose of. Examples under this category include, but are not limited to, fire trucks, dangerous weapons, police vehicles, and equipment that only specific persons or agencies are trained and licensed to use.

E. Unsold Property: If the surplus item is subjected to sale to the highest bidder at public auction and remains unsold, the mayor may sell the property, donate it to a charitable organization, or dispose of it to any person for such price as the mayor deems appropriate, or may dispose of it as the mayor directs.

F. Damaged, Unsafe, or Unrepairable Property: Upon approval of the purchasing manager, the department head may recycle or otherwise dispose of damaged, unsafe, or mechanically unrepairable property that is deemed unsuitable for public use.

G. Minimal Value: Upon approval of the purchasing manager, a department head may dispose of an item of minimal value, defined as property that is valued at less than $50 or estimated by the purchasing manager to have a value of less than $50. If the property is posted for sale for $50 or more and does not sell, it is presumed to be property with minimal value and may be disposed of in accordance with this provision.

H. Public Auction of Personal Property: The purchasing manager, or designee, shall advertise through public notice the sale of any City-owned personal property at public auction if the purchasing manager deems that such a sale would be desirable and in the best interests of the City.

3.36.040 Surplus of Real Property

The mayor or designee may authorize the sale or donation of real property as follows:

A. Sale or Donation of Real Property that Is Not a Significant Parcel: From time to time, the mayor or designee may compile a list of surplus City real property. If a parcel of surplus property is not a "significant parcel," the mayor may sell it for fair market value using any means that is reasonable, fair, and advances the best interest of the City.

B. Sale or Donation of Real Property that Is a Significant Parcel: From time to time, the mayor or designee may compile a list of significant parcels of real property and shall follow the procedures set forth below:

1. Public Hearing: The mayor or designee shall schedule and provide reasonable notice of a public hearing so that public comment may be received regarding the sale of the significant parcel of real property. The mayor or designee shall conduct the public hearing.

2. Public Hearing Notice: Reasonable notice of the public hearing must be published not less than 14 days before the public hearing. "Reasonable notice," as used in this section, means: (a) publication in a newspaper or newsletter of general circulation within the City; (b) publication on the City's website; (c) publication on the Utah Public Notice Website; and (d) mailing such notice to the adjacent property owners.

3. Before any significant parcel of property may be sold or disposed of, the City Council must declare the property as surplus.

4. Before the Council may declare as surplus and authorize the sale or disposition of a significant parcel of real property, the City shall provide reasonable notice at least fourteen (14) days before a public hearing at which the public may have an opportunity to provide input on the proposed surplus and disposition.

C. Significant Parcel Defined: For purposes of this chapter, a significant parcel of real property is: (1) a single parcel of real property, or a combination of contiguous parcels of real property, having an estimated value in excess of $50,000 as determined by using the county assessed value; or (2) a single parcel of real property or a combination of contiguous parcels of real property having a size in excess of one-half (1/2) acre; or (3) an agreement involving an interest in property for less than a fee, the value of which exceeds $50,000.

D. Method of Sale or Disposition: Property to be sold by the mayor must be reliably appraised and sold for at least fair market value, except that the Council may make a finding by resolution that specific parcels need not be sold for fair market value if the City will receive specifically identified intangible benefits that justify selling the property for less than fair market value. An appraisal is not required where the reasonable estimated value of the surplus property is negligible in relation to the costs of an appraisal, or where the surplus property is of such size, shape, or is otherwise so unique as to be unmarketable. In such circumstances, the mayor may dispose of the surplus property in any manner that ensures that the transaction is in the best interest of the City. To the extent allowed by law and at the discretion of the mayor, property declared as surplus may be disposed of through public offering and competitive bid, public sale, private sale, listing with a real-estate broker, exchange, option to purchase, lease, lease with option to purchase, or by any other lawful and reasonable means.

E. Authority to Execute: Subject to the requirements of this chapter, every sale, exchange, lease, encumbrance, or other conveyance of surplus real property shall be made by the mayor or the City attorney.

3.36.050 Recordkeeping

The mayor or designee shall maintain permanent public records reflecting a description of the property sold or otherwise conveyed, an appraisal of the property (if required), the manner of disposition, the consideration received by the City, the identity of the person to whom such property was sold or otherwise disposed of, the date of disposition, the date of approval by the Council (if required), and the nature of the City's use of the property before disposition.

3.36.060 No Preferential Treatment

It is the policy of the City to encourage fair and open disposal of surplus property and to provide equal opportunities to compete for the purchase of surplus City property. No elected officer, appointed officer, or municipal employee of the City shall knowingly purchase surplus City personal property, consistent with the Utah Municipal Officers' and Employees' Ethics Act, Utah Code Annotated §§ 10-3-1301 et seq.

WHITE CITY

DATE: NOVEMBER 12, 2026 RESOLUTION NO. 2026-11-01

A RESOLUTION APPROVING THE AMENDED BUILDING USE AND LEASE AGREEMENT WITH THE WHITE CITY WATER IMPROVEMENT DISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE IT

WHEREAS, White City ("City") is a Utah municipality, and the White City Water Improvement District ("District") is a local district and political subdivision of the State of Utah; and

WHEREAS, the District owns real property located at 999 East Galena Drive, White City, Utah 84094, and the City has used portions of that property for meetings of the White City Council ("Council") under a building use and lease agreement with the District; and

WHEREAS, the City and the District have negotiated an Amended Building Use and Lease Agreement ("Amended Lease"), attached as Exhibit A, under which the City may use the reception and office lobby area, the board and public meeting room, the upstairs front restrooms, the parking lot, the audio/visual equipment in the public meeting room, and the community message boards for Council meetings, public hearings, and other permitted meetings; and

WHEREAS, the Amended Lease takes effect when signed by both parties, has an initial term ending June 30, 2027, and renews automatically for one-year terms unless either party gives 60 days' written notice before the end of a term; and

WHEREAS, under the Amended Lease the City pays the District $2,400 per term, based on $200 per meeting for twelve meetings, and $200 for each additional meeting, and the City may terminate on 90 days' written notice, with automatic termination if funds are not appropriated in any fiscal year; and

WHEREAS, the Council has reviewed the Amended Lease and finds that approving it is in the best interest of the City and its residents and serves a legitimate municipal purpose.

NOW, THEREFORE, BE IT RESOLVED by the White City, Utah City Council as follows:

Section 1. Approval. The Council approves the Amended Lease in substantially the form attached as Exhibit A.

Section 2. Authorization to Execute. The Mayor is authorized to sign the Amended Lease on behalf of the City, and the City Recorder is authorized to attest the Mayor's signature. City staff shall deliver a signed copy to the District.

Section 3. Implementation. The Mayor and City staff are authorized to take the administrative actions needed to implement the Amended Lease, including payment of the consideration due under it from funds appropriated for that purpose.

Section 4. Effective Date. This resolution takes effect upon adoption.

ADOPTED AND APPROVED at a duly called meeting of the White City, Utah City Council on

this 12th day of November 2026.

Signatures on Following Page

WHITE CITY COUNCIL

By: _____
Allan Perry, Mayor

ATTEST:

_____
Rori L. Andreason, City Administrator/Recorder

APPROVED AS TO FORM:

_____
Cameron Platt, City Attorney

Voting:

Mayor Perry voting ___

Council Member Mahoney voting ___

Council Member Shelton voting ___

Council Member Price voting ___

Council Member Van Horn voting ___

EXHIBIT A

Amended Building Use and Lease Agreement between White City Water Improvement District and White City

[Attach "2026.11.10 2026 Amended Building use and lease agreement clean.pdf" (sent to Ryan Johnson, Nov 10, 2026).]

AMENDED BUILDING USE AND LEASE AGREEMENT

THIS AMENDED BUILDING USE AND LEASE AGREEMENT (the **"Amended Lease" or "Lease")** is made and entered into by and between the **WHITE CITY WATER IMPROVEMENT DISTRICT, ("Landlord"),** a local district and a political subdivision of the State of Utah, and the **WHITE CITY, ("Tenant"),** a Utah municipality. Landlord and Tenant are sometimes jointly referred to as the **"Parties"** or as **"Party"** as the context may require.

WITNESSETH:

In consideration of the payments to be made, the mutual promises, covenants and conditions set forth to be kept and performed, the Parties agree as follows:

1. LEASED PREMISES: Landlord owns real property (the **"Property")** located at 999 East Galena Drive, White City, UT 84094. During the Term of this Lease, Tenant may have use of the following portions of the Property and such portions will collectively constitute the **"Leased Premises:"** (a) reception/office lobby area; (b) the board/public meeting room; (c) upstairs front restrooms; (d) parking lot, provided; (e) use of audio/visual equipment in public meeting room; and (f) community message boards, however, that Tenant will ensure that Tenant's use of the Leased Premises and the Property will not in any way impair or hinder Landlord's use of the Leased Premises or the Property or the use thereof by Landlord's agents, representatives, or customers.

2. USE: The Leased Premises may be jointly used by Landlord and Tenant, with Landlord continuing to use the Lease Premises as its primary administrative and operational offices and Tenant using the Leased Premises for meeting purposes. In case of a state declared emergency and mutual consent of the Parties, the Property may be used by both Parties as an Emergency

Operation Center ("EOC").

a. Landlord's Use: Landlord uses the Property, including the Leased Premises, as its administrative and operations offices for the provision of water service for residents of White City, Sandy City, and some unincorporated islands of Salt Lake County. Landlord's normal office hours, which may be changed from time to time at Landlord's sole discretion, are Monday through Friday from 8:00 a.m. to 5:00 p.m. When needed, Landlord's office personnel may extend those normal office hours to meet their workload.

b. Tenants Use. Tenant will use the Leased Premises for meetings of its City Council, including public hearings and meetings where the public is invited to attend. Tenant, at this time, may not use the Leased Premises for office space or for administrative purposes of the Tenant, and will not represent to the public that the Leased Space is owned or controlled by Tenant, it being understood and agreed that Landlord and Tenant do not want to confuse the public into a false belief that either Landlord or Tenant are dependent and/or a part of each other. Tenant will normally hold one public meeting on the first Thursday of each month in the evening hours after close of business for Landlord. To the extent not in conflict with Landlord's use of the Leased Premises for its own public hearings and meetings, Tenant may schedule additional public hearings and other meetings, using the Leased Premises, with advance notice to the Landlord. Also, with advanced written or electronic approval of either the General Manager or Board of Trustees Chair, Tenant may use the Leased Premises, for meetings of the City Mayor, Council Member and/or representatives of

governmental entities such as Unified Police Department or Greater Salt Lake Municipal Services District.

c. Reasonable Cooperation. Each Party will take reasonable steps to avoid conflicts and/or safety issues between its use of the Leased Premises and the use of the Leased Premises by the public and by the other Party and will take reasonable steps to avoid disrupting or impairing the other Party's use of the Leased Premises. The Parties will cooperate with each other in good faith in their respective use of the Leased Premises. In the event a conflict arises in the joint use of the Lease Premises and a reasonable compromise cannot be worked out, Landlord's use of the Lease Premises will be given priority over Tenant's use of the Leased Premises.

3. **TERM**: This Amended Lease will be effective upon the date of execution by both Parties ("Commencement Date"), and the initial term of the Lease will begin on the Commencement Date and expire at midnight on June 30, 2027. This Lease will automatically renew for additional one-year terms, unless either Party gives the other Party 60 days' written notice prior to the expiration of any given term (the Expiration Date") of that Party's intent to either re-negotiate the terms of this Lease or not renew the Lease.

4. **CONSIDERATION:** During the term of this Lease, and any renewal thereof, as consideration for the use of the Leased Premises, Tenant will pay Landlord $2,400 per term, based on a rate of $200.00 per meeting, payable on the date of execution of this Lease and upon the first day of any subsequent term of the Lease. Any meetings held, that ~~exceed~~ the twelve (~~in excess of~~ 12) meetings authorized during the term of this Lease, ~~per term~~shall be paid for ~~will be paid for within thirty days of the meeting~~ at the rate of $200.00 per meeting, with said payments to be paid to Landlord within thirty (30) days of the meeting.

5. IMPROVEMENTS: Tenant will not make any alterations, additions, or improvements to the Leased Premises without Landlord's prior written consent. Tenant will not cause any mechanics liens or claims to be filed against the Leased Premises. All improvements to the Premises, whether by Landlord or Tenant, (with the exception of electronic equipment that may be installed by the Tenant for Tenant's operation, which will remain the property of the Tenant) will become the property of Landlord at the expiration or termination of the Lease.

6. SURRENDER: Upon the expiration of the term of this Lease or any renewal(s), or upon termination as provided for in paragraph 18, Tenant will yield and deliver up the Leased Premises to Landlord in as good order and condition as when the same were entered upon by Tenant, with exception for reasonable use and wear, and damage by fire and casualty not the fault of Tenant for which insurance is not provided.

7. MAINTENANCE & DAMAGES: Landlord will be responsible for maintaining the Property and the Leased Premises, provided that Tenant will be responsible for any documented costs that Landlord may incur when repairing damage to the Property caused by Tenant's negligence, Tenant's misuse of the Premises, or damages caused by Tenant's invitees, including the general public allowed into the Leased Premises as a result of Tenant's public hearings and/or meetings. Tenant shall be responsible to maintain order and peace in the Leased Premises during its public hearings and/or meetings. Tenant shall keep the Leased Premises as clean and orderly as they are when Tenant's personnel arrive each day.

8. UTILITIES AND TAXES: Landlord will be responsible for payment of all existing utilities and applicable taxes and Tenant will be responsible for payment of any additional services, *e.g.,* communications, additional telephone lines, etc., that Tenant requests to be provided to the Leased Premises.

9. LANDLORD REPRESENTATION: Landlord hereby warrants that it is the fee simple owner with the legal right to lease said Leased Premises. Landlord and Tenant agree to comply with all codes, local ordinances and state statutes applicable to the use or ownership (as applicable) and operation of the Leased Premises at their sole expense.

10. DEFAULT:

a. Landlord's Default: If Landlord fails to provide any services, maintenance, or repairs required under this Lease and does not correct the failure for twenty (20) days after the date Tenant provides written notice to Landlord of Landlord's failure, Tenant will have the right to secure the necessary services, maintenance, or repairs needed to address Landlord's failure, and to charge the cost(s) to Landlord.

b. Tenant's Default: Tenant will be in default if: (1) Tenant fails to provide the agreed consideration to Landlord or otherwise comply with any other term, covenant, or condition of this Lease; and (2) Tenant fails to remedy the failure within twenty (20) days of the date Landlord provides Tenant written notice Tenant's failure. If Tenant defaults, Landlord will have all rights or remedies as may be provided at law, in equity or otherwise, including termination of this Lease without penalty.

11. ASSIGNMENT OR SUBLET: Tenant may not sublet the Leased Premises or any part thereof or assign this Lease without the prior written consent of Landlord.

12. ATTORNMENT: If Landlord's interest in the Property or the Leased Premises is transferred in any manner, and this Lease is not terminated pursuant to paragraph 18 in connection therewith, Tenant will recognize such transferee or successor as the new Landlord under this Lease and this Lease will continue unaffected by said transfer. In the event of such a transfer by Landlord,

Landlord will be, upon completion of the transfer, released of any further obligations under this Lease.

13. QUIET ENJOYMENT: Landlord covenants with Tenant that upon fully complying with and properly performing all of the terms, conditions and covenants of this Lease to be performed by Tenant, Tenant will have and quietly enjoy the Leased Premises on a joint use basis for the term set forth and any extensions beyond the Initial Term. This right of quiet enjoyment does not preclude Landlord's use of the Leased Premises under the terms of this Lease.

14. INSURANCE AND INDEMNITY:

a. Landlord Responsibilities: Landlord agrees to obtain, keep, and maintain with insurance carriers of known responsibility, licensed to do business in the state of Utah, fire and extended coverage insurance in an amount equal to the value of the Property and all leasehold improvements therein which will become the Property upon expiration or termination of the Lease. The policy or policies, if applicable, will not be cancelable or subject to reduction of coverage or other modification by Landlord except after thirty (30) days prior written notice to Tenant by the insurer. Landlord will procure and maintain in full force and effect during the term hereof, comprehensive general liability insurance having combined single limit bodily injury and property damage coverage of not less than $~~I~~ 1 million, insuring Landlord against any liability arising out of ownership, use, or occupancy of the Leased Premises.

b. Tenant Responsibilities: Tenant agrees to maintain at its own expense such fire and casualty insurance coverage as Tenant may desire or require with respect to Tenant's personal property, equipment, furniture, fixtures, and inventory and Landlord will have no obligation with respect to such insurance or losses. Any and all

property kept or stored on the Leased Premises by Tenant or with Tenant's permission will be done so at Tenant's sole risk, and will indemnify Landlord against and hold it harmless from any claims arising out of loss or damage to the same, unless such loss or damage is to any intentional or negligent act or omission to act of Landlord. Tenant will procure and maintain in full force and effect during the term hereof, comprehensive general liability insurance having combined single limit bodily injury and property damage coverage of not less than $1 million, insuring Landlord against any liability arising out of Tenant's use, or occupancy of the Leased Premises, including but not limited to its obligations under paragraph 7 of this Lease Agreement.

c. Mutual Release. Landlord and Tenant hereby release each other from responsibility for loss or damage occurring on or to the Leased Premises or the Property or to the contents thereof, caused by fire or other hazards ordinarily covered by fire and extended coverage insurance policies and each waives all rights of recovery against the other for such loss or damage. Willful misconduct lawfully attributable to either Party, whether in whole or in part a contributing cause of the casualty giving rise to the loss or damage, will not be excused under the foregoing release and waiver.

15. GOVERNMENTAL IMMUNITY: Tenant and Landlord are both governmental entities subject to the Utah Governmental Immunity Act, Utah Code Ann.§§ ~~630~~63G-7-101, *et seq* (the **"Act").** Consistent with the terms of the Act, it is mutually agreed that Landlord and Tenant are responsible and liable for their own wrongful or negligent acts committed by their agents, officials or employees. Landlord and Tenant do not waive any rights, defenses or limitations available under the Act.

16. INDEMNIFICATION:

~~a.~~ Tenant's Duty. To the extent of the limits of liability under Utah Code Ann. § ~~630~~63G-7- 604, Tenant will indemnify, defend, and save Landlord harmless from all loss, damage, liability or expense incurred by Landlord due to the intentional acts, negligent acts or omissions to act of Tenant, its officers, employees or agents arising out of Tenant's use or operation of the Leased Premises and will not permit any lien or other

~~b.~~a. claim or demand to be enforced against the Leased Premises by reason of Tenant's use of the Leased Premises.

~~c.~~b. Landlord's Duty. To the extent of the limits of liability under Utah Code Ann.§ 63G-7-604, Landlord will indemnify, defend, and save Tenant harmless from all loss, damage, liability or expense incurred by Tenant due to the intentional acts, negligent acts or omissions to act of Landlord, its officers, employees or agents arising out of Landlord's use or ownership of the Leased Premises.

17. NO WAIVER: It is agreed that the waiving of any of the covenants of this Lease by either Party will be limited to the particular instance and will not be deemed to waive any other breaches of such covenant or any provision herein contained.

18. TERMINATION:

a. By Tenant. Tenant may terminate this Lease in advance of its expiration date, subject to annual appropriation by Tenant, with automatic termination (no penalty) if funds are not appropriated in any fiscal year.~~in the event that Tenant is not sufficiently funded to pay the stated consideration~~. Tenant must ~~by~~ provid~~e~~ing Landlord with ninety (90) days written notice prior to the desired termination date. If this Lease

is terminated by Tenant under this provision, Tenant shall not be entitled to a refund of any ~~of~~ Lease payments already made, nor will it be excused for payment of any Lease payments then due.

b. By Landlord. Landlord may terminate this Lease in advance of its expiration date by providing Tenant with ninety (90) days written notice prior to the desired termination date in the event that Landlord in good faith, determines that it needs all of the premises to carry out Landlord's responsibilities, or believes, in good faith that the use of the Leased Premises is causing confusion to its customers about the legal relationship between Landlord and Tenant as independent government entities. If this Lease is terminated by Landlord under this provision, Landlord shall refund Tenant for any rental payments made for any months in the current term that Tenant will not be using the Lease Premises at the monthly rate set forth in paragraph 4 above.

19. SIGNS: At such time as both Parties agree that signage is appropriate, Tenant may, at Tenant's sole cost and expense, place a sign on the Property to identify Tenant as having use of the Leased Premises. Any and all such signs must be approved in writing by Landlord prior to installation, and Tenant will remove such signs at its sole cost and expense and repair any damage caused by such removal upon the expiration or termination of this Lease. Maintenance and repair of any signage is the responsibility of Tenant. Notwithstanding these restrictions, the Parties agree the entities will share a public noticing board placed on the Property, such notices to note thereof from which entity the notice is derived.

20. **AUTHORITY:** Each of the Parties represents and warrants that it possesses the authority necessary to enter into this Lease. Each of the Parties represents and warrants that this Lease has been duly authorized, executed, and delivered by it, and constitutes a legal,

valid, and binding obligation, enforceable in accordance with its terms.

21. AMENDMENTS: No variations, modifications, amendments, or other changes to this Lease will be binding upon the Parties unless set forth in a written document that both Parties have executed.

22. MEDIATION: In the event of a dispute between the Parties related to this Lease, the Parties will submit the matter to formal mediation before any judicial action may be initiated thereon, unless an immediate court order is needed or a statute of limitations period will run before mediation can be reasonably completed. The Parties will endeavor to reasonably agree upon a mediator and will mediate the dispute in good faith. Each Party will be responsible for its own costs, and the Parties will split the cost of the mediator equally between them. If the Parties do not agree upon a mediator, each Party will name a mediator, and those two mediators will name a third mediator. The Parties will be bound to mediate the dispute with the third mediator.

23. **APPLICABLE LAW AND VENUE:** In the event that any litigation may arise after the Parties have pursued mediation pursuant to Paragraph 22 above, this Lease will be construed in accordance with the laws of the State of Utah, and any actions between the Parties arising out of the relationship contemplated by this Lease will be brought in Salt Lake County, Utah.

24. AVAILABILITY OF EQUITABLE REMEDIES: Since a breach of some of the provisions of this Lease may not be adequately compensated by money damages, either Party will be entitled, in addition to any other right or remedy available, to an injunction restraining such breach or a threatened breach and to specific performance of any such provision of this Lease, and in either case no bond or other security will be required in connection therewith,

and the Parties hereby consent to the issuance of such injunction and to the ordering of specific performance.

25. ATTORNEY'S FEES: In the event litigation is required to enforce any term of this Lease, the prevailing Party will be entitled to all costs and expenses, including reasonable attorneys' fees.

26. REVIEW: The Parties represent and agree that they had full opportunity to review this Amended Lease and that they accept the terms hereof. The rule that such an agreement is to be construed against its drafter will not be applied to this Amended Lease.

27. COUNTERPARTS: This Lease may be executed in any number of counterparts, and all such counterparts will be deemed but one original Lease for all intents and purposes.

28. CAPTIONS: The paragraph headings or captions appearing in this Lease are for convenience only, are not a part of the Lease, and are not to be considered in interpreting this Lease.

29. SEVERABILITY: If any provision of this Lease is held to be illegal, invalid, or unenforceable, that provision will be fully severable and this Lease will be construed and enforced as if the illegal, invalid, or unenforceable provision had never been part of this Lease and the remaining provisions of this Lease will remain in full force and not be affected.

30. NO LIABILITY: The Parties are not liable for each other's expenses or liabilities except as set forth herein.

31. BINDING: The covenants and agreements contained in this Lease will apply to, inure to the benefit of, and be binding upon the Parties hereto, their heirs, distributes, executors, administrators, legal representatives, assigns and upon their respective in interest except as otherwise expressly provided in this Lease.

32. NO THIRD PARTY BENEFICIARIES: This Lease does not create, and will not be construed as creating, any rights enforceable by any person who is not a Party to this Lease or a successor or assign to a Party to this Lease.

33. PRE-AUTHORIZATION: Unless otherwise authorized by this Lease, neither Party will act, or purport to act, on behalf of the other without the express written consent of the other Party.

34. NOTICE: Any notice or demand by either Party under this Lease will be deemed properly given if such notice or demand is: (a) hand-delivered to the other Party, (b) mailed, postage prepaid, and addressed to other Party's principal office, or (c) by electronic mail. The designations of the name and the addresses to which any such notice or demand, as provided below, may be changed from time to time by any Party by giving written notice as provided herein:

If to Tenant:

White City
Attn: Mayor Allan Perry
860 Levoy Dr.
Taylorsville, UT 84123
Phone: (801) 884-8607
E-mail: aperry@whitecity.utah.gov

With a copy to:
Rori Andreason City Administrator Email: randreason@whitecity.utah.gov

If to Landlord:

White City Water Improvement District Attn: Office Manager
999 E. Galena Drive White City, UT84094
Email: mguzman@wcwidutah.gov

With a copy to:
Steve Styler ~~Paul H Ashton~~
Styler Daniels, P.C. 445 East 200 South, Suite 100, Salt Lake City, UT 84111~~Ashtree Legal Services PC 1237 E Lorraine Drive Salt Lake City, UT 84106~~

Email: steve@stylerdaniels.com ~~phashton@x.mission.com~~

Notice will be deemed to have been given as of the date of issuance.

35. ENTIRE AGREEMENT: This Lease represents the entire agreement between the Parties and supersedes all prior agreements, whether verbal or written, between the Parties.

36. NECESSARY ACTS OF COOPERATION: The Parties agree to do any act or thing necessary to execute any and all documents or instruments required by this Lease and which are necessary and proper to make effective the provisions of and transaction contemplated by this Lease.

IN WITNESS WHEREOF, the Parties have caused this Lease to be signed by their respective duly authorized officers on the dates indicated below.

Signatures on Following Pages

TENANT:
WHITE CITY

By:_____

Its: Allan Perry, Mayor

Date:_____

STATE OF UTAH)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____ 2026, by _____

_____, who produced _____ as identification.

Given under my hand and notarial seal on _____, 2026.

_____
Notary Public
My commission expires: _____

ATTEST:

_____
Rori Andreason, City Recorder

LANDLORD:
WHITE CITY WATER IMPROVEMENT DISTRICT

By: Paulina F. Flint

It's: Chair

Date: 3-19-2026

STATE OF UTAH }
: ss.
COUNTY OF SALT LAKE }

On this 19th day of March, 2026 Paulina Flint personally appeared before me, who being duly sworn, did say that he/she is the Board Chair of the **White City Water Improvement District,** and that the foregoing instrument was signed on behalf of the White City Water Improvement District, by authority of law.

Notary Public

Approved as to Form:

PHILLIP CARDENAZ
NOTARY PUBLIC - STATE OF UTAH
My Commission Expires August 28, 2027
COMMISSION NUMBER 732886