ORDINANCE NO. 04-02

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY *(votes only in case of tie)*		
SHERMAN E. HUFF *Councilmember*	X	
PAUL M. CHRISTENSEN *Councilmember*	X	
GLENN A. JAMES *Councilmember*	X	
ROY L. JOHNS *Councilmember*	X	
EVERETT KELEPOLO *Councilmember*	X	

I MOVE this ordinance be adopted: Councilmember Kelepolo
I SECOND the foregoing motion: Councilmember Huff

ORDINANCE 04 - 02

AN ORDINANCE AMENDING TITLE 2, "ADMINISTRATION OF GOVERNMENT" OF THE SPANISH FORK CITY MUNICIPAL CODE

WHEREAS, Spanish Fork City has adopted a section of it's municipal code known as administration of government; and

WHEREAS, it is desirable to amend the administration of government section of the code from time to time when it is possible to provide more efficient government; and

WHEREAS, the ambulance captain and fire chief both work under the direction of the public safety director in the public safety department; and

WHEREAS, it is desirable to bring these positions in line with the other departments of the city; and

WHEREAS, the reappointment of staff when no change is made is not necessary;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

SECTION I

The following sections of Title 2, "Administration of Government" of the Spanish Fork City Municipal Code are hereby amended to read as follows:

2.16.020.(3) Powers and Duties. [City Manager]

3. Appoint, remove, promote and demote any and all officers and employees of the city, subject to all applicable personnel ordinances, rules and regulations, except for those offices whose appointment and/or removal is governed by State law or existing city ordinances including the city recorder, city treasurer, chief of police, city engineer, and city attorney. The appointment, removal, or demotion of all other department heads shall be subject to the approval of the mayor and city council;

2.20.010. Appointment. [Finance Director/Recorder]

On or before the first Monday in February following a municipal mayoral election there shall be appointed by the mayor, with the advise and consent of at least three (3) members of the city council, a city finance director/recorder who shall perform the duties required of him or her by law, the ordinances of the City and State of Utah, and such other duties as the city council may by resolution require. The finance director/recorder shall serve until his/her successor is appointed, qualified, and sworn in.

2.24.010. Appointment. [Treasurer]

On or before the first Monday in February following a municipal mayoral election there shall be appointed by the mayor, with the advice and consent of at least three members of the city council,

a city treasurer who shall perform the duties required of him or her by law, the ordinances of the city and state of Utah, and such other duties as the city council may by resolution require. The treasurer shall serve until his/her successor is appointed, qualified, and sworn in.

2.28.010. Appointment. [Police Chief]

There shall be appointed by the mayor, with the advice and consent of at least three (3) members of the city council, a chief of police, who shall perform the duties required of him or her by law, enforce the ordinances of the city and the laws of the state of Utah and perform such other duties as the city council may, by resolution, require. The chief of police shall serve until removed by the mayor, with the advice and consent of at least three (3) members of the city council.

2.32.010. Appointment. [Engineer]

There shall be appointed by the mayor, with the advice and consent of at least three (3) members of the city council, a city engineer, who shall act as the city public works director, perform the duties required of him or her by law, the ordinances of the City, and the State of Utah, and perform such other duties as the city council may, by resolution, require. The engineer shall serve until removed by the mayor, with the advice and consent of at least three (3) members of the city council.

2.44.010. Appointment. [Attorney]

There shall be appointed by the mayor, with the advise and consent of at least three (3) members of the city council, a city attorney who shall perform the duties required of him or her by law and such other duties as the city council may, by resolution, require. The attorney shall serve until removed by the mayor, with the advice and consent of at least three (3) members of the city council.

2.44.030. Duties and Powers. [Attorney]

The city attorney shall prosecute violations of city ordinances as with the same powers as are exercised by the county attorney in respect to violations of state law, including, but not limited to, granting immunity to witnesses for violations of city ordinances. The city attorney shall, when required, attend meetings of the city council and provide such advice as may be requested. He or she shall review all contracts to be entered into by the city, shall direct or assist in defending or prosecuting actions against or on behalf of the city, and shall be the legal advisor for the city.

SECTION II

The following chapters of Title 2, "Administration of Government" of the Spanish Fork City Municipal Code are hereby repealed:

Chapter 2.36. Fire Chief.

Chapter 2.40. Ambulance Captain.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 6th day of August, 2002.

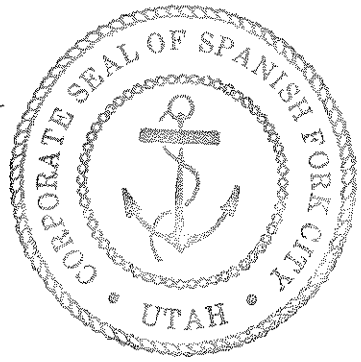
Dale R. Barney

DALE R. BARNEY, Mayor

ATTEST:

Kent R. Clark

KENT R. CLARK, City Recorder



Connie Swain

From: Connie Swain [cswain@spanishfork.org]
Sent: Friday, August 09, 2002 3:51 PM
To: SF Press
Subject: FW: Publication: SF City Ord. 04-02 & 05-02

PubOrd04_02.wpd PubOrd05_02.wpd

The date of the issue is the August 15th

-----Original Message-----
From: Connie Swain [mailto:cswain@spanishfork.org]
Sent: Friday, August 09, 2002 3:49 PM
To: SF Press
Subject: Publication: SF City Ord. 04-02 & 05-02

Attached are two publications of ordinances. Could you please publish them in the August 15th issue of the press.

Thanks,
Connie Swain, Deputy City Recorder

Proof of Publication

I Steve Hardman being first duly sworn according to law, disposes and says that he is the General Manager of ***THE SPANISH FORK PRESS,*** a weekly newspaper printed and published at Spanish Fork, Utah County, Utah and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper

for consecutive 1 weeks,

the first publication on the 15th day

of August 2002

And the last on the 15th day

of August 2002

ORDINANCE 04 - 02
AN ORDINANCE AMENDING TITLE 2, "ADMINISTRATION OF GOVERNMENT" OF THE SPANISH FORK CITY MUNICIPAL CODE

The Spanish Fork City Council has enacted an ordinance amending the administration of government section of the municipal code as follows:

SECTION I

The following sections of Title 2, "Administration of Government" of the Spanish Fork City Municipal Code are hereby amended to read as follows:

2.16.020.(3) Powers and Duties. [City Manager]

2.20.010. Appointment. [Finance Director/Recorder]

2.24.010. Appointment. [Treasurer]

2.28.010. Appointment. [Police Chief]

2.32.010. Appointment. [Engineer]

2.44.010. Appointment. [Attorney]

2.44.030. Duties and Powers. [Attorney]

SECTION II

The following chapters of Title 2, "Administration of Government" of the Spanish Fork City Municipal Code are hereby repealed:

Chapter 2.36. Fire Chief.

Chapter 2.40. Ambulance Captain.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 6th day of August, 2002.

A full copy of the ordinance is available at the Spanish Fork City Office, 40 South Main Street, Spanish Fork, Utah.

Published in the Spanish Fork Press August 15, 2002.

DEBBIE L. CHANDLER
NOTARY PUBLIC • STATE of UTAH
341 SOUTH 300 EAST
SPANISH FORK, UT 84660
COMM. EXP. 5-18-2005

Subscribed and sworn to before me this 16th day of August 2002

Debbie S Chandler

Notary Public