

ORDINANCE 2023-16

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL AMENDING TITLE 1
CHAPTERS 3 CITY MANAGER AND 4 OFFICERS AND EMPLOYEES**

WHEREAS, the South Weber City Council finds it necessary to amend the Municipal Code to ensure compliance with state laws, specifically Utah Code Ann. 10-6-157, which governs the appointment of municipal finance directors; and

WHEREAS, it is in the best interest of the City of South Weber to update its ordinances to reflect current legal standards and practices;

NOW, THEREFORE, BE IT ORDAINED by the City Council of South Weber City, State of Utah:

Section 1. Amendment. Title 1, Chapter 4, Sections 1-3-4, subsection C, and 1-4-6 of the South Weber City Code are hereby amended and re-lettered as follows, consistent with Utah Code Ann. § 10-6-157 regarding the appointment, qualifications, powers, and duties of the Director of Finance:

1-3-4: POWERS AND DUTIES:

- C. In the Manager's temporary absence, the City Manager shall designate a city employee to exercise the powers and perform the duties of the Manager. If the City Manager does not or cannot designate a city employee, then the designation shall be made by the Mayor.

1-4-6: CITY RECORDER, CITY TREASURER, DIRECTOR OF FINANCE, AND EX OFFICIO AUDITOR:

- A. **Appointment:** The Mayor, with the advice and consent of the City Council, shall appoint a qualified person to each of the Offices of City Recorder, City Treasurer, and Director of Finance.
- B. **Separation of Powers.** The Director of Finance may not assume the duties of the City Treasurer.
- C. **Ex Officio Auditor:** The Finance Director is the ex officio City Auditor and shall perform the duties of that office.

Section 2. Appointment. The Director of Finance shall be appointed by the Mayor, with the advice and consent of the South Weber City Council, and retain that position until a successor is appointed.

Section 3. Qualifications. The Director of Finance shall possess the qualifications as required by Utah Code Ann. § 10-6-157 and as further detailed in this ordinance.

Section 4. Powers and Duties. The powers and duties of the Director of Finance shall be as set forth in Utah Code Ann. § 10-6-157 and as further detailed in this ordinance.


Section 5. Severability. If any portion of this ordinance is found to be invalid or unenforceable, such invalidity or unenforceability shall not affect the other portions of this ordinance which can be given effect without the invalid or unenforceable portion.


Section 6. Effective Date. This ordinance shall take effect upon its passage and publication as required by law.

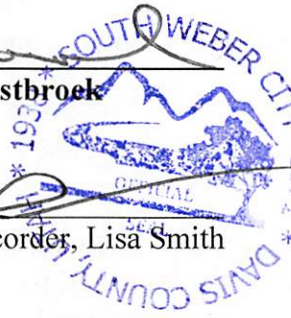
PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 28th day of November, 2023.

Roll call vote is as follows:

| | | |
|---------------------------|----------------------------------|---------|
| Council Member Halverson | <input checked="" type="radio"/> | AGAINST |
| Council Member Petty | <input checked="" type="radio"/> | AGAINST |
| Council Member Soderquist | <input checked="" type="radio"/> | AGAINST |
| Council Member Alberts | <input checked="" type="radio"/> | AGAINST |
| Council Member Dills | <input checked="" type="radio"/> | AGAINST |


MAYOR: Rod Westbrook

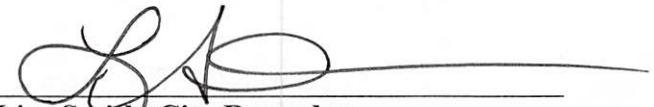

ATTEST: City Recorder, Lisa Smith



CERTIFICATE OF POSTING

I hereby certify that Ordinance 2023-16 was passed and adopted on the 28th day of November, 2023, and that complete copies of the ordinance were posted in the following locations within the City this 29th day of November, 2023.

1. South Weber City Building, 1600 E. South Weber Drive
2. City Website www.southwebercity.com
3. Utah Public Notice Website Utah.gov/pmn


Lisa Smith, City Recorder