



**South Salt Lake City Council  
REGULAR MEETING AGENDA**

Public notice is hereby given that the South Salt Lake City Council will hold a Regular Meeting on **Wednesday, July 12, 2023**, in the City Council Chambers, 220 East Morris Avenue, Suite 200, commencing at **7:00 p.m.**, or as soon thereafter as possible.

**To watch the meeting live click the link below to join:**

<https://zoom.us/j/93438486912>

Watch recorded City Council meetings at: [youtube.com/@SouthSaltLakeCity](https://www.youtube.com/@SouthSaltLakeCity)

**CITY COUNCIL**

**MEMBERS:**

- LEANNE HUFF
- COREY THOMAS
- SHARLA BYNUM
- PORTIA MILA
- SHANE SIWIK
- NATALIE PINKNEY
- CLARISSA WILLIAMS

ARIEL ANDRUS  
CITY RECORDER  
220 E MORRIS AVE  
SUITE 200  
SOUTH SALT LAKE  
UTAH  
84115  
P 801.483.6019  
F 801.464.6770

Conducting	LeAnne Huff, District 1
Council Chair	Sharla Bynum
Sergeant at Arms	South Salt Lake PD

**Opening Ceremonies**

- |   |              |
|---|--------------|
| 1. Welcome/Introductions                              | LeAnne Huff  |
| 2. Serious Moment of Reflection/ Pledge of Allegiance | Corey Thomas |

**Approval of Minutes**

- May 24<sup>th</sup>, Work Meeting
- May 24<sup>th</sup>, Regular Meeting
- June 7<sup>th</sup>, Work Meeting
- June 7<sup>th</sup>, Regular Meeting
- June 14<sup>th</sup>, Work Meeting
- June 14<sup>th</sup>, Regular Meeting

**No Action Comments**

- |   |               |
|---|---------------|
| 1. Scheduling   | City Recorder |
| 2. Public Comments/Questions  |               |
| a. Response to Comments/Questions<br>(at the discretion of the conducting Council Member) |               |
| 3. Mayor Comments   |               |
| 4. City Attorney Comments   |               |
| 5. City Council Comments  |               |
| 6. Information  |               |
| a. Victim Advocate Report VOCA & VAWA Grant Update  | Jodi Fait     |

**Action Items**

**Unfinished Business**

- |   |              |
|---|--------------|
| 1. An Ordinance of the South Salt Lake City Council Amending Section 2.24.010 of the South Salt Lake City Municipal Code to Modify the Duties and Responsibilities of the South Salt Lake City's Attorney's Office Providing Authorization to Correct Certain Obvious Technical Errors in Ordinances, Resolutions, and Codified Language. | Josh Collins |
|---|--------------|

See page two for continuation of Agenda

2. An Ordinance of the South Salt Lake City Council  
Amending Sections 17.06, 17.07, 17.10 of the South  
Salt Lake City Municipal Code, and Section 5 of the  
Downtown Form Based Code to Correct Technical Errors,  
Amend Certain General Development and Design Standards,  
and Amend Certain Subdivision and Platting Standards.
- Eliza Ungricht

**New Business**

1. A Resolution of the South Salt Lake City Council  
Authorizing Participation on the Central Valley Water  
Reclamation Facility Board.
- Sharla Bynum
2. A Resolution of the South Salt Lake City Council  
Granting Permission for the South Salt Lake Police  
Department to Appropriate Bicycles in its Possession  
to a Public Interest Use.
- Tiffany Kalinowski

**Motion for Closed Meeting**

**Adjourn**

Posted July 7, 2023

Those needing auxiliary communicative aids or other services for this meeting should contact Ariel Andrus at 801-483-6019, giving at least 24 hours' notice.

In accordance with State Statute and Council Policy, one or more Council Members may be connected electronically.

**Public Comments/Question Policy**

Time is made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business. When a member of the audience addresses the Council and/or Mayor, they will come to the podium and state their name and City they reside. The Public will be asked to limit their remarks/questions to three (3) minutes each. The conducting Council Member shall have discretion as to who will respond to a comment/question. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks. Some comments/questions may have to wait for a response until the next regular council meeting. The conducting Council Member will inform a citizen when they have used the allotted time. Grievances by City employees must be processed in accordance with adopted personnel rules.

Have a question or concern? Call the connect line 801-464-6757 or email [connect@sslc.gov](mailto:connect@sslc.gov)

ORDINANCE NO. 2023-\_\_\_\_\_

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL AMENDING SECTION 2.24.010 OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE TO MODIFY THE DUTIES AND RESPONSIBILITIES OF THE SOUTH SALT LAKE CITY ATTORNEY’S OFFICE PROVIDING AUTHORIZATION TO CORRECT CERTAIN OBVIOUS TECHNICAL ERRORS IN ORDINANCES, RESOLUTIONS, AND CODIFIED LANGUAGE.

**WHEREAS**, The South Salt Lake City Council (the “City Council”) is authorized to enact and amend ordinances establishing regulations related to the health, safety, and welfare of the residents of the City of South Salt Lake (the “City”); and

**WHEREAS**, South Salt Lake City Municipal Code (the “Code”) 2.24.010(B) states that the function of the South Salt Lake City Attorney’s Office is to provide for the proper administration of the legal services of the city; and

**WHEREAS**, The Code delegates the responsibility of preparing and/or reviewing all proposed ordinances and presented to the mayor and City Council to the South Salt Lake City Attorney’s Office

**WHEREAS**, the City Council finds that the process of drafting, passing, and codifying ordinances and resolutions consists of multiple opportunities for errors and omissions to occur; and

**WHEREAS**, in filling its legal responsibilities it routinely encounters technical errors, typographical errors, numbering errors, and obvious omissions from ordinances, resolution and codified language in the Code; and

**WHEREAS**, Utah Code § 36-12-12 provides the State Office of Legislative Research and General Counsel authority to make certain corrections to laws passed by the state legislature when such corrections are needed due to obvious omissions, numbering, or typographical errors, or such other corrections as needed as authorized by that statute; and

**WHEREAS**, the City Council hereby determines that amending section 2.24.010 to provide the City Attorney’s Office with the same abilities to make such necessary corrections as further detailed in the amended 2.24.010 of the Code as shown in “Exhibit A,” which is attached hereto and incorporated by this reference, is in the best interest of the health, safety, and welfare of the residents of South Salt Lake City.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of South Salt Lake as follows:

**SECTION 1. Enactment.** Section 2.24.010 is hereby amended, as attached hereto and incorporated by reference in “Exhibit A.”

**SECTION 2. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 3. Conflict with Existing Ordinances, Resolutions, or Policies.** To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

**SECTION 4. Effective Date.** This ordinance shall become effective upon Mayor's signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

[signatures appear on separate page]

[remainder of page intentionally left blank]

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

BY THE CITY COUNCIL:

\_\_\_\_\_  
Sharla Bynum, Council Chair

ATTEST:

\_\_\_\_\_  
Ariel Andrus, City Recorder

City Council Vote as Recorded:

Huff	_____
Thomas	_____
Bynum	_____
Mila	_____
Siwik	_____
Pinkney	_____
Williams	_____

Transmitted to the Mayor's office on this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Ariel Andrus, City Recorder

MAYOR'S ACTION: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Cherie Wood, Mayor

ATTEST:

\_\_\_\_\_  
Ariel Andrus, City Recorder

## Exhibit A:

### 2.24.010 City attorney's office.

- A. The department head will be the city attorney who is appointed, with the advice and consent of the city council, by and reports to the mayor.
- B. Functional Responsibilities. This department's function is to provide for the proper administration of the legal services of the city. These services are subject to the limitations of applicable funds' appropriations, statutes, and ordinances. These services include, but are not limited to, the following:
  - 1. Prosecution of violators of city ordinances and regulations.
  - 2. Prosecution or defense of all actions and appeals involving the city.
  - 3. Furnishing legal advice, counsel and assistance to the mayor, city council, and all other city officers, boards, commissions, and agencies in relation to their duties and the business of the city.
  - 4. Controlling and directing all legal services performed by any special counsel retained for the city.
  - 5. Preparing and/or reviewing all proposed ordinances and resolutions presented to the mayor and city council.
  - 6. Approving the form of all contracts entered into by the city.
  - 7. Preparing the necessary affidavits and verification on behalf of the city in any and all proceedings.
- C. **The City Attorney's office is authorized to correct technical errors in ordinances and resolutions approved by the City Council and in codified language in the South Salt Lake Municipal Code as follows:**
  - 1. **Adopting a uniform system of punctuation, capitalization, numbering, and wording for codified language;**
  - 2. **Correcting defective or inconsistent title, chapter, part, section, and subsection structure in the arrangement of the subject matter of existing statutes;**
  - 3. **Eliminating obsolete and redundant words;**
  - 4. **Correcting:**
    - (i) obvious typographical and grammatical errors; and**
    - (ii) other obvious inconsistencies, including those involving punctuation, capitalization, cross references, numbering, and wording;**
  - 5. **Inserting or changing the boldface to more accurately reflect the substance of each section, part, chapter, or title;**
  - 6. **Merging or determining priority of any amendments, enactments, or repealers to the same code provisions that are passed by the City Council;**
  - 7. **Renumbering and rearranging of a title, chapter, part, section, or provisions of a section;**
  - 8. **Transferring sections or dividing sections to assign separate sections numbers to distinct subject matters;**
  - 9. **Modifying cross references to agree with renamed or renumbered titles, chapters, parts, or sections;**
  - 10. **Modifying the highlighted provisions of ordinances to correct an inconsistency between the highlighted provisions and the enacted provisions of the ordinances;**
  - 11. **Correcting the names of agencies, departments, and similar units of government;**

**12. Rearranging any misplaced statutory material, incorporating any omitted statutory material, and correcting other obvious errors of addition or omission;**

**13. Correcting the incorporation of an amendment due to obvious technological or human error; and**

**14. Alphabetizing definition sections**



# **City Council Staff Report**

June 14, 2023, City Council Meeting

## **CITY ATTORNEY'S OFFICE CODE AMENDMENTS**

### **Summary**

Recently, while reviewing a code section in response to a question from another staff member, it was discovered that a code section in Title 10 of the South Salt Lake City Code had a small mistake. Two sections were both numbered with the same number (example attached below). In order to correct this small and obvious error the current code requires the City Attorney's Office to prepare an ordinance to amend the code section and present it to the City Council for review. Research was then conducted to determine the lawful ability of City staff to make such obvious corrections on its own. It was determined that no City staff member currently has the authority to make those corrections. However, in conducting research it was learned that the State Legislature has provided authority to the State Office of Legislative Research and General Counsel (OLRGC) to make such corrections for state laws which have been passed. As a result, the City Attorney's Office is proposing a similar provision of responsibility to mirror in many ways the ability provided by the State Legislature to OLRGC.

### **Council Action**

Staff is not requesting the Council take formal action to approve these changes at this time. Rather, staff is seeking input from the Council regarding the suggested code changes in order to provide an ordinance, or ordinances, for Council approval at the next regularly scheduled meeting, or another regularly scheduled Council meeting in the near future.

### **Attachments**

1. **OLRGC Authority**

Utah Code 36-12-12

***Effective 3/3/2023***

**36-12-12 Office of Legislative Research and General Counsel established -- Powers, functions, and duties -- Organization of office -- Selection of director and general counsel.**

(1) There is established an Office of Legislative Research and General Counsel as a permanent staff office for the Legislature.

(2) The powers, functions, and duties of the Office of Legislative Research and General Counsel under the supervision of the director shall be:

(a) to provide research and legal staff assistance to all standing, special, and interim committees as follows:



- (i) to assist each committee chairman in planning the work of the committee;
  - (ii) to prepare and present research and legal information in accordance with committee instructions or instructions of the committee chairman;
  - (iii) to prepare progress reports of committee work when requested; and
  - (iv) to prepare a final committee report in accordance with committee instructions, that includes relevant research information, committee policy recommendations, and recommended legislation;
- (b) to collect and examine the acts and official reports of any state and report their contents to any committee or member of the Legislature;
- (c) to provide research and legal analysis services to any interim committee, legislative standing committee, or individual legislator on actual or proposed legislation or subjects of general legislative concern;
- (d)
  - (i) to exercise under the direction of the general counsel the constitutional authority provided in Utah Constitution, Article VI, Section 32, in serving as legal counsel to the Legislature, majority and minority leadership of the House or Senate, any of the Legislature's committees or subcommittees, individual legislators, any of the Legislature's staff offices, or any of the legislative staff; and
  - (ii) to represent the Legislature, majority and minority leadership of the House of Representatives or Senate, any of the Legislature's committees or subcommittees, individual legislators, any of the Legislature's staff offices, or any of the legislative staff in cases and controversies before courts and administrative agencies and tribunals;
- (e) to prepare and assist in the preparation of legislative bills, resolutions, memorials, amendments, and other documents or instruments required in the legislative process and, under the direction of the general counsel, give advice and counsel regarding them to the Legislature, majority and minority leadership of the House of Representatives or Senate, any of its members or members-elect, any of its committees or subcommittees, or the legislative staff;
- (f) under the direction of the general counsel:
  - (i) to review, examine, and correct any technical errors when:
    - (A) preparing legislation that passed both houses to enroll the legislation and prepare the laws for publication; or
    - (B) maintaining the accuracy of the electronic code database; and
  - (ii) to deliver enrolled legislation to the House of Representatives and the Senate for submission to the governor for gubernatorial action;
- (g)
  - (i) to exercise control over and to act as the repository and custodian of the official copy and database of the current version of the Utah Constitution;

(ii) to incorporate into the Utah Constitution any amendments to the Utah Constitution that pass during a regular general election; and  
(iii) to update and maintain the bold face descriptive titles to sections of the Utah Constitution;

(h) to prepare the laws for publication;

(i)

(i) to maintain, exercise control over, and act as the repository and custodian of the official copy and database of the Utah Code, organized by title, chapter, part, and section; and

(ii) to keep the Utah Code database current, including updating the database to reflect:

(A) any duly enacted legislation making changes, including future changes, to the Utah Code; and

(B) any corrections of technical errors;

(j) to formulate recommendations for the revision, clarification, classification, arrangement, codification, annotation, and indexing of Utah statutes, and to develop proposed legislation to effectuate the recommendations;

(k) to appoint and develop a professional staff within budget limitations; and

(l) to prepare and submit the annual budget request for the Office of Legislative Research and General Counsel.

(3)

(a) If, under Utah Constitution, Article VI, Section 10, the House of Representatives or Senate determines that an individual is not qualified to serve in the House of Representatives or Senate, or expels an individual from the respective chamber, but the individual continues to hold his or her elected legislative office, the Office of Legislative Research and General Counsel may not provide legislative staff services, including legal services, to the individual.

(b) Notwithstanding Subsection (3)(a), the Office of Legislative Research and General Counsel may provide legal services for an individual described in Subsection (3)(a) if the legal services are approved by the Legislative Management Committee described in Section 36-12-7.

(4) The statutory authorization of the Office of Legislative Research and General Counsel to correct technical errors provided in Subsection (2)(f), to prepare the laws for publication in Subsection (2)(h), and to modify the electronic record to correct technical errors under Subsection (2)(i)(ii)(B) includes:

(a) adopting a uniform system of punctuation, capitalization, numbering, and wording for enrolled legislation and the Laws of Utah;

(b) eliminating duplication and the repeal of laws directly or by implication, including renumbering when necessary;

(c) correcting defective or inconsistent title, chapter, part, section, and subsection structure in the arrangement of the subject matter of existing

statutes;

(d) eliminating obsolete and redundant words;

(e) correcting:

(i) obvious typographical and grammatical errors; and

(ii) other obvious inconsistencies, including those involving punctuation, capitalization, cross references, numbering, and wording;

(f) inserting or changing the boldface to more accurately reflect the substance of each section, part, chapter, or title;

(g) merging or determining priority of any amendments, enactments, or repealers to the same code provisions that are passed by the Legislature;

(h) renumbering and rearranging of a title, chapter, part, section, or provisions of a section;

(i) transferring sections or dividing sections to assign separate sections numbers to distinct subject matters;

(j) modifying cross references to agree with renamed or renumbered titles, chapters, parts, or sections;

(k) substituting the proper section or chapter number for the terms "this act," "this bill," or similar terms;

(l) substituting the proper calendar date in the database and in the Laws of Utah;

(m) modifying the highlighted provisions of legislation to correct an inconsistency between the highlighted provisions and the enacted provisions of the legislation;

(n) correcting the names of agencies, departments, and similar units of government;

(o) rearranging any misplaced statutory material, incorporating any omitted statutory material, and correcting other obvious errors of addition or omission;

(p) correcting or incorporating a special clause that was publicly available on the Legislature's website but is errantly omitted, modified, or retained during the legislative process due to obvious technological or human error, including:

(i) a severability clause;

(ii) an effective date clause;

(iii) a retrospective operation clause;

(iv) an uncodified repeal date clause;

(v) a revisor instruction clause; or

(vi) a coordination clause;

(q) correcting the incorporation of an amendment due to obvious technological or human error; and

(r) alphabetizing definition sections.

(5) In carrying out the duties provided for in this section, the director of the Office of Legislative Research and General Counsel may obtain access to all records, documents,

and reports necessary to the scope of the director's duties according to the procedures contained in Chapter 14, Legislative Subpoena Powers.

(6) In organizing the management of the Office of Legislative Research and General Counsel, the Legislative Management Committee may either:

(a) select a person to serve as both the director of the office and as general counsel. In such case, the director of the office shall be a lawyer admitted to practice in Utah and shall have practical management experience or equivalent academic training; or

(b) select a person to serve as director of the office who would have general supervisory authority and select another person to serve as the legislative general counsel within the office. In such case, the director of the office shall have a master's degree in public or business administration, economics, or the equivalent in academic or practical experience and the legislative general counsel shall be a lawyer admitted to practice in Utah.

Amended by Chapter 21, 2023 General Session, (Coordination Clause)

Amended by Chapter 21, 2023 General Session

Amended by Chapter 291, 2023 General Session

## **2. SSL Municipal Code Chapter 10.07**

### **Chapter 10.07 STREET USE RESTRICTIONS**

Sections:

#### **10.07.010 Restricted parking for large vehicles.**

On all streets in the city, parking of large vehicles shall not be allowed.

(Ord. No. 2019-04, § I, 4-3-2019)

#### **10.07.020 Restricted parking for trailers.**

On all streets in the city, no parking shall be allowed at any time for any trailer not attached to licensed, registered, insured, and operable vehicle.

(Ord. No. 2019-04, § I, 4-3-2019)

#### **10.07.020 Violations and penalties.**

Unless otherwise prescribed, Moving violations shall be a Class C misdemeanor and parking violations shall be an infraction.

(Ord. No. 2019-04, § I, 4-3-2019)

#### **10.07.030 Low profile motorized vehicles.**

A. Definitions. For purposes of this section:

1. "Low profile motorized vehicle" shall mean any motorized vehicle that:

- a. Is not regulated by the state or by any other city code provision;
- b. Is not otherwise permitted upon the highways or sidewalks; and,

c. Is less than thirty-six (36) inches in height when in its normal operating position, notwithstanding any flag, antenna, or other device attached, or modifications made thereto. This definition includes, but is not limited to, "pocket bikes" or miniature motorcycles, and "go-carts."

B. It is unlawful for any person to operate a low profile motorized vehicle upon any public property within the city, including, but not limited to, streets, sidewalks, public parking lots, or parks. It is unlawful for an owner, parent or guardian to allow a minor to operate such a vehicle on public property within the city.

C. Penalty. A violation of this section is a Class C misdemeanor and is punishable as such.

(Ord. No. 2019-04, § I, 4-3-2019)

### **3. Proposed Amendments to SSL Municipal Code 2.24.010**

#### **2.24.010 City attorney's office.**

- A. The department head will be the city attorney who is appointed, with the advice and consent of the city council, by and reports to the mayor.
- B. Functional Responsibilities. This department's function is to provide for the proper administration of the legal services of the city. These services are subject to the limitations of applicable funds' appropriations, statutes, and ordinances. These services include, but are not limited to, the following:
1. Prosecution of violators of city ordinances and regulations.
  2. Prosecution or defense of all actions and appeals involving the city.
  3. Furnishing legal advice, counsel and assistance to the mayor, city council, and all other city officers, boards, commissions, and agencies in relation to their duties and the business of the city.
  4. Controlling and directing all legal services performed by any special counsel retained for the city.
  5. Preparing and/or reviewing all proposed ordinances and resolutions presented to the mayor and city council.
  6. Approving the form of all contracts entered into by the city.
  7. Preparing the necessary affidavits and verification on behalf of the city in any and all proceedings.
- C. **The City Attorney's office is authorized to correct technical errors in ordinances and resolutions approved by the City Council and in codified language in the South Salt Lake Municipal Code as follows:**
1. **Adopting a uniform system of punctuation, capitalization, numbering, and wording for codified language;**
  2. **Correcting defective or inconsistent title, chapter, part, section, and subsection structure in the arrangement of the subject matter of existing statutes;**
  3. **Eliminating obsolete and redundant words;**
  4. **Correcting:**
    - (i) **obvious typographical and grammatical errors; and**
    - (ii) **other obvious inconsistencies, including those involving punctuation, capitalization, cross references, numbering, and wording;**

- 5. Inserting or changing the boldface to more accurately reflect the substance of each section, part, chapter, or title;**
- 6. Merging or determining priority of any amendments, enactments, or repealers to the same code provisions that are passed by the City Council;**
- 7. Renumbering and rearranging of a title, chapter, part, section, or provisions of a section;**
- 8. Transferring sections or dividing sections to assign separate sections numbers to distinct subject matters;**
- 9. Modifying cross references to agree with renamed or renumbered titles, chapters, parts, or sections;**
- 10. Modifying the highlighted provisions of ordinances to correct an inconsistency between the highlighted provisions and the enacted provisions of the ordinances;**
- 11. Correcting the names of agencies, departments, and similar units of government;**
- 12. Rearranging any misplaced statutory material, incorporating any omitted statutory material, and correcting other obvious errors of addition or omission;**
- 13. Correcting the incorporation of an amendment due to obvious technological or human error; and**
- 14. Alphabetizing definition sections**