

THE CITY OF WEST JORDAN, UTAH  
A Municipal Corporation

**ORDINANCE NO. 23-04**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
TITLE 1, CHAPTER 7, SECTION 5 (“DISCRETIONARY AUTHORITY OF  
THE MAYOR”) AND SECTION 6 (“LIMITATIONS OF AUTHORITY OF  
THE MAYOR”)**

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 Mayor’s discretionary authority and limitations to the Mayor’s authority; 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 1, Chapter 7, Sections 5 and 6 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 (Feb 27, 2023 18:44 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. 23-04.

       The Mayor vetoed Ordinance No. 23-04 on \_\_\_\_\_ and the City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_\_.

       Ordinance No. 23-04 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 1<sup>st</sup> <sup>2nd. T.S.</sup> 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

1 **EXHIBIT A**

2 **to**

3 **ORDINANCE NO. 23-04**

4 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE TITLE 1, CHAPTER 7,**  
5 **SECTION 5 (“DISCRETIONARY AUTHORITY OF THE MAYOR”) AND SECTION 6**  
6 **(“LIMITATIONS OF AUTHORITY OF THE MAYOR”)**

7 **Legislative Redlined Version**

8  
9 **CHAPTER 7**

10 **MAYOR**

11 **SECTION:**

12 **1-7-1: Mayor’s Term of Office**

13 **1-7-2: Mayor’s Compensation: (Rep. by Ord. 22-42, 8-10-2022)**

14 **1-7-3: Requirements for Candidates for Mayor or a Newly Elected Mayor (Rep. by Ord 20-44, 12-2-**  
15 **2020)**

16 **1-7-4: Duties of the Mayor**

17 **1-7-5: Discretionary Authority of the Mayor**

18 **1-7-6: Limitations of Authority of the Mayor**

19 **1-7-7: Mayor’s Emergency Powers and Duties**

20 **1-7-8: Mayor’s Appointments to Positions, Boards, Commissions, and Committees**

21 **1-7-9: Mayor’s Office; Delegation and Assignment of Duties**

22  
23 **1-7-5: DISCRETIONARY AUTHORITY OF THE MAYOR:**

24 The mayor may, as allowed by law:

25 A. Subject to budget constraints and subsections 1-8-1B and 1-8-1C, create any other administrative  
26 office that the mayor considers necessary for good government of the city and appoint a person to the  
27 office.

28 B. Dismiss or remove any person appointed by the mayor, without the council's advice and consent,  
29 but shall notify the council as soon as reasonably possible, but no later than two (2) business days after  
30 the dismissal or removal.

31 C. Veto an ordinance, tax levy, or appropriation passed by the council, ~~consistent with Utah Code~~  
32 ~~section 10-3b-204.~~

33 D. Exercise control of and supervise, ~~through the city administrator,~~ each executive branch  
34 department, division, or office of the city.

35 E. ~~Within the general provisions of statute and ordinance, and through the city administrator, r~~Regulate  
36 and prescribe the powers and duties of each other executive ~~branch or administrative~~ officer or employee  
37 of the city.

38 F. ~~Subject to state statute and council rules, A~~ attend each council meeting, take part in council meeting  
39 discussions, and give advice to the council.

40 G. Appoint a budget officer to serve in place of the mayor to comply with and fulfill in all other  
41 respects the requirements of chapter 6, Uniform Fiscal Procedures Act for Utah Cities.

42 H. Execute an agreement on behalf of the city, or delegate, by written executive order, the authority to  
43 execute an agreement on behalf of the city:

44 1. If the obligation under the agreement is within certified budget appropriations; and

45 2. Subject to section Utah Code section 10-6-138.

46 I. At any reasonable time, examine and inspect the official books, papers, records, or documents of:

47 1. The city; or

48 2. Any officer, employee, or agent of the city.

49 J. Remit all fines and forfeitures.~~Ensure that all fines and forfeitures are processed properly.~~

50 K. If necessary, ~~and consistent with section 1-7-7,~~ call on residents of the city over the age of 21 years  
51 to assist in enforcing the laws of the state and ordinances of the city.

52 L. Release a person imprisoned for a violation of a city ordinance, ~~if specifically authorized by law to~~  
53 ~~do so.~~

54 M. Prescribe rules and regulations, ~~not inconsistent with this code, council policy, other law,~~ to ensure  
55 efficiency and effectiveness in the operations of city government. (Ord. 19-37, 11-13-2019, Effective at  
56 12 noon on January 6, 2020; Ord. 23-04, 02-22-23)

57

## 58 **1-7-6: LIMITATIONS OF AUTHORITY OF THE MAYOR:**

59 The mayor may not:

60 A. Vote on any matter before the council.

61 B. Enter into an employment contract that contains an automatic renewal provision with the city  
62 administrator.

63 C. Waive any ~~fines and~~ fees, unless specifically authorized by law to do so. (Ord. 19-37, 11-13-2019,  
64 Effective at 12 noon on January 6, 2020; Ord. 23-04, 02-22-23)










# Ordinance No. 23-04 Amending City Code Title 1, Chapter 7, Sect 5 & 6 regarding Mayoral Authority


Final Audit Report

2023-03-01

Created:	2023-02-27
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
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Transaction ID:	CBJCHBCAABAAGJI5iV2aWd-k9rsa2PNj5L-bDhko3ubz

## "Ordinance No. 23-04 Amending City Code Title 1, Chapter 7, Sect 5 & 6 regarding Mayoral Authority" 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  
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-  Signer chris.mcconnehey@westjordan.utah.gov entered name at signing as Christopher McConnehey  
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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: 2023-03-01 - 7:45:33 PM GMT - Time Source: server- IP address: 207.225.200.66

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Signature Date: 2023-03-01 - 9:55:06 PM GMT - Time Source: server- IP address: 207.225.200.66

 Agreement completed.

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