THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 21-44

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE REGARDING ELECTIONS AND COUNCIL DISTRICT BOUNDARIES IN TITLE 1, CHAPTER 15, SECTION 2(D)(2)

WHEREAS, the City of West Jordan ("City") adopted West Jordan City Code ("City Code") in 2009; and

WHEREAS, the City Council of the City ("City Council") desires to amend section 1-15-2(D)(2) of the City Code, regarding and related to Council district boundaries; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following amendments to the City Code.

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

Section 1. Amendment. Section 1-15-2(D)(2) of the City Code is amended so that it shall now read as shown on Attachment 1 to this Ordinance.

Section 2. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 16TH DAY OF NOVEMBER, 2021.

CITY OF WEST JORDAN

By: _____
    Zach Jacob
    Council Chair

ATTEST:

_____
Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council	"YES"	"NO"
Council Vice-Chair Kelvin Green	☒	☐
Council Chair Zach Jacob	☒	☐
Council Member Chad R. Lamb	☒	☐
Council Member Christopher McConnehey	☒	☐
Council Member David Pack	☒	☐
Council Member Kayleen Whitelock	☒	☐
Council Member Melissa Worthen	☒	☐

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON NOVEMBER 17, 2021.

Mayor's Action: _____ Approve _____ Veto

By:_____ _____
      Mayor Dirk Burton   Date

ATTEST:

_____
Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OE PASSAGE (check one)

_____ The Mayor approved and signed Ordinance No. 21-44.

_____ The Mayor vetoed Ordinance No. 21-44 on _____ and the
       City Council timely overrode the veto of the Mayor by a vote of ____ to ____.

_____ Ordinance No. 21-44 became effective by operation of law without the
       Mayor's approval or disapproval.

_____
Tangee Sloan
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____, 2021. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

_____
Tangee Sloan
City Recorder

(Attachment on the following pages)

[Attachment to ORDINANCE NO. 21-44

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE REGARDING ELECTIONS AND COUNCIL DISTRICT BOUNDARIES IN TITLE 1, CHAPTER 15, SECTION 2(D)(2)]

1-15-2: QUALIFICATIONS FOR OFFICE:

A. Qualifications for All Candidates:

> **1**. A Candidate must be a registered voter who has resided within the city for a period of twelve (12) consecutive months immediately preceding the date of the general election.

>> **a**. In case of an annexation, any person who has resided within the territory annexed for the prescribed twelve (12) month period is deemed to meet the residence requirement for candidacy.

> **2**. Candidates to be voted for at all municipal elections in the city shall be elected in an election administered consistent with Utah Code Title 20A, Chapter 5, with amendments and modifications as are appropriate for a municipal election.

B. Qualifications for Mayor: There are no additional qualifications for Mayor other than the requirements listed in 1-15-2(A).

C. Qualifications for City Council:

> **1**. Election to Council Seats:

>> **a**. Three (3) city council members shall be elected in a city wide at-large election. All registered voters residing in the city may vote for at-large city council candidates. The at-large council members must be qualified electors residing in the city. The three (3) at-large council member seats shall be filled by the three (3) candidates receiving the highest, second highest, and third highest number of votes in the election in which all candidates are running against all other candidates for the at large seats.

>> **b**. Four (4) city council members shall be elected from council districts that are substantially equal in population. To vote for a "districted" council candidate, a registered voter must be a resident of the council district for which the candidate is running. To be elected from a council district, the Candidate must be a qualified elector residing in the council district for which they are running at the time of declaration of candidacy and through the completion of the elected term. If the candidate for a districted council seat ceases to be a qualified elector residing in council district he is running for before the primary or general election, the city recorder shall inform the appropriate election official that the candidate has been disqualified. The election official shall thereafter: (i) remove the candidate's name from the ballot if practicable by blacking out the candidate's name before the ballots are delivered to voters or (ii) if removing the candidates name is not possible, inform the voters by any practicable method that the candidate has been disqualified and

that votes cast for the candidate will not be counted, and (iii) not count any votes for the disqualified candidate.

    c. A candidate's name may not appear on the ballot for more than one City elected office in the same election.

   2. Time of Elections:

    a. The three (3) at-large council seats shall be elected for four (4) year terms of office during the regular municipal election in November 2021, and each fourth year thereafter.

    b. The four (4) districted council seats shall be elected for four (4) year terms of office. during the regular municipal election in November 2019, and each fourth year thereafter.

D. Council District Boundaries:

   1. The boundaries of the council districts shall be approved by a resolution in a city council meeting, with each council district including specifically listed voting precincts of Salt Lake County.

   2. ~~In 2021, 2023, and in each succeeding fourth year thereafter, or as otherwise required by law, subject to any necessary approval by Salt Lake County council to the division or adjustment of any voting precincts located within the city boundaries,~~ Within six months after the Legislature completes its decennial redistricting process, or when otherwise required by law, the city recorder shall submit for city council approval council district boundaries to be realigned, if necessary.

    a. The city council shall designate, by resolution, the council districts that are substantially equal in population for the districted council members to be elected from.

    b. In determining the boundaries of council districts, the city council shall not divide any given county voting precinct between two (2) council districts.

    c. The boundaries of the council districts shall not be changed frivolously or arbitrarily, but only for the purpose of assuring that the council districts are contiguous, compact, and substantially equal in population.

E. Term of Office: The Mayor and Members of the City Council, unless otherwise set forth by law, shall begin their terms of office at 12 noon on the first Monday in January following their election.

F. Primary Election: If the number of Candidates for a specific elected office exceeds twice the number of individuals needed to fill the office, the City will hold a Primary Election in accordance with Utah Code § 20A-9-404 to reduce the candidate field for the General Election to two times the number of individuals needed to fill the elected office. The candidates with the highest vote totals shall move forward to the General Election. If there are fewer than two times the number of Candidates for a specific elected office, a Primary Election shall not be held for that elected office. (Ord. 20-44, 12-2-2020)