

THE CITY OF WEST JORDAN, UTAH  
A Municipal Corporation

**ORDINANCE NO. 23-02**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
TITLE 2, CHAPTER 6, SECTION 1 (“RELATIONSHIP TO CITY”),  
SECTION 2 (“PROPOSALS”), AND SECTION 3 (“CRITERIA”)**

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 certain sections of the City Code, regarding and related to the criteria required of third party charitable or educational service entities to obtain a waiver of fees or in-kind support; 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 proposed City Code amendments.

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

- Section 1.** Amendment of Code Provisions. City Code Title 2, Chapter 6, Sections 1, 2 and 3 are hereby amended as shown in Exhibit A.
- Section 2.** Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all other sections, parts, and provisions shall be severable.
- Section 3.** Effective Date. This Ordinance shall become effect immediately upon posting or publication as provided as 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  
22<sup>ND</sup> DAY OF FEBRUARY 2023.**

CITY OF WEST JORDAN

By:   
Christopher McConnehey  
Council Chair

ATTEST:

  
  
Cindy M. Quick, MMC  
Council Office Clerk

*(continued on the following page)*

**Voting by the City Council**

**"YES"**

**"NO"**

Council Chair Christopher McConnehey

Council Vice-Chair Pamela Bloom

Council Member Kelvin Green

Council Member Zach Jacob

Council Member David Pack

Council Member Kayleen Whitelock

Council Member Melissa Worthen

**PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON MARCH 1, 2023.**

Mayor's Action:   X   Approve             Veto

By:   
Mayor Dirk Burton

  Mar 2, 2023    
Date

ATTEST:

Tangee Sloan, CMC  
City Recorder

**STATEMENT OF APPROVAL OR PASSAGE (check one)**

  X   The Mayor approved and signed Ordinance No. 23-02.

       The Mayor vetoed Ordinance No. 23-02 on \_\_\_\_\_ and the City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_\_.

       Ordinance No. 23-02 became effective by operation of law without the Mayor's approval or disapproval.



 

Tangee Sloan, CMC  
City Recorder

*(continued on the following page)*

## 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 2nd day of March, 2023. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

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Tangee Sloan, CMC  
City Recorder

EXHIBIT A

To

ORDINANCE NO. 23-02XX

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE, TITLE 2, CHAPTER 6, SECTION 1 (“RELATIONSHIP TO CITY”), SECTION 2 (“PROPOSALS”), AND SECTION 3 (“CRITERIA”)

Legislative Redlined Copy

CITY ~~MONETARY AND NON-MONETARY SUPPORT ASSISTANCE OF TO UNRELATED CHARITABLE OR EDUCATIONAL ENTITIES OUTSIDE INDIVIDUALS AND ORGANIZATIONS ENTITIES FOR CITY CORPORATE PURPOSES~~ Legislative Redlined Copy

SECTION:

2-6-1: Relationship To Ceity

2-6-2: ProposalsApplications

2-6-3: CriteriaRequirements

2-6-1: RELATIONSHIP TO CITY:

~~1. Unrelated charitable and educational tax exempt service entities may now exist or in the future be formed to provide one or more community services that are included generally in the city's recognized public health and welfare responsibilities. The city may choose, in its absolute discretion, to provide eash or in-kind monetary and non-monetary support assistance to one or more such entities outside individuals and entities to for the safety, health, prosperity, moral well-being, peace, order, comfort, and convenience of city residents. The city will not become employees, representatives, or agents of any city-supported individual or entity solely by virtue of the city providing assistance. support to support the corporate purposes of the city. The city will have no role in the management of such an entity or any control over the activities of such an entity, does not manage or control the outside entity and tThe city's support of any organization entity will does not create an agency relationship. (Ord. 10-08, 2-24-2010; amd. Ord. 20-38, 9--30-2020; Ord 23-02, 02-22-2023)~~

2-6-2: PROPOSALSAPPLICATIONS:

~~Third party charitable and educational tax exempt service Outside organizations Individuals and entities entities may make written proposals for request monetary and non-monetary eash funding or in-kind city support assistance from the city by filing completing an asuch written request applications obtained at with the council office administrator from the council office director. As permitted by budget parameters and following the requirements and limitations of the Utah code and city code, including section 3 4 1 in this eode,~~

~~tThe city council may from time to time appropriate money grants and/or authorize in-kind support in response to such an application. Any such money or in-kind support shall be used only for the purposes disclosed in the proposal application and the authorizing resolution. (Ord. 10-08, 2-24-2010; amd. Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 20-23, 02-22-2023)~~

2-6-3: CRITERIA REQUIREMENTS:

~~All individuals and entities receiving though the city is under no obligation to respond to any proposal application for city support shall agree to the following requirements from a third party charitable or educational service entity outside entities, the city publishes the following minimum criteria for any such~~

proposal:

A. The requesting individual or entity shall permit the city finance department or an auditor hired by the city to ~~may~~ inspect the individual or entity's system of accounts and other accounting

~~1. systems and protocols being used by the third party tax exempt service entity to ensure accuracy and proper safeguarding of public funds. for the ability to~~

~~2. accurately track receipts and expenditures, and only when and if the finance department is~~

~~3. satisfied with such systems will the finance department initial a proposal so indicating. A. The city may authorize municipal services or other nonmonetary assistance to be provided to or waive fees required to be paid by a nonprofit entity, whether or not the municipality receives consideration in return.~~

B. The proposing requesting individual or entity agrees in writing with the City to shall provide financial reports in a form and frequency acceptable to by the city council. based on the written agreement writing that the city may audit the books and records of the

~~4. entity at least once each year with reasonable notice and during normal business hours, and that~~

~~5. the officials of the entity will cooperate fully and freely with the city auditors in this regard. If~~

~~6. the entity has no formal place of business, such books and records shall may be brought to the~~

~~city's offices for audit. C. The proposing entity shall have a track record of successfully employing city resources or~~

~~the similar resources of other governments to achieve measurable positive results. DC. The proposing requesting individual or entity shall explain or demonstrate how the requested assistance will further advance~~

~~established city goals or plans, and shall track provide and describe a tracking mechanism to objectively demonstrate the actual advancement of city goals or plans through the use of the requested city resources assistance. Any city assistance shall be used only for the purposes stated in the application and the authorizing resolution.~~

~~DE. The managing persons of the requesting individual or entity shall have the training and experience needed to effectively and efficiently manage the proposed activities. (Ord. 10-08, 2-24-2010; amd. Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 23-02, 02-22-2023)~~

1 7. \_\_\_\_\_

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**EXHIBIT A**

**To**

**ORDINANCE NO. 23-02**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE, TITLE 2, CHAPTER 6, SECTION 1 (“RELATIONSHIP TO CITY”), SECTION 2 (“PROPOSALS”) AND SECTION 3 (“CRITERIA”)**

**CITY MONETARY AND NON-MONETARY ASSISTANCE TO INDIVIDUALS AND ENTITIES**

**SECTION:**

**2-6-1: Relationship to City**

**2-6-2: Applications**

**2-6-3: Requirements**

**2-6-1: RELATIONSHIP TO CITY:**

The city may provide monetary and non-monetary assistance to individuals and entities for the safety, health, prosperity, moral well-being, peace, order, comfort, and convenience of city residents. The city will not become employees, representatives, or agents of any city-supported individual or entity solely by virtue of the city providing assistance. (Ord. 10-08, 2-24-2010; Ord. 20-38, 9-30-2020; Ord 23-02, 02-22-2023)

**2-6-2: APPLICATIONS:**

Individuals and entities may request monetary and non-monetary city assistance by completing an application obtained from the council office director located at the City Hall. Any questions regarding the application process or requirements to receive assistance should be directed toward the council office director. (Ord. 10-08, 2-24-2010; amd. Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 20-23, 02-22-2023)

**2-6-3: REQUIREMENTS:**

All individuals and entities receiving city support shall agree to the following requirements:

- A. The requesting individual or entity shall permit the city or an auditor hired by the city to inspect the individual or entity’s system of accounts and other accounting systems and protocols to ensure accuracy and proper safeguarding of public funds.
- B. The requesting individual or entity shall provide financial reports in a form and frequency acceptable by the city council.
- C. The requesting individual or entity shall explain how the requested assistance will further advance city goals or plans, and shall track the actual advancement of city goals or plans through the use of the requested city assistance. Any city assistance shall be used only for the purposes stated in the application and the authorizing resolution.
- D. The requesting individual or entity shall have the training and experience needed to effectively and efficiently manage the proposed activities. (Ord. 10-08, 2-24-2010; amd. Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 23-02, 02-22-2023)










# Ordinance No. 23-02 Amending Title 2, Chptr 6, Sect 1, 2, 3 Monetary & Non-monetary assistance


Final Audit Report

2023-03-03

Created:	2023-03-01
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJXA5KgjIT6K5KI4_UQbtim8YXJm7epKs

## "Ordinance No. 23-02 Amending Title 2, Chptr 6, Sect 1, 2, 3 Monetary & Non-monetary assistance" History

-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)  
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-  Document emailed to chris.mcconnehey@westjordan.utah.gov for signature  
2023-03-01 - 10:25:46 PM GMT
-  Email viewed by chris.mcconnehey@westjordan.utah.gov  
2023-03-01 - 10:48:14 PM GMT- IP address: 71.199.34.57
-  Signer chris.mcconnehey@westjordan.utah.gov entered name at signing as Christopher McConnehey  
2023-03-01 - 10:48:50 PM GMT- IP address: 71.199.34.57
-  Document e-signed by Christopher McConnehey (chris.mcconnehey@westjordan.utah.gov)  
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 Signer dirk.burton@westjordan.utah.gov entered name at signing as Dirk Burton


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 Document e-signed by Dirk Burton (dirk.burton@westjordan.utah.gov)


Signature Date: 2023-03-02 - 3:14:51 PM GMT - Time Source: server- IP address: 67.214.227.98

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 Document e-signed by Tangee Sloan (tangee.sloan@westjordan.utah.gov)

Signature Date: 2023-03-03 - 4:51:10 AM GMT - Time Source: server- IP address: 166.137.163.9

 Agreement completed.

2023-03-03 - 4:51:10 AM GMT