

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
NORTH SALT LAKE AMENDING TITLES 1 AND 7 OF THE
CITY CODE RELATED TO PUBLIC NOTIFICATIONS

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County, Utah; and

WHEREAS, the 2023 Utah State Legislature amended various sections of the State Code including section 63G-30-102 related to posting requirements for various public meetings, hearings, other public actions of a municipality; and

WHEREAS, the City Council finds that it is in the public interest that the North Salt Lake City Code, Titles 1 and 7 related to public notices be amended at this time in conformance with State Code.

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

Section 1. Code Amendment. Pursuant to Utah Code 63G-30-102, Titles 1 and 7, of the City Code is hereby amended as attached in Exhibit A.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective upon publication or posting.

PASSED AND ADOPTED by the City Council of the City of North Salt Lake, Utah, this 1st day of August, 2023.



CITY OF NORTH SALT LAKE
By:


BRIAN J. HORROCKS
Mayor

ATTEST:


WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin	<u>aye</u>
Council Member Gordon	<u>aye</u>
Council Member Knowlton	<u>aye</u>
Council Member Porter	<u>aye</u>
Council Member Van Langeveld	<u>aye</u>

TITLE 1: ADMINISTRATION

CHAPTER 5: MAYOR AND CITY COUNCIL

1-5-7: ORDINANCES AND RESOLUTIONS; PROCEDURES:

D. Publication And Posting Of Ordinances:

1. Before an ordinance may take effect, the legislative body of the city adopting an ordinance, except an ordinance enacted under Utah Code Annotated sections 10-3-706 through 10-3-710, shall:
 - a. Deposit a copy of the ordinance in the office of the eCity rRecorder; and
 - b. ~~(1) Publish a short summary of the ordinance as a class A notice as provided by Utah Code Annotated sections 10-3-711 and 63G-30-102, as amended, at least once:~~
 - ~~(A) In a newspaper published within the city; or~~
 - ~~(B) If there is no newspaper published within the city, in a newspaper of general circulation within the city; or~~
 - ~~(2) Post a complete copy of the ordinance in three (3) public places within the city.~~

CHAPTER 6: OFFICERS AND EMPLOYEES

1-6-1: APPOINTMENTS; CITY RECORDER AND CITY TREASURER; VACANCIES:

- A. City Recorder, City Treasurer Appointment: On or before the first Monday in February following a municipal election, the mMayor, with the advice and consent of the eCity eCouncil, shall appoint a qualified person to each of the offices of eCity rRecorder and eCity tTreasurer.
- B. City Recorder Ex Officio City Auditor: The eCity rRecorder is ex officio the eCity aAuditor and shall perform the duties of that office.
- C. Vacancies: The mMayor, with the advice and consent of the eCity eCouncil, may also appoint and fill vacancies in all offices provided for by law or ordinance.
- D. Continuation In Office: All appointed officers shall continue in office until their successors are appointed and qualified. (2012 Code)

1-6-2: COMPENSATION:

- A. Specified: The elective and statutory officers of the eCity shall receive such compensation for their services as the eCity eCouncil may fix by ordinance, adopting compensation or compensation schedules enacted after public hearing. Notice of the time, place, and purpose of the meeting shall be published, for at least seven (7) days before the day of the meeting as a class A notice as provided by Utah Code Annotated sections 10-3-818 and 63G-30-102, as amended. The provisions of Utah Code Annotated section 10-3-818 are adopted herein and incorporated by reference.
- B. Two Or More Positions: Whenever any person serves in two (2) or more positions either as officers or employees of this eCity, unless otherwise specifically provided in the employment agreement or by ordinance, the person shall receive the salary or compensation of the office or employment paying the greater amount.

**ORD 2023-09
EXHIBIT A**

C. Benefits: In addition to their salary, the elected eCity officials shall receive all benefits, contributions and taxes paid by the eCity which the eCity is required by law to pay. (Ord. 97-1, 2-18-1997; amd. 2012 Code)

CHAPTER 11: PROCUREMENT OF SUPPLIES, MATERIALS, EQUIPMENT AND CONTRACTUAL SERVICES; DISPOSAL OF PUBLIC PROPERTY

1-11-5: COMPETITIVE BIDDING REQUIREMENTS:

Except as hereinafter provided, purchases of supplies, equipment and the letting of contracts shall follow one of the following procedures:

A. Formal Contract Procedure: Except as otherwise provided herein, purchases of supplies, equipment or contractual services of an estimated value of fifty thousand dollars (\$50,000.00) or more shall be by written contract with the lowest responsible bidder pursuant to the procedure hereinafter prescribed:

1. Notice of inviting bids shall include a general description of the improvements, supplies, materials and equipment or services to be acquired, shall state where plans and specifications and other information may be secured, and shall state the time and place for opening bids. Public notices shall be posted in accordance with Utah Code Annotated section 63G-6a-112, as amended, at least seven (7) days before the day of the deadline for submission of a solicitation response. Notices inviting bids shall be published at least twice in a newspaper of general circulation and also posted on a public website.

~~(1)~~

CHAPTER 14: DISPOSAL OF SIGNIFICANT PARCEL OF REAL PROPERTY

1-14-1: AUTHORITY:

The eCity shall have the authority to sell, lease, convey or otherwise dispose of real and personal property for the benefit of the eCity, as provided by Utah Code Annotated section 10-8-2(1)(a)(iii) 10-8-2, as amended. (Ord. 06-13, 10-10-2006)

1-14-2: DEFINITIONS:

As used in this chapter:

~~REASONABLE NOTICE: Publication in a newspaper of general circulation within the city at least fourteen (14) days prior to the hearing.~~

~~SIGNIFICANT PARCEL OF REAL PROPERTY: A parcel of one acre or more in size, or a parcel having a current value of more than two hundred fifty thousand dollars (\$250,000.00). (Ord. 06-13, 10-10-2006)~~

1-14-3: NOTICE; HEARING:

~~Before disposing of a significant parcel of real property owned by the eCity, the City shall provide notice of the proposed disposition as a class A notice, as provided by Utah Code Annotated sections 10-8-2(4) and 63G-30-102, as amended, at least fourteen (14) days before the public hearing to allow an opportunity for public comment on the proposed disposition. a public hearing for public comment shall be held by the city council. Notice of the public hearing shall be provided in accordance with the provisions of this chapter.~~ (Ord. 06-13, 10-10-2006)

TITLE 7: PUBLIC WAYS AND PROPERTY

CHAPTER 5: EXCAVATIONS:

ARTICLE A: MINERAL EXTRACTION

7-5A-6: REVIEW PROCEDURE:

C. Review Of Final Plans:

1. Information Required: After review by the Development Review Committee, the excavator or owner shall then provide the information required by the forms provided by the Community Development Department for a site plan approval and a natural resources extraction permit, including maps, drawings and plans required by this article. Within fourteen (14) days following receipt of the final application, the Community Development Director shall distribute copies of the application and accompanying plans and statements to other interested County, City and State agencies, and shall ask for comments and recommendations.
2. Public Hearing: Within a period of not more than forty five (45) days of receipt of the natural resources extraction permit and site plan application, the Planning Commission shall ~~call for schedule~~ a public hearing and provide, at a minimum, ten (10) days of notice as a class A notice, as provided by Utah Code Annotated section 63G-30-102, as amended. ~~through proper notice as prescribed by law to consider the final application.~~ Following the public hearing, the Planning Commission shall review the application and shall make written recommendations to the City Council who shall have final approval or disapproval of the application.

7-5A-7: REVOCATION OR MODIFICATION OF PERMIT:

The Planning Commission shall submit for revocation or modification any natural resources extraction permit issued for cause and in the following manner:

- A. Notice Of Failure To Comply: A notice shall be served on the owner or the permittee by the Community Development Director or designee specifying the failure to comply with the requirements of the conditions set forth in the natural resources extraction permit or City ordinances, or State law, requiring him to appear before the Planning Commission at a designated date and hour to show cause why said permit should not be revoked or modified. Notice of the hearing shall be provided a minimum of ten (10) days prior to the date of the hearing as a class A notice, as provided in by Utah Code Annotated section 63G-30-102, as amended.
- B. Public Hearing: Upon the date set for hearing, the Planning Commission shall hear all charges and other testimony relating to the matter under consideration. The Planning Commission shall then decide to either continue, revoke, modify or refer to the City Attorney for further action as described in section 7-5A-2 of this article.
- C. Modification Of Permit Plans: Modification of the natural resources extraction permit plans may be initiated either by the Community Development Director, City Engineer, or by the permittee where it is merely sought to affect minor revisions in the approved grading plan, schedule of proposed operation, proposed reuse plan or

ORD 2023-09
EXHIBIT A

landscape plan. Consideration of such revisions need not require a public hearing; provided, that in the judgment of the Planning Commission, the proposed revisions would not constitute significant changes; and providing also, that the permittee has not expressly requested that a public hearing be held. (Ord. 2018-04, 4-17-2018)

7-5A-9: APPEALS TO CITY COUNCIL:

Appeals from any decision of the Planning Commission with respect to a natural resources extraction permit may be directed to the City Council within thirty (30) days and in the manner prescribed for in the zoning ordinances. Upon the hearing of such appeal, the City Council may by motion, affirm, reverse or modify in whole or in part, any determination of the Planning Commission. (Ord. 2018-04, 4-17-2018)

7-5A-13: PROVISION OF SURETY:

E. Forfeiture Of Surety: If the operator fails or refuses to carry out the necessary land reclamation as outlined in the approved operation and reclamation plans, the Planning Commission may, after notice and hearing, declare any surety filed for this purpose forfeited, or in case of a corporate bond, file suit against the owner and its bonding company. The City shall also have the right to file suit against the defaulting permittee for costs of rehabilitation and reasonable attorney fees. (Ord. 2018-04, 4-17-2018)