

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 23-03

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
TITLE 3, CHAPTER 4, SECTION 1 (“ALLOWED TRANSACTIONS”) AND
SECTION 2 (“REPORT TO CITY COUNCIL”)**

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 waiving of City obligations and the required reporting by the Mayor to the City Council; 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 3, Chapter 4, Sections 1 and 2 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
22ND DAY OF FEBRUARY 2023.**

CITY OF WEST JORDAN

By: 
Christopher McConnehey (Feb 27, 2023 18:43 MST)
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 FEBRUARY 27, 2023.

Mayor's Action: X Approve Veto

By: 
Mayor Dirk Burton

 Mar 1, 2023
Date

ATTEST:

 
Tangee Sloan, CMC
City Recorder

STATEMENT OF APPROVAL OR PASSAGE (check one)

 X The Mayor approved and signed Ordinance No. 23-03.

 The Mayor vetoed Ordinance No. 23-03 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.


 Ordinance No. 23-03 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 1st *2nd T.S.* 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.

Tangee Sloan 

Tangee Sloan, CMC
City Recorder

1 EXHIBIT A

2 to

3 ORDINANCE No. 23-03

4 AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE TITLE 3, CHAPTER 4,
5 SECTION 1 (“ALLOWED TRANSACTIONS”) AND
6 SECTION 2 (“REPORT TO CITY COUNCIL”)

7 Legislative Redlined Version

8 CHAPTER 4

9 WAIVER OF FEES, FINES AND DOUBTFUL ACCOUNTS; COMPROMISE OF CLAIMS BY
10 OR AGAINST THE CITY; NONPROFIT ASSISTANCE

11 SECTION:

12 3-4-1: Allowed Transactions

13 3-4-2: Report To City Council

14
15
16 3-4-1: ALLOWED TRANSACTIONS:

17 A. Definitions: For purposes of this chapter, the following definitions shall apply:

18 1. Penalty: A fine and/or interest added onto a service fee and/or the forfeiture of goods and/or
19 services

20 2. Service Fee: A requirement to pay money to the City for goods or services rendered, as
21 identified in the City’s Uniform Consolidated Fee Schedule

22 3. Settle: A verbal or written agreement between two or more parties to i) pay a certain amount of
23 money, ii) perform a certain amount of services, or iii) provide a certain amount of goods, which may be
24 more or less than the full amount required to make the other party(ies) whole

25 4. Waive: To write off, forgive, or remit service fees or penalties required by the City to be paid
26 before city services or goods may be provided -Of Waive And Obligation: For purposes of this chapter,
27 "waiving", "waive", or "waived" also means writing off, forgiving, settling, and/or compromising any fee,
28 fine, interest, penalty, or other monies legally required to be paid to the city ("obligation").

29 B. Authorization to Waive or Settle:

30 1. City Mayor’s Authority: The City Mayor shall have the authority to:

31 a. waive any penalty;

32 b. settle any monetary obligations of the City or owed to the City as further set forth in
33 West Jordan City Code 3-2-2 and 9-8-9;

34 c. rectify an alleged errorAn obligation may only be waived as follows:

35 2. City Council Authority: Subject to Utah Code 10-8-2 and West Jordan City Code Title 2,
36 Chapter 6, the City Council shall have the authority to:—1. City Administrator Determination Of
37 Doubtful/Uncollectible Amounts: After the city (i) has made reasonable efforts to collect an obligation, or
38 (ii) has otherwise concluded that an obligation is uncollectible as determined by the city administrator or
39 designee, the city may waive any amount less than five thousand dollars (\$5,000.00) per account without
40 city council approval.

41

42 a. waive any service fee;

43 b. provide monetary or non-monetary assistance to a nonprofit entity whether or not the
44 city receives consideration in return; and—2. City Administrator Authority To Rectify Errors: The city
45 administrator or designee may rectify an alleged error by city personnel.

46

47 c. write off doubtful and uncollectible accounts, in whole or in part.—3. Nonprofit
48 Contributions: Consistent with the requirements of Utah Code Annotated section 10-8-2(2) or any
49 successor provision, and the procedures required by title 2, chapter 6 of this code, the city council may (i)
50 wave an obligation, or (ii) otherwise provide monetary or nonmonetary assistance to a nonprofit entity
51 whether or not the city receives consideration in return.

52 —4. Settlement Of Litigation And Claims By Or Against The City: A claim made by or against the city
53 shall be settled or compromised, in whole or in part, as set forth in section 3-2-2.

54 —5. For Value Exchange Agreements: The mayor may agree to the payment of an obligation in a
55 written for value exchange agreement without the approval of the city council if the value of the
56 agreement is ten thousand dollars (\$10,000.00) or less. (Ord. 19-55, 12-11-2019, Effective at 12 noon on
57 January 6, 2020; amd. Ord. 20-38, 9-30-2020)

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59 **3-4-2: REPORTS TO CITY COUNCIL:**

60 A. Report of Doubtful and Uncollectible Accounts: T~~The mayor or designee shall provide a n annual~~
61 report of doubtful and uncollectible accounts to the city council no less than once each fiscal year
62 thatwhich includes (i) the account holder's name, (ii) the remaining unpaid balance including interest, (iii)
63 the length of time the account has been delinquent, and (iv) the methods that have been used to attempt
64 collection of the delinquent account. Upon presentation of such report, the City Council may write off any
65 or all of the doubtful or uncollectible accounts, in whole or in part.

66 B. Report of Settled Claims: a summary of the Obligations waived, the~~The Mayor shall provide the~~
67 Council an annual report of any claims or settlements and the amounts paid or received. for value
68 exchange agreements entered, and the assistance provided to nonprofit entities, pursuant to this chapter.
69 The summary shall (i) identify the recipients or participants, and (ii) the dollar amount or value provided
70 to each recipient or participant. (Ord. 19-55, 12-11-2019, Effective at 12 noon on January 6, 2020)

EXHIBIT A

to

ORDINANCE No. 23-03

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE TITLE 3, CHAPTER 4,
SECTION 1 (“ALLOWED TRANSACTIONS”) AND
SECTION 2 (“REPORT TO CITY COUNCIL”)**

CHAPTER 4

**WAIVER OF FEES, FINES AND DOUBTFUL ACCOUNTS; COMPROMISE OF CLAIMS BY
OR AGAINST THE CITY; NONPROFIT ASSISTANCE**

SECTION:

3-4-1: Allowed Transactions

3-4-2: Report To City Council

3-4-1: ALLOWED TRANSACTIONS:

A. Definitions: For purposes of this chapter, the following definitions shall apply:

1. Penalty: A fine and/or interest added onto a service fee and/or the forfeiture of goods and/or services
2. Service Fee: A requirement to pay money to the City for goods or services rendered, as identified in the City’s Uniform Consolidated Fee Schedule
3. Settle: A verbal or written agreement between two or more parties to i) pay a certain amount of money, ii) perform a certain amount of services, or iii) provide a certain amount of goods, which may be more or less than the full amount required to make the other party(ies) whole
4. Waive: To write off, forgive, or remit service fees or penalties required by the City to be paid before city services or goods may be provided

B. Authorization to Waive or Settle:

1. City Mayor’s Authority: The City Mayor shall have the authority to:
 - a. waive any penalty;
 - b. settle any monetary obligations of the City or owed to the City as further set forth in West Jordan City Code 3-2-2 and 9-8-9;
 - c. rectify an alleged error
2. City Council Authority: Subject to Utah Code 10-8-2 and West Jordan City Code Title 2, Chapter 6, the City Council shall have the authority to:
 - a. waive any service fee;
 - b. provide monetary or non-monetary assistance to a nonprofit entity whether or not the city receives consideration in return; and

- c. write off doubtful and uncollectible accounts, in whole or in part.

3-4-2: REPORTS TO CITY COUNCIL:

A. Report of Doubtful and Uncollectible Accounts: The mayor or designee shall provide a report of doubtful and uncollectible accounts to the city council no less than once each fiscal year that includes (i) the account holder's name, (ii) the remaining unpaid balance including interest, (iii) the length of time the account has been delinquent, and (iv) the methods that have been used to attempt collection of the delinquent account. Upon presentation of such report, the City Council may write off any or all of the doubtful or uncollectible accounts, in whole or in part.

B. Report of Settled Claims: The Mayor shall provide the Council an annual report of any claims or settlements and the amounts paid or received. The summary shall (i) identify the recipients or participants, and (ii) the dollar amount or value provided to each recipient or participant. (Ord. 19-55, 12-11-2019, Effective at 12 noon on January 6, 2020)











Ordinance No. 23-03 Amending Title 3 Chapter 4 Section 1 & 2 Fee Waivers

Final Audit Report

2023-03-01

Created:	2023-02-27
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHGN3J-7x76E00Y3XjujFOD8keCjwENgK

"Ordinance No. 23-03 Amending Title 3 Chapter 4 Section 1 & 2 Fee Waivers" History

-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)
2023-02-27 - 11:42:47 PM GMT- IP address: 73.98.254.78
-  Document emailed to chris.mcconnehey@westjordan.utah.gov for signature
2023-02-27 - 11:45:13 PM GMT
-  Email viewed by chris.mcconnehey@westjordan.utah.gov
2023-02-28 - 1:42:42 AM GMT- IP address: 174.247.144.153
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2023-02-28 - 1:43:11 AM GMT- IP address: 174.247.144.153
-  Document e-signed by Christopher McConnehey (chris.mcconnehey@westjordan.utah.gov)
Signature Date: 2023-02-28 - 1:43:13 AM GMT - Time Source: server- IP address: 174.247.144.153
-  Document emailed to Cindy Quick (Cindy.quick@westjordan.utah.gov) for signature
2023-02-28 - 1:43:14 AM GMT
-  Email viewed by Cindy Quick (Cindy.quick@westjordan.utah.gov)
2023-02-28 - 3:08:10 PM GMT- IP address: 73.98.254.78
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Signature Date: 2023-02-28 - 3:08:35 PM GMT - Time Source: server- IP address: 73.98.254.78
-  Document emailed to dirk.burton@westjordan.utah.gov for signature
2023-02-28 - 3:08:36 PM GMT
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2023-03-01 - 7:44:41 PM GMT- IP address: 207.225.200.66

 Signer dirk.burton@westjordan.utah.gov entered name at signing as Dirk Burton


2023-03-01 - 7:45:00 PM GMT- IP address: 207.225.200.66

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Signature Date: 2023-03-01 - 7:45:02 PM GMT - Time Source: server- IP address: 207.225.200.66

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2023-03-01 - 7:45:03 PM GMT

 Email viewed by Tangee Sloan (tangee.sloan@westjordan.utah.gov)

2023-03-01 - 9:53:51 PM GMT- IP address: 207.225.200.66

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Signature Date: 2023-03-01 - 9:54:30 PM GMT - Time Source: server- IP address: 207.225.200.66

 Agreement completed.

2023-03-01 - 9:54:30 PM GMT