



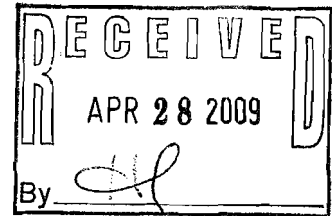
RECEIVED APR 28 2009


RALPH BECKER  
MAYOR

# SALT LAKE CITY CORPORATION

OFFICE OF THE MAYOR

## CITY COUNCIL TRANSMITTAL



  
David Everitt, Chief of Staff

Date Received: 4/28/2009  
Date sent to Council: 4/28/2009

**TO:** Salt Lake City Council  
Carlton Christensen, Chair

**DATE:** April 28, 2009

**FROM:** David Everitt, Chief of Staff

**SUBJECT:** FY 2009-10 Budget-Related Ordinances

**STAFF CONTACT:** Gina Chamness, 535-7766

**DOCUMENT TYPE:** Ordinances

**RECOMMENDATION:** The Administration recommends the Council adopt this series of ordinances necessary to implement the FY 2009-10 budget recommendation. This transmittal includes ordinances that make changes in a variety of fee structures, makes changes in the organizational and fund structures, authorizes a compensation plan for non-represented City employees, and authorizes memorandums of understanding with the City's labor unions. In addition, this transmittal includes a resolution for the Council to adopt the Mayor's Recommended Budget as the tentative budget for the City.

**BUDGET IMPACT:** The overall impact of this series of budget ordinances will be discussed as part of the Mayor's Recommended Budget for FY 2009-10.

**BACKGROUND/DISCUSSION:** The Administration is forwarding a series of budget-related ordinances necessary to implement the Mayor's Recommended Budget for FY 2009-10. This recommendation will be delivered to the Council on May 5, 2009.

**PUBLIC PROCESS:** n/a



SALT LAKE CITY ORDINANCE

No. \_\_\_\_ of 2009

(Adopting the City budget, excluding the budget for the Library Fund which is separately adopted, and the employment staffing document of Salt Lake City, Utah for fiscal year 2009-2010)

AN ORDINANCE ADOPTING THE CITY BUDGET, EXCLUDING THE BUDGET FOR THE LIBRARY FUND WHICH IS SEPARATELY ADOPTED, AND THE EMPLOYMENT STAFFING DOCUMENT OF SALT LAKE CITY FOR FISCAL YEAR 2009-2010.

PREAMBLE

Pursuant to the provisions of Section 10-6-111 of the Utah Code, the City Budget Officer prepared and filed with the City Council a tentative budget in proper form for all funds for which budgets are required by said law, including tentative budgets for the general fund, the library fund, special revenue funds, debt service funds and the capital improvements funds for fiscal year 2009-2010. The tentative budget was accompanied by a budget message as required by law.

That tentative budget was adopted by the City Council, in Resolution No. \_\_\_\_ of 2009, on May \_\_\_\_, 2009.

Section 10-6-118 of the Utah Code requires that before the 22<sup>nd</sup> day of June of each fiscal year or, August 17, in case of a property tax increase under Sections 59-2-919 through 59-2-923 of the Utah Code, the governing body shall, by resolution or ordinance, adopt a budget for the ensuing fiscal year for each fund for which a budget is required.

The City budget officer has prepared a budget, in proper form, for all funds for which budgets are required by law. Section 2.52.020 of the Salt Lake City Code states in part that employment staffing documents shall be adopted as an element of the City's budget, or otherwise, as the City Council may require. Three copies of such documents have been filed for use and examination of the public in the Office of the City Recorder.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City:

SECTION 1. PURPOSE. The purpose of this ordinance is to adopt a budget, except the budget for the Library Fund which is separately adopted, for fiscal year 2009-2010, and to adopt the employment staffing documents. All conditions precedent to the adoption of the budget, which includes the employment staffing documents, have been accomplished.

SECTION 2. ADOPTION OF BUDGET. The budget attached hereto and made a part of this Ordinance, shall be, and the same hereby is adopted as the budget of the City, excluding the budget for the Library Fund which is separately adopted, for the fiscal year beginning July 1, 2009 and ending June 30, 2010, in accordance with the requirements of Sections 10-6-105, 10-6-118 and 59-2-923 of the Utah Code, subject to the conditions set forth herein. The budget is subject to the approval of the Mayor and reconsideration of the City Council pursuant to Section 10-3b-204 of the Utah Code.

SECTION 3. EMPLOYMENT STAFFING. The employment staffing documents, three copies of which are filed for use and examination in the Office of the City Recorder, are hereby adopted as an element of the budget, pursuant to Section 2.52.020 of the Salt Lake City Code.

SECTION 4. FILING OF BUDGET. The City Budget Officer is hereby authorized and directed to certify and file copies of said budget with the State Auditor as required by Section 10-6-118 of the Utah Code.

SECTION 5. PUBLIC INSPECTION. The City Budget Officer is hereby authorized and directed to certify and file copies of the budget in the office of said Budget Officer and in the Office of the City Recorder, which budget shall be available for public inspection during regular business hours as required by Section 10-6-119 of the Utah Code.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be deemed effective on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-21-09  
By [Signature]

(SEAL)

Bill No. \_\_\_\_\_ of 2009.  
Published: \_\_\_\_\_.

HB\_ATTYY-#4082-v2-Adopt\_final\_budget\_for\_Library\_Fund.DOC

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_ of 2009

(Adopting the budget for the Library Fund  
of Salt Lake City, Utah for fiscal year 2009-2010)

AN ORDINANCE ADOPTING THE BUDGET FOR THE LIBRARY FUND OF  
SALT LAKE CITY, UTAH FOR FISCAL YEAR 2009-2010.

PREAMBLE

Pursuant to the provisions of Section 10-6-111 of the Utah Code, the City Budget Officer prepared and filed with the City Council a tentative budget in proper form for all funds for which budgets are required by said law, including the tentative budget for the Library Fund, for fiscal year 2009-2010. The tentative budget was accompanied by a budget message as required by law.

The tentative budget, including the tentative budget for the Library Fund, was adopted by the City Council in Resolution No. \_\_\_\_ of 2009, on May \_\_\_\_, 2009.

Section 10-6-118 of the Utah Code requires that before the 22<sup>nd</sup> day of June of each fiscal year or, August 17, in case of a property tax increase under Sections 59-2-919 through 59-2-923 of the Utah Code, the governing body shall, by resolution or ordinance, adopt a budget for the ensuing fiscal year for each fund for which a budget is required.

The City budget officer has now prepared a budget for the Library Fund, in proper form.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City:

SECTION 1. PURPOSE. The purpose of this ordinance is to adopt the budget for the Library Fund, for fiscal year 2009-2010. All conditions precedent to the adoption of the budget for the Library Fund have been accomplished.

SECTION 2. ADOPTION OF BUDGET. The budget attached hereto and made a part of this Ordinance, shall be, and the same hereby is adopted as the budget for the Library Fund of the City for the fiscal year beginning July 1, 2009 and ending June 30, 2010, in accordance with the requirements of Sections 10-6-105, 10-6-118 and 59-2-923 of the Utah Code. The budget for the Library Fund is subject to the approval of the Mayor and reconsideration of the City Council pursuant to Section 10-3-1214 of the Utah Code.

SECTION 3. FILING OF BUDGET. The City Budget Officer is hereby authorized and directed to certify and file copies of the budget with the State Auditor as required by Section 10-6-118 of the Utah Code.

SECTION 4. PUBLIC INSPECTION. The City Budget Officer is hereby authorized and directed to certify and file copies of the budget in the office of said Budget Officer and in the Office of the City Recorder, which budget shall be available for public inspection during regular business hours as required by Section 10-6-119 of the Utah Code.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-21-09  
By [Signature]

(SEAL)

Bill No. \_\_\_\_\_ of 2009.  
Published: \_\_\_\_\_.

HB\_ATT-#5179-v1-Adopting\_the\_final\_budget\_for\_the\_Library\_Fund\_FY08-09.DOC



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Amending Justice Court Provisions)

An ordinance adopting Section 2.84.090, *Salt Lake City Code*, pertaining to plea in abeyance fees for traffic violations.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 2.84.090, *Salt Lake City Code*, pertaining to plea in abeyance fees for traffic violations:

**2.84.090 Plea in Abeyance Fees for Traffic Offenses:**

- A. The city conducts a traffic school hearing program for traffic offenses, which is based upon the Uniform Bail Schedule adopted by the Utah Judicial Council. For matters which qualify for the offer of a plea in abeyance under the traffic school hearing program, the plea in abeyance fee shall be the applicable uniform bail amount plus \$25.00.
- B. Nothing in this section shall be construed to impede or remove the independent discretion of the city prosecutor to resolve a traffic matter differently or reduce a plea in abeyance fee in the interest of justice.
- C. The justice court may not hold a plea in abeyance without the consent of both the city prosecutor and the defendant. A decision by the city prosecutor not to agree to a plea in abeyance is final.

SECTION 2. This ordinance takes effect upon publication..

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of

\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_

HB\_ATTU-#8238-v1-amending\_chapter\_2\_84\_traffic\_program\_PIA\_fees.DOC

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2009

(Increases to Business License Base Fees, Regulatory Fees and Disproportionate Costs)

An ordinance amending section 5.04.070, *Salt Lake City Code*, relating to business license fees, raising non-home based business base license fees and per employee disproportionate costs; amending schedule 1 of title 5, listing regulatory fees, to add a regulatory fee for automobile towing businesses; and amending schedule 2 of title 5, listing fees for disproportionate costs, to add a disproportionate cost for the retail sale of tobacco products.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 5.04.070 of the Salt Lake City Code, relating to open space land, be, and the same hereby is, amended as follows:

**5.04.070 License Fees Levied:**

A. Fees For Businesses Located In The City: There is levied upon the business of every person engaged in business in the city at a place of business within the city, an annual business license fee per place of business. The amount of the fee shall be the base license fee imposed under subsection B of this section, plus:

1. The regulatory fee imposed under subsection C of this section, if applicable; and
2. The disproportionate impact fee imposed under subsection D of this section, if applicable; and
3. The enhanced services fee imposed under subsection E of this section, if applicable.

B. Base License Fee: The base license fee levied and imposed, covering licensing, inspection, and related administrative costs shall be as follows:

1. Home occupation businesses: Seventy-five dollars (\$75.00).
2. Nonhome occupation businesses: One hundred thirty dollars (\$1030.00).

C. Regulatory Fee: The regulatory fee levied and imposed, for direct cost associated with doing business within the city, covering licenses listed under schedule 1 of this title shall be as set forth thereunder.

D. Disproportionate Costs:

1. It is determined by the city council that a disproportionate level of municipal services are provided to certain businesses within the city in comparison with that level of services provided to other businesses and to residences within the city, based on additional services provided to such businesses and on disproportionate use of police, fire, transportation, and street maintenance services and the additional costs associated with increased usage of public facilities by employees.

2. The fee determined to be related to the disproportionate costs of such municipal services is fifteen dollars (\$15.00) per employee for each and every full time and part time employee exceeding one, engaged in the operation of said business, based upon the "number of employees" defined in section 5.02.005 of this title, or its successor section.

3. Additional fees for disproportionate costs related to specific business are listed under schedule 2 of this title.

E. Enhanced Services: It is determined by the city council that municipal services are provided to businesses within the central business district and the Sugar House business district, as defined in the zoning ordinance, at a level which exceeds other geographic areas of the city. No enhanced service fee shall be charged said businesses at the present time.

F. Multiple Rental Dwellings: An owner of multiple rental dwellings within the city shall be required to obtain one base license and to pay one base license fee for the operation and maintenance of all such rental dwellings plus a regulatory fee as set forth in subsections B and C of this section.

G. Fee For Businesses Located Outside The City: There is levied upon every person engaged in business in the city, not having a place of business in the city, and not exempt as provided by section 5.04.040 of this article, or its successor section, the same license fee as if such place of business were located within the corporate limits of Salt Lake City.

H. Nonrefundable Application Fee: In the event any initial or renewal business license application is denied by the city or is withdrawn by the applicant, the city shall be entitled to retain the sum of thirty five dollars (\$35.00) as a nonrefundable business license application fee from any license fees paid or payable to the city, unless another nonrefundable business license application fee is otherwise provided for under the ordinances of the city.

I. Renewal Notices: Any notice or renewal reminder provided by the city in connection with this section may be sent by ordinary mail, addressed to the address of the business as shown on the records of the city's licensing office, or, if no such address is shown, to such address as the licensing office is able to ascertain by reasonable effort.

Failure of a business to receive any such notice or reminder shall not release such business from any fee or any penalty, nor shall such failure operate to extend any time limit set by the provisions of this chapter.

SCHEDULE 1

The following classes of businesses, listed with their subclasses, shall be charged the following annual regulatory fees. The listed fee includes the charge for one background check where required. For each additional background check per business there shall be a fee of one hundred thirty three dollars (\$133.00).

Classes And Subclasses Of Businesses	Regulatory Fee
1. Pawnshop and secondhand dealer	
PAWNBROKER	
Fee per business	\$1250.00
SECONDHAND COMPACT DISK EXCHANGE DEALER	
Fee per business	375.00
SECONDHAND COMPUTER EXCHANGE DEALER	
Fee per business	166.00
2. Transportation vehicles	
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY	
Fee per business (new application)	140.00
Fee per business (renewal)	0.00
HORSEDRAWN CARRIAGE	
Fee per business	40.00
3. Apartments	
APARTMENT UNITS	
Fee per rental unit	15.00
4. Class A beer	
Fee per license	238.00

5.	Class B beer	
	Fee per license	188.00
6.	Class C beer	
	Fee per license	266.00
7.	Class D beer special event	
	Fee per event	188.00
8.	Class E beer	
	Fee per license	213.00
9.	Class F brewpub/microbrewery	
	Fee per license	188.00
10.	Seasonal beer	
	Fee per license	188.00
11.	Class A private club	
	Fee per business	334.00
12.	Class B private club	
	Fee per business	334.00
13.	Class C private club	
	Fee per business	334.00
14.	Class D private club	334.00
15.	Class E private club	70.00
16.	Liquor consumption	
	Fee per license	20.00
17.	Government owned alcohol related business	

	Fee per business	133.00	
18.	Auctioneer		
	Fee per auctioneer	100.00	
19.	Auction		
	AUCTION HOUSE-TRANSIENT		
	Fee per business, per day	188.00	
20.	Room rental (other than apartments)		
	BOARDING AND ROOMING HOUSE		
	Fee per rental unit	4.00	
	HOTEL		
	Fee per rental unit	4.00	MOTEL
	Fee per rental unit	4.00	
21.	Entertainment		
	CONCERT		
	Fee per exhibition room	70.00	
	DANCE HALL		
	Fee per room	13.00	
	LIVE ENTERTAINMENT		
	Fee per exhibition room	0.00	
	THEATER-LIVE		
	Fee per exhibition room	100.00	
	THEATER MOTION PICTURE		
	Fee per screen	0.00	



22.	Dating/marriage	
	Fee per business	80.00
23.	Fireworks	
	FIREWORKS-INSIDE	
	FIREWORKS-OUTSIDE	
	Fee per location	61.00
24.	Gas/oil	
	WHOLESALE GAS	
	Fee (total per year)	203.00
25.	Sexually oriented	
	ADULT BUSINESS	
	Fee per business	288.00
	NUDE AGENCY	
	Fee per business	750.00
	NUDE ENTERTAINMENT BUSINESS	
	Fee per business	288.00
	SEMINUDE DANCE AGENCY	
	Fee per business	290.00
	SEMINUDE DANCING BAR	
	Fee per business	222.00
	SEXUALLY ORIENTED BUSINESS OUTCALL AGENCY	
	Fee per agency	1,000.00
26.	Sexually oriented	

ADULT EMPLOYEE (NONESCORT)

Fee per employee 175.00

SEXUALLY ORIENTED BUSINESS OUTCALL

NONPERFORMER (NONESCORT)

Fee per employee 175.00

27. Sexually oriented

The fee contained in this section shall be prorated as follows: If 180 days or fewer remain before the employer's license expires, the fee shall be 50 percent of the full fee. If 181 days or more remain before the employer's license expires, the full fee shall be charged.

NUDE PERFORMER EMPLOYEE

Fee per nude/seminude performer 200.00

SEMINUDE DANCE PERFORMER

Fee per nude/seminude performer 200.00

SEMINUDE PERFORMER EMPLOYEE

Same as Seminude Dance Performer

28. Sexually oriented business

The fee contained in this section shall be prorated as follows: If 180 days or fewer remain before the employer's license expires, the fee shall be 50 percent of the full fee. If 181 days or more remain before the employer's license expires, the full fee shall be charged.

SEXUALLY ORIENTED BUSINESS OUTCALL

PERFORMER (ESCORT)

	Fee per outcall performer	750.00	
29.	Sexually oriented		
	SEXUALLY ORIENTED BUSINESS TRANSFER		
	Fee per performer transfer	70.00	
30.	Sexually oriented business		
	PHOTOGRAPHY, ADULT		
	Fee per photographer	140.00	
31.	Solicitor		
	Fee per individual	100.00	
32.	Amusement devices/billiards		
	AMUSEMENT DEVICES		
	Fee per device	2.50	
	BILLIARDS		
	Fee per device	2.5033.	Miscellaneous
	ICE CREAM VENDORS		
	Fee per business	25.00	
	LOCKSMITHS		
	Fee per business	0.00	
	PEDICABS		
	Fee per business	0.00	
	SIDEWALK VENDING/SNOW CART		
	Fee per business	0.00	
33.	<u>Automobile Towing/Wrecking</u>	<u>15.00</u>	

## SCCHEDULE 2

The following classes of businesses, listed with their subclasses, shall be charged the following annual disproportionate fees.

1.	Amusement Devices/Billiards	\$20.00/business
2.	AUTOMOBILES	
	Automobile Dealers	45.00
	Automobile Parts Sales	85.00
	Automobile Rental Agencies	20.00
	Automobile Repair	45.00
	Automobile Towing/Wrecking	15.00
3.	Banks	100.00
4.	Child Care Facilities	100.00
5.	Clothing Sales	75.00
6.	Construction Businesses	20.00
7.	Convalescent and Retirement Facilities	120.00
8.	Dance Halls	15.00
9.	Dry Cleaning and Laundry	100.00
10.	Electronic Goods Sales	120.00
11.	Engineering	20.00
12.	Furniture Sales	45.00
13.	Gasoline Stations	120.00
14.	Grocery/Convenience Store (including gasoline)	
		100.00

15.	Hardware Sales	100.00
16.	Health Care Facilities; Hospitals	35.00
17.	Interior Design	20.00
18.	Janitorial	55.00
19.	Lawyers	15.00
20.	Live Entertainment; Concerts	15.00
21.	Manufacturing	35.00
22.	Miscellaneous Retail/Wholesale Sales	35.00
23.	Miscellaneous Services	20.00
24.	Motion Picture Theater	75.00
25.	Real Estate Agency	15.00
26.	Restaurants; Cafeterias	75.00
27.	RV Parks and Campgrounds	20.00/space
28.	Shipping Companies	35.00
29.	Sporting Goods Sales	35.00
30.	Storage Services	45.00
31.	Wholesale Gas and Oil Businesses	20.00
32.	<u>Retail Sale of Tobacco Products*</u>	<u>85.00</u>

\* Includes grocery stores, convenience stores, taverns, private clubs, hotels, motels, and restaurants.

SECTION 2. That this ordinance shall take effect October 1, 2009.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of

\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

HB\_ATTYY-#8207-v1-amending\_5\_04\_070\_increasing\_business\_license\_fees.DOC

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2009

(Amending Sections 5.65.030 Vending Cart Fee and 5.71.290 Ground Transportation Driver Application Fee)

An Ordinance Amending Section 5.65.030, Salt Lake City Code, Pertaining to Business License, Revocable Land Use Permit, and Fees Required for Vending Cart Operators, and Section 5.71.290 Application Fee Required for Ground Transportation Drivers.

WHEREAS, the City Council has concluded that the proposed amendments are in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending Section 5.65.030 Business License, Revocable Land Use Permit, And Fees Required for Vending Carts: That Section 5.65.030 of the *Salt Lake City Code*, pertaining to Business License, Revocable Land Use Permit, And Fees Required be, and hereby is, enacted to read as follows:

**5.65.030 Business License, Revocable Land Use Permit, And Fees Required:**

No person shall conduct business on any city sidewalk, without first obtaining a valid base business license and entering into a revocable land use permit for the use of city property, and paying the required fees. In addition to the base business license fee, the annual revocable land use permit payment shall be ~~one~~two hundred ~~seventy five~~fifty dollars (~~\$175.00~~250.00).

SECTION 2. Amending Section 5.71.290 Application Fee Required for Ground Transportation Drivers: That Section 5.71.290 of the Salt Lake City Code, pertaining to application fee required for ground transportation drivers be, and hereby is amended to read as follows:

**5.71.290 Application Fee Required:**

Effective July 1, 2009, At the time an application is filed, the applicant shall pay to the city a fee of one hundred five dollars (\$105.00), which shall be set by the department in an amount sufficient to ~~The city may adjust such fee after July 1, 2008, and thereafter on an annual basis in order to recover the costs of administering the city's ground transportation program~~this article. The fee may be adjusted annually on July 1.

If a ground transportation vehicle operator is working for more than one company, he or she must submit an application for each company. The applicant shall pay the city an additional fee for each successive application filed with the amount set by the department based on cost recovery to the city. Such fee may be adjusted annually on July 1.

If a ground transportation vehicle operator certificate is lost or stolen, said operator shall pay to the city a fee to replace said certificate with the amount set by the department based on cost recovery to the city. Such fee may be adjusted annually on July 1.

SECTION 3. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.



Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

HB\_ATT#7691-v2-

Amending\_Sections\_5\_65\_030\_Vending\_Cart\_Fee\_and\_5\_71\_290\_Ground\_Transportation\_Driver\_Application\_Fee\_draft\_.D  
OC

SALT LAKE CITY ORDINANCE  
 No. \_\_\_\_\_ of 2009  
 (Golf Course Fees and Group Reservations)

An ordinance amending certain sections of Chapter 15.16 of the Salt Lake City Code, relating to golf course fees and group reservations.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 15.16.031 of the Salt Lake City Code be, and the same hereby is, amended as follows:

**15.16.031 Golf Courses? Green Fees:**

A. **Fees Imposed:** There shall be imposed on any person playing golf at any of the city golf courses the following fees. ~~The green fees and policies listed in this section shall become effective take effect on January 1, 2007~~ take effect on January 1, 2010. ~~The season pass programs shall take effect immediately upon the date of the first publication hereof.~~ All fees include sales tax unless otherwise noted.

1. **Weekday Green Fees:** ~~Green fees? weekdays (Monday through Friday, excluding defined holidays):~~

Course	Regular	Senior	Junior	Senior	Junior	
9 Holes	189 Holes	918 Holes	189 Holes	918 Holes	189 Holes	18 Holes
Bonneville	<del>16.00</del> 16.00	<del>27</del> 30.00	<del>12.00</del> 13.00	<del>21</del> 24.00	7.00	\$14.00
Forest Dale	<del>13.00</del> n/a	n/a	<del>10</del> 11.00	n/a	7.00	n/a
Glendale	<del>13.00</del> 24	26.00	<del>10</del> 11.00	<del>20</del> 22.00	7.00	14.00
Jordan River Par-3	<del>7.00</del> n/a	n/a	<del>5</del> 6.00	n/a	5.00	n/a
Mountain Dell Canyon	<del>16.00</del> 27	30.00	<del>12</del> 13.00	<del>21</del> 24.00	7.00	14.00
Mountain Dell Lake	<del>16.00</del> 27	30.00	<del>12</del> 13.00	<del>21</del> 24.00	7.00	14.00
Nibley Park	<del>12.00</del> n/a	n/a	<del>8</del> 10.00	n/a	7.00	n/a
Rose Park	<del>13.00</del> 24	26.00	<del>10</del> 11.00	<del>20</del> 22.00	7.00	14.00
Wingpointe	<del>15.50</del> 27	30.00	<del>10</del> 12.50	<del>21</del> 24.00	7.00	14.00

Note: Senior and Junior Green Fees shall be valid Monday through Friday all day and Saturday, Sunday, and recognized holidays after 12:00 noon.

~~2. Weekend Fees: Green fees?weekends (Saturday and Sunday) and defined holidays:~~

Course	Regular	Senior	Junior	9 Holes	18 Holes	9 Holes	18 Holes
Bonneville	\$15.00	\$27.00	\$15.00	\$27.00	\$15.00	\$27.00	\$27.00
Forest Dale	12.00	n/a	12.00	n/a	12.00	n/a	n/a
Glendale	12.00	24.00	12.00	24.00	12.00	24.00	24.00
Jordan River Par 3	6.00	n/a	6.00	n/a	6.00	n/a	n/a
Mountain Dell Canyon	15.00	27.00	15.00	27.00	15.00	27.00	27.00
Mountain Dell Lake	15.00	27.00	15.00	27.00	15.00	27.00	27.00
Nibley park	10.00	n/a	10.00	n/a	10.00	n/a	n/a
Rose park	12.00	24.00	12.00	24.00	12.00	24.00	24.00
Wingpointe	13.50	27.00	13.50	27.00	13.50	27.00	27.00

~~3. All Day Pass: All day green fee pass (multiple holes) at Jordan River Par 3:~~

Regular \$12.00  
 Senior 10.00  
 Junior 10.00

~~42. Punch Pass: Punch pass for ten (10) rounds at Jordan River Par 3:~~

Regular \$5450.00  
 Senior 4540.00  
 Junior 4540.00

53. Grandfathered Senior Season Golf Passes: In 1997, the decision was made by the Salt Lake City golf division, with the approval of the city council, to phase out the senior season pass program and to effectively grandfather the senior season pass program for qualified senior season pass holders based on their continued participation. Senior Sseason passes for calendar years subsequent to 1997 were available solely to those individuals who had purchased calendar 1997 senior season passes on or before June 30, 1997. No other senior season passes were issued after this date. Senior Sseason pass holders were required to renew their passes annually in order to remain eligible for a senior season pass. Any senior season pass holder who

failed to renew a senior season pass for any year would not be eligible for any further senior season pass. ~~Season passes for individuals who were neither junior nor senior golfers were discontinued on December 21, 2003, and no season passes were issued for years after calendar year 2003.~~

~~In light of the implementation of the new season pass program detailed in this section, senior season pass holders who are still eligible to participate in the grandfathered senior season pass program may elect to continue to participate under the same restrictions and guidelines.~~

~~Current grandfathered senior season pass holders must renew their passes annually in order to remain eligible for the grandfathered senior season pass program. Any grandfathered senior season pass holder who fails to renew a pass for any year shall not be eligible to continue to participate in the grandfathered senior season pass program. The use of funds collected via the surcharge shown below shall be solely dedicated to physical improvements at city golf courses. Grandfathered senior season golf passes may not be used Fridays through Sundays, on defined holidays, or for group reservation play. The following fees pertain to the grandfathered senior season pass program:~~

**GRANDFATHERED SENIOR SEASON GOLF PASS PROGRAM**

Grandfathered senior season golf pass price	-\$400.00	
		0
Surcharge On All Pass Rounds		
	-9 Holes	—18 Holes
Resident	\$3.00	\$6.00
Nonresident	4.00	8.00

**64. School Golf Teams:** School golf team special play (high school and collegiate golf teams):

9 Holes	—118 Holes
\$67.00	- \$1214.00

Participants may also purchase large buckets of range balls at the price of \$4.00 per bucket, ~~small buckets.~~

**75. Golf Cars:** Golf car rental:

9 Holes	18 Holes
---------	----------

Double rider	<del>\$13</del> 14.00	<del>\$26</del> 28.00
Single rider	<del>6.5</del> 7.00	<del>13</del> 14.00
Private car trail fee	5.00	10.00

**86. Golf Balls:** ~~Driving~~ Practice range balls:

Small bucket	\$ <del>4</del> 5.00
Large bucket	<del>7</del> 8.00
Range pass-? 10 large buckets	50.00

**97. Tee Times:** Advanced tee time reservations ?-minimum 18 holes:

0 to <del>7</del> 8 days in advance	\$0.00
<del>8</del> 9 days to 1 year in advance	5.00 per player

The department of public services, with concurrence of the mayor, may set reasonable regulations with regard to amounts of refunds for cancellations and time in which cancellations must be made.

**108. Miscellaneous:** Miscellaneous fees:

	9 Holes	18 Holes
Golf car cover rental	\$5.00	\$10.00
Golf club rental	<del>6.5</del> 7.00	<del>13</del> 14.00
Jordan River Par-3 <u>and USGA Grant junior golf club</u> rental	3.00	<del>n/a</del> \$6.00
Premium golf club rental	<del>13</del> 15.500	<del>27</del> 30.00
Pull cart rental	2.00	4.00
Premium pull/ <u>push</u> cart rental	3.50	7.00
Jordan River Par-3 pull cart rental	1.00	n/a

**119. Frequent Player Discount Card (Nontransferable):** Golfers may obtain from the Salt Lake City golf division administration office a nontransferable frequent player discount card, subject to the following terms and conditions:

- a. The annual purchase price of athe card for adults and seniors is seventy-five dollars (~~\$75.00~~75.00) plus tax. The annual purchase price of the card for juniors is forty-five dollars (\$45.00) plus tax.

- b. The card is valid at all city operated golf courses.
- c. The card is valid for one calendar year from the date of purchase.
- d. Cardholders shall receive a ~~thirty~~ twenty-five percent (~~30~~25%) discount from the prevailing green fee rate for which the cardholder qualifies on the day of play.
- e. The card is valid for green fee discounts all day Monday through Friday and ~~Saturday and~~ Sunday, and recognized holidays after twelve o'clock (12:00) noon.
- f. Cardholders shall receive a ~~thirty~~ twenty-five percent (~~30~~25%) discount on the purchase of range balls at any time.
- g. Junior cardholders (17 years of age or younger) and senior cardholders (65 years of age and older) will receive a ~~thirty~~ twenty-five percent (~~30~~25%) discount in addition to prevailing junior and senior ~~weekday~~ discount green fee rates.
- h. The card must be presented at time of play in order to receive green fee or range ball discounts.
- i. Except for junior and senior ~~weekday~~ discounts, the card is not valid when presented with any other discount offer or during any listed city off peak discount time block.
- j. ~~The card is not valid on defined holidays.~~
- kj. The card is not valid for use ~~during~~ for tournament or group play.
- k. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**1210. Par Passport (Weekday 5-Course):** Golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season~~ annual pass-card called the par passport to be presented at the golf course in lieu of payment for green fees. This ~~season~~ annual passport is subject to the following terms and conditions:

- a. The card may be used at any time Monday ~~through~~ Thursday and Friday until twelve o'clock (12:00) noon at the following courses: Forest Dale, Glendale, Jordan River Par-3, Nibley Ppark, and Rose pPark.
- b. The adult price for the card is ~~eight hundred ninety five~~ nine hundred thirty dollars (~~\$895~~930.00) plus tax.
- c. The senior price for the card is seven hundred ~~fifteen~~ forty-five dollars (~~\$715~~745.00) plus tax.
- d. The card is valid for one year from the date of purchase.

e. The card is not valid on holidays.

f. The purchase price for the card and program availability are subject to change annually.

g. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**131. Birdie Passport (Weekday 9-Course):** Golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season~~annual pass-card called the birdie passport to be presented at the golf course in lieu of payment for green fees. This ~~season~~annual passport is subject to the following terms and conditions:

a. The card may be used at any time Monday through Thursday and Friday until twelve o'clock (12:00) noon at the following courses: Bonneville, Forest Dale, Glendale, Jordan River Par-3, Mountain Dell Lake, Mountain Dell Canyon, Nibley pPark, Rose pPark, and Wingpointe.

b. The adult price for the card is one thousand ~~ninety five~~one hundred forty dollars (\$~~1,095~~1,140.00) plus tax.

c. The senior price for the card is ~~eight nine~~hundred seventy fiveten dollars (\$~~875~~910.00) plus tax.

d. The card is valid for one year from the date of purchase.

e. The card is not valid on holidays.

f. The purchase price for the card and program availability are subject to change annually.

g. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**142. Eagle Passport (Unlimited 5-Course):** Golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season~~passannual card called the eagle passport to be presented at the golf course in lieu of payment for green fees. This ~~season~~annual passport is subject to the following terms and conditions:

a. The card may be used at any time seven (7) days a week (including holidays) at the following courses: Forest Dale, Glendale, Jordan River Par-3, Nibley pPark, and Rose pPark.

b. The adult price for the card is one thousand ~~two three~~hundred ninety four-five dollars (\$~~1,295~~1,345.00) plus tax.

c. The senior price for the card is one thousand ~~thirty~~seventy-five dollars (\$1,~~03~~1,075.00) plus tax.

d. The card is valid for one year from the date of purchase.

e. The purchase price for the card and program availability are subject to change annually.

f. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**153. Double Eagle Passport (Unlimited 9-Course):** Golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season~~passannual card called the double eagle passport to be presented at the golf course in lieu of payment for green fees. This ~~season~~annual passport is subject to the following terms and conditions:

a. The card may be used at any time seven (7) days a week (including holidays) at the following courses: Bonneville, Forest Dale, Glendale, Jordan River Par-3, Mountain Dell Lake, Mountain Dell Canyon, Nibley ~~p~~Park, Rose ~~p~~Park, and Wingpointe.

b. The adult price for the card is one thousand ~~six~~seven hundred ~~ninety~~sixty-five dollars (\$1,~~695~~1,765.00) plus tax.

c. The senior price for the card is one thousand ~~three~~four hundred ~~fifty~~fiftyten dollars (\$1,~~355~~1,410.00) plus tax.

d. The card is valid for one year from the date of purchase.

e. The purchase price for the card and program availability are subject to change annually.

f. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**164. Junior Par Passport (May Through August 5-Course):** Junior ~~G~~golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season~~annual pass-card called the junior par passport to be presented at the golf course in lieu of payment for green fees. This ~~season~~annual passport is subject to the following terms and conditions:

a. The card may be used May 1 through August 31.

b. The card may be used at any time Monday through Thursday, Friday before twelve o'clock (12:00) noon and Saturday and Sunday after twelve o'clock (12:00) noon at the following courses: Forest Dale, Glendale, Jordan River Par-3, Nibley ~~p~~Park, and Rose ~~p~~Park.



- c. The card is not valid on holidays.
- d. The junior price for the card is two hundred fifty dollars (\$250.00) plus tax.
- e. The purchase price for the card and program availability are subject to change annually.
- f. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**175. Junior Birdie Passport (May Through August 9-Course):** Junior Golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season pass~~annual card called the junior birdie passport to be presented at the golf course in lieu of payment for green fees. This ~~season pass~~annual passport is subject to the following terms and conditions:

- a. The card may be used May 1 through August 31.
- b. The card may be used at any time Monday through Thursday, Friday before twelve o'clock (12:00) noon, and Saturday and Sunday after twelve o'clock (12:00) noon at the following courses: Bonneville, Forest Dale, Glendale, Jordan River Par-3, Mountain Dell Lake, Mountain Dell Canyon, Nibley pPark, Rose pPark, and Wingpointe.
- c. The junior price for the card is three hundred seventy-five dollars (\$375.00) plus tax.
- d. The card is not valid on holidays.
- e. The purchase price for the card and program availability are subject to change annually.
- f. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**186. Junior Eagle Passport (Annual 5-Course):** Junior Golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season pass~~annual card called the junior eagle passport to be presented at the golf course in lieu of payment for green fees. This ~~season pass~~annual passport is subject to the following terms and conditions:

- a. The card may be used May 1 through August 31 at any time Monday through Thursday, Friday before twelve o'clock (12:00) noon, and Saturday and Sunday after twelve o'clock (12:00) noon at the following courses: Forest Dale, Glendale, Jordan River Par-3, Nibley pPark, and Rose pPark.
- b. The card may be used September 1 through April 30 after twelve o'clock (12:00) noon Monday through Thursday and Saturday and Sunday.

- c. The card is not valid on Fridays.
- d. The card is valid for one year from the date of purchase.
- e. The junior price for the card is four hundred ninety-five dollars (\$495.00) plus tax.
- f. The card is not valid on holidays.
- g. The purchase price for the card and program availability are subject to change annually.
- h. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**197. Junior Double Eagle Passport (Annual 9-Course):** Junior Golfers may obtain from the Salt Lake City golf division administration office a nontransferable ~~season pass~~annual card called the junior double eagle passport to be presented at the golf course in lieu of payment for green fees. This ~~season pass~~annual passport is subject to the following terms and conditions:

- a. The card may be used May 1 through August 31 at any time Monday through Thursday, Friday before twelve o'clock (12:00) noon, and Saturday and Sunday after twelve o'clock (12:00) noon at the following courses: Bonneville, Forest Dale, Glendale, Jordan River Par-3, Mountain Dell Lake, Mountain Dell Canyon, Nibley pPark, Rose pPark, and Wingpointe.
- b. The card may be used September 1 through April 30 after twelve o'clock (12:00) noon Monday through Thursday and Saturday and Sunday.
- c. The card is not valid on Fridays.
- d. The card is valid for one year from the date of purchase.
- e. The junior price for the card is six hundred ninety-five dollars (\$695.00) plus tax.
- f. The card is not valid on holidays.
- g. The purchase price for the card and program availability are subject to change annually.
- h. Lost or stolen cards will be subject to a five dollar (\$5.00) replacement fee.

**2018. Private Lessons:** Private lesson fees may be established by the individual teacher. Private lesson fees shall be approved annually by the Salt Lake City golf administration.

**B. Use Of Junior/Senior and Junior Discount Fees:** ~~Junior/Senior and Junior~~ discount fees provided for in this chapter may not be used for group reservation play, or before 12:00 noon on Saturdays, or Sundays, or recognized legal holidays, or for group reservation play.

**C. Definitions:**

1. A "junior" is any person seventeen (17) years of age or younger.
2. A "senior" is any person sixty-five (65) years of age or older.
3. The following ~~are to~~ shall be considered ~~as defined~~ "recognized holidays": Memorial Day, Independence Day, Pioneer Day, and Labor Day.

**D. Adjustment Of Fees:** The director of public services, with approval of the mayor, shall have the authority, at any time, to reduce the fees listed in this section for any city golf course, if the director deems it necessary to reduce fees in order to increase the use of the golf course.

SECTION 2. That Section 15.16.035 of the Salt Lake City Code be, and the same hereby is, amended as follows:

**15.16.035 Golf Courses? Group Reservations:**

Reservations for exclusive use of a course such as for group play or tournaments shall be allowed in accordance with the following guidelines:

**A. ~~Payment~~ Tournament Fees:** Additional fees above and beyond the regular green and cart fees shall be required for group play or tournaments. ~~Payment must be made at least ten (10) days in advance of the scheduled event.~~

A per person minimum tournament fee shall be charged as follows:

1. Eighteen (18) holes: Ten dollars (\$10.00);
2. Nine (9) holes, at all courses except Nibley park and Jordan River Par-3: Five dollars (\$5.00); and
3. Nine (9) holes at Nibley park and Jordan River Par-3: Three dollars (\$3.00).
4. One hundred percent (100%) of the per person tournament fee shall be credited toward pro shop merchandise certificates for the group with the following exception: the golf course shall have the option of designating up to 20% of the tournament fee as a scoring fee for groups requiring scoreboard or scorekeeping services from or

arranged by the city's golf staff. For groups paying the scoring fee, the balance of the per player tournament fee shall be credited toward pro shop merchandise certificates.

B. **Green Fees:** Green fees as set forth in section 15.16.031 of this chapter shall be charged for each participant.

C. **Reasonable Regulations Set By Department Of Public Services:** The department of public services, with concurrence of the mayor, may set reasonable regulations with regard to:

1. How many days in advance of the date for which the facility is reserved that all reservation and green fees must be paid;
2. Amounts of refunds for cancellations and time in which cancellations must be made;
3. Rescheduling "rainouts";
4. Minimum and maximum number of golfers;
5. Cart reservations;
6. Minimum and maximum numbers of holes to be reserved for group play;
7. Dates and times for taking group reservations;
8. Golf courses for which group reservations may be made;
9. ~~Costs~~**Fees** for special services requested of the city over and above services normally provided; however, such costs shall reflect actual city costs, including overhead;
10. How many group reservations a person or group can make in a single calendar year;
11. How many group reservations a person can ~~make~~ make per request;
12. Making reservations by phone or in person.

D. **Adjustment Of Fees:** The director of public services, with approval of the mayor, shall have the authority, at any time, to reduce the fees listed in this section for any city golf course, if the director deems it necessary to reduce fees in order to increase the use of the golf course.

SECTION 3. That this ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-17-09  
By Boyd Ferguson

HB\_ATTY-#7986-v1-Amending\_15\_16\_031\_re\_golf\_fees\_2009.DOC

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Parking fees for Library Square)

An ordinance enacting Section 12.56.580 of the Salt Lake City Code, relating to parking fees for the underground parking lot of Library Square.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 12.56.580 of the Salt Lake City Code, relating to parking fees for the underground parking lot of Library Square be, and the same hereby is, enacted as follows:

**12.56.580 Parking at Underground Parking Lot of Library Square – Rates:**

A. For purposes of this section, “Library Square” means Block 37 between 400 South and 500 South Streets and 200 East and 300 East Streets in Salt Lake City, Utah.

B. Except as provided in subsection (C), the rates to be charged to the public for parking in the underground parking lot of Library Square shall be: (1) no charge for the first 30 minutes; and (2) one dollar and twenty-five cents (\$1.25) for each 30-minute period thereafter. After the first 30 minutes, parking for any portion of a 30-minute period shall be deemed to be parking for the full 30-minute period.

C. For a vehicle displaying a disability special group license plate or a disability windshield placard, the rates to be charged to the public for parking in the underground parking lot of Library Square shall be: (1) no charge for the first two hours; and (2) one dollar and twenty-five cents (\$1.25) for each 30-minute period thereafter. After the first two hours, parking for any portion of a 30-minute period shall be deemed to be parking for the full 30-minute period.

D. The mayor or the mayor's designee is hereby authorized to adopt policies for the underground parking lot of Library Square. Those policies may cover subjects such as exempting Library employees and City employees from the payment of the parking fees, and the use of the parking lot for special events and in special circumstances.

SECTION 2. That this ordinance shall take effect immediately upon the date of its first publication.



Passed by the City Council of Salt Lake City, Utah this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-22-09  
By [Signature]

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Amending Residential Parking Permit Fees In Section 12.64.090)

An Ordinance Amending Section 12.64.090, Salt Lake City Code, Pertaining to Parking Permit Fees.

WHEREAS, the City Council has concluded that the proposed amendments are in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 12.64.090 of the *Salt Lake City Code*, pertaining to parking permit fees be, and hereby is, amended to read as follows:

**12.64.090 Parking Permit Fees:**

To defray program administration costs, fees associated with the City parking permit program shall be established by the declaration of the Transportation Engineer applicable to the City permit parking area.

The fees shall be as follows:

- A. Area regular permit for a term of one year, ~~twelvethirty-six~~ thirty-six dollars (~~\$12.00~~36.00).
- B. Area regular permit for a term of nine (9), ten (10), or eleven (11) months, ~~ninetwenty-seven~~ twenty-seven dollars (~~\$9.00~~27.00).
- C. Area regular permit or area seasonal permit for a term of five (5), six (6), seven (7) or eight (8) months, ~~sixeighteen~~ eighteen dollars (~~\$6.00~~18.00).
- D. Area seasonal permit for a term of three (3) or four (4) months or area regular permit for a term of one, two (2), three (3) or four (4) months, ~~threenine~~ nine dollars (~~\$3.00~~9.00).

SECTION 2. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

HB\_ATTY-#7685-v1-Amending\_Residential\_Parking\_Permit\_Fees\_In\_Section\_12\_64\_090\_draft.DOC

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Amending Civil Penalties for Unauthorized Use of Streets,  
Parking Lots and Other Areas)

An ordinance amending Section 12.56.550, *Salt Lake City Code*, increasing civil penalties for unauthorized use of streets, parking lots and other areas.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 12.56.550, *Salt Lake City Code*, pertaining to civil penalties for unauthorized use of streets, parking lots and other areas, is amended to read as follows:

**12.56.550 Unauthorized Use Of Streets, Parking Lots And Other Areas--Penalties:**

A. Violation:

1. Any person engaging in the unauthorized use of streets, parking lots or other areas as provided under this chapter, within the city, shall be liable for a civil penalty. Any penalty assessed in subsection B of this section may be in addition to such other penalties as may be provided in this title.
2. "Unauthorized use of streets" means a violation of any restriction or prohibition contained in this chapter or its successor.

B. Civil Penalties: Civil penalties shall be imposed as follows:

**Section Of**

This Chapter

Penalty

12.56.040

~~\$120~~140.00

12.56.050

~~115~~135.00

12.56.080	120 <u>150</u> .00
12.56.100	115 <u>135</u> .00
12.56.110	115. <u>135</u> .00
12.56.120	240 <u>260</u> .00
12.56.130	240 <u>260</u> .00
12.56.150	105 <u>125</u> .00
12.56.180	115 <u>135</u> .00
12.56.190	105 <u>125</u> .00
12.56.210	115 <u>135</u> .00
12.56.235	115 <u>135</u> .00
12.56.240	120 <u>140</u> .00
12.56.250	115 <u>135</u> .00
12.56.290	115 <u>135</u> .00
12.56.300	120 <u>140</u> .00
12.56.302	105 <u>125</u> .00
12.56.303	105 <u>125</u> .00
12.56.304	105 <u>125</u> .00
12.56.310	120 <u>140</u> .00
12.56.330	120 <u>140</u> .00

12.56.350	<del>115</del> <u>135</u> .00
12.56.360	<del>120</del> <u>140</u> .00
12.56.380	<del>120</del> <u>140</u> .00
12.56.390	<del>115</del> <u>135</u> .00
12.56.400	<del>115</del> <u>135</u> .00
12.56.410	<del>115</del> <u>135</u> .00
12.56.420	<del>120</del> <u>140</u> .00
12.56.430	<del>115</del> <u>135</u> .00
12.56.440	<del>115</del> <u>135</u> .00

(with the exception of subsections

12.56.440A5 and 12.56.440A19)

12.56.440A5	<del>127</del> <u>147</u> .00
12.56.440A19	<del>240</del> <u>260</u> .00
12.56.450	<del>105</del> <u>125</u> .00
12.56.460	<del>120</del> <u>140</u> .00
12.56.465	<del>172</del> <u>192</u> .00
12.56.470	<del>120</del> <u>140</u> .00
12.56.480	<del>120</del> <u>140</u> .00
12.56.490	<del>120</del> <u>140</u> .00

12.56.500	<del>120</del> <u>140.00</u>
12.56.515	<del>115</del> <u>135.00</u>
12.56.520	<del>115</del> <u>135.00</u>
12.56.525	<del>115</del> <u>135.00</u>

C. Reduction Of Penalties: The civil penalties specified in subsection B of this section shall be subject to the following:

1. Any penalty that is paid within ten (10) days from the date of receipt of notice shall be reduced by the sum of ~~ninety-one hundred ten~~ ninety-one hundred ten dollars (\$~~9110.00~~ 9110.00).
2. Any penalty that is paid within twenty (20) days from the date of receipt of notice shall be reduced by the sum of ~~sixty-seventy~~ sixty-seventy dollars (\$~~670.00~~ 670.00).
3. Any penalty that is paid within thirty (30) days from the date of receipt of notice shall be reduced by the sum of ~~thirty-fourty~~ thirty-fourty dollars (\$~~340.00~~ 340.00).

D. Receipt Of Notice: As used in this section, "receipt of notice" means the affixing of a notice to the vehicle alleged to have been employed in such unauthorized use, or by delivery of such notice to the owner or driver thereof.

E. Other Fees And Assessments: A ~~thirty-fourty-five~~ thirty-fourty-five dollar (\$~~3045.00~~ 3045.00) administrative fee shall be assessed for the city's cost of collecting past due debts.

SECTION 2. This ordinance takes effect upon publication..

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of

\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

HB\_ATTU-#8063-v1-amending\_12\_56\_550\_unauthorized\_use\_of\_streets\_\_civil\_penalties.DOC



1993: Ord. 71-91 □ 1, 1991: Ord. 22-90 □ 4, 1990: Ord. 25-87 □ 1, 1987: Ord. 48-86 □ 1,  
1986: prior code □ 28-3-178)

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Impact Fees Amendments)

An ordinance amending Appendix A of Chapter 18.98 of the Salt Lake City Code, Relating to Impact Fees.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Appendix A (Impact Fee Schedule) to Chapter 18.98, Salt Lake City Code, be, and the same hereby is, amended to read as follows:

APPENDIX A

Impact Fee Schedule

Impact Fee Schedule By Unit Development

<u>Description</u>	<u>Impact Fee</u>
Public Safety—Fire Fees	
Residential (per dwelling unit) <sup>1</sup>	\$454479.00
Commercial/industrial (per square foot) <sup>1</sup>	0.3230
Public Safety—Police Fees	
Residential (per dwelling unit)	423446.00
Commercial/industrial (per square foot)	0.3028
Roadway Fees <sup>2</sup>	
Residential (per single-family dwelling unit)	0.00
Residential (per multi-family dwelling unit)	0.00
Retail (per square foot)	7.9150
Office (per square foot)	3.5335
Industrial (per square foot)	1.3629
Park Fees	
Residential (per dwelling unit)	67238.00
Commercial/industrial (per square foot)	0.00
Total Fees	
Residential (per single-family dwelling unit)	1,5151,597.00
Residential (per multi-family dwelling unit)	1,5151,597.00
Retail (per square foot)	8.5308
Office (per square foot)	34.1593
Industrial (per square foot)	1.9887

**Note:**

<sup>1</sup>Residential units are specified by single-family and multi-family; commercial development is specified by retail, office, and industrial.

<sup>2</sup>Roadway fees are assessed only in the Westside Industrial Area.

SECTION 2. EFFECTIVE DATE. That this Ordinance shall take effect on October 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

(SEAL)

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-2-09  
By [Signature]

Bill No. \_\_\_\_\_ of 2009

Published: \_\_\_\_\_

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Adopting On-line Payment Convenience Fee)

An ordinance adopting Chapter 3.60, *Salt Lake City Code*, providing for the city to charge a convenience fee for on-line payment transactions.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 3.60, *Salt Lake City Code*, pertaining to online payment convenience fees, is adopted to read as follows:

Chapter 3.60

On-line Payment Convenience Fee

3.60.010 Purpose: The city is increasingly providing opportunities for citizens to do business with the city on-line. This chapter is enacted to allow the city to impose a convenience fee on on-line transactions to help offset the costs to the city for infrastructure upgrades, maintenance, and systems security required to continue providing citizens with safe and convenient on-line access to do business with the city and to expand on-line transaction availability.

3.60.020 Applicability: This chapter applies to any payment made to the city through an on-line payment medium, such as credit or debit cards, electronic check or funds transfer, or Paypal or other third-party payment processor.

3.60.030 Fee: A convenience fee of \$1.00 shall be added to applicable payments. This fee must be disclosed prior to acceptance of the payment by the city, with opportunity provided for the person making the payment to cancel the transaction before it is completed.

SECTION 2. This ordinance takes effect upon publication..

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Increasing Certain Cemetery Fees)

An ordinance amending Chapter 15.24, *Salt Lake City Code*, increasing certain cemetery fees.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 15.24.120, *Salt Lake City Code*, pertaining to price for gravesites be, and the same hereby is, amended to read as follows:

**15.24.120 Price For Gravesites:**

The price for each gravesite sold in the various locations within the city cemetery shall be as follows:

A. Adult Gravesite: Beginning July 1, 2009~~8~~, the price for an adult gravesite shall be ~~eight seven hundred fifteen seventy~~ dollars (~~\$870~~715.00) for Salt Lake City residents and one thousand ~~four one hundred forty seven sixty eight~~ dollars (~~\$1,447~~1,168.00) for non-Salt Lake City residents.

B. Infant Gravesite: Beginning July 1, 2009~~8~~, the price for an infant gravesite shall be ~~five four hundred forty seven three~~ dollars (~~\$540~~473.00) for Salt Lake City residents and ~~eight seven hundred forty four seventy~~ dollars (~~\$870~~744.00) for non-Salt Lake City residents.

SECTION 2. That Section 15.24.180, *Salt Lake City Code*, pertaining to transfer of certificate - recording fee be, and the same hereby is, amended to read as follows:

**15.24.180 Transfer of Certificate - Recording Fee:**

The fee for recording a transfer of the certificate of burial rights from the original purchaser to another party shall be thirty ~~three seven~~ dollars (~~\$33~~37.00). No such transfer

shall be binding upon the city until such transfer fee has been paid and the transfer recorded by the city sexton/maintenance supervisor.

SECTION 3. That Section 15.24.220, *Salt Lake City Code*, pertaining to lots - continuing care required be, and the same hereby is, amended to read as follows:

**15.24.220 Lots - Continuing Care Required:**

A. All lots in the city cemetery shall be continually maintained by the city; ~~whether sold with or without continuing care.~~ Beginning July 1, 2009~~8~~, the sale of the burial right to any lot that may have been sold without continuing care shall be subject to a continuing care feecharge of two hundred ~~twenty-four~~ two dollars (~~\$220~~242.00) for adult Salt Lake City residents, and three-four hundred eighty-five ~~twenty-four~~ dollars (~~\$385~~424.00) for adult non-Salt Lake City residents, one hundred twenty one dollars (\$121.00) for infant Salt Lake City residents, and two hundred thirteen dollars (\$213.00) for infant non-Salt Lake City residents. Said feecharge shall be collected from the ~~lot owner or person purchasing the burial right to~~ interested in such lot, and in consideration of the payment of said ~~fees~~ sum the city shall continually care for and maintain such lot until said lot is transferred to another party. Beginning July 1, 2009~~8~~, upon any sale or other transfer of the burial right to any cemetery lot, a continuing care feecharge of seven eight hundred forty seven dollars (~~\$770~~847.00) per lot shall be payable to the city by the transferee.

B. No grave opening upon any lot shall be authorized by the city sexton/maintenance supervisor if a continuing care fee is owed upon such lot until such feethe charge provided in this section is paid. The execution of an installment note in



accordance with the provisions of this chapter shall be deemed payment in order to authorize grave openings.

SECTION 4. That Section 15.24.290, *Salt Lake City Code*, pertaining to fees for city sexton/maintenance supervisor's services be, and the same hereby is, amended to read as follows:

**15.24.290 Fees For City Sexton/Maintenance Supervisor's Services:**

A. Beginning July 1, 2009~~8~~, the city sexton/maintenance supervisor shall collect from those requiring his/her services, the following fees:

1. For opening and closing a single infant grave of five feet (5') in length or less, three hundred ~~thirty six~~ thirty three dollars (~~\$330~~363.00) for Salt Lake City residents and ~~five six hundred seventy seven~~ thirty five dollars (~~\$577~~635.00) for non-Salt Lake City residents;

2. For opening and closing a single adult grave for cement receptacle, ~~five six hundred fifty five~~ dollars (~~\$550~~605.00) for Salt Lake City residents and ~~one thousand nine hundred sixty two~~ fifty eight dollars (~~\$962~~1,058.00) for non-Salt Lake City residents;

3. Fees for removal of remains of deceased individuals:

a. Adult removal from existing grave: one thousand ~~one two~~ hundred ten dollars (~~\$1,100~~1,210.00),

b. Infant removal from existing grave: ~~five six hundred fifty five~~ dollars (~~\$550~~605.00),

c. Removal of cremains: four hundred ~~forty eight~~ four dollars (~~\$440~~484.00);

4. For the burial of cremains, ~~two-three~~ hundred seventy-five-three dollars (\$~~275~~303.00) for Salt Lake City residents and ~~four-five~~ hundred eighty-four-thirty-three dollars (\$~~484~~533.00) for non-Salt Lake City residents;

5. For opening and closing a double deep grave, ~~six-seven~~ hundred twenty-six dollars (\$~~660~~726.00) for Salt Lake City residents and one thousand ~~one-two~~ hundred fifty-five-seventy-one dollars (\$~~1,155~~1,271.00) for non-Salt Lake City residents;

6. For opening and closing the top of an existing double deep grave, ~~five-six~~ hundred fifty-five dollars (\$~~550~~605.00) for Salt Lake City residents and ~~nine-one~~ thousand hundred sixty-two-fifty-eight dollars (\$~~962~~1,058.00) for non-Salt Lake City residents ;

7. Fees for removal and lowering of deceased individuals:

a. Adult Salt Lake City resident: one thousand ~~six-eight~~ hundred fifty-fifteen dollars (\$~~1,650~~1,815.00),

b. Adult non-Salt Lake City resident: two thousand ~~thirty-five~~ two hundred thirty-nine dollars (\$~~2,035~~2,239.00),

c. Infant Salt Lake City resident: one thousand ~~two-three~~ hundred ten-thirty-one dollars (\$~~1,210~~1,331.00),

d. Infant non-Salt Lake City resident: one thousand ~~four-six~~ hundred eighty-five thirty-four dollars (\$~~1,485~~1,634.00);

8. For marker monitoring fees:

a. Ground level marker: ~~fifty-five~~ sixty-one dollars (\$~~55~~61.00),

b. Upright marker: one hundred ~~ten-twenty~~ one dollars (\$~~110~~121.00).

For purposes of this section, "ground level marker" means a marker that can be passed over by the city's lawn mowers without obstruction. All markers that are not ground level markers shall be known as "upright markers";

9. For opening and closing a grave at the Fort Douglas cemetery:

a. ~~Nine One thousand hundred thirty five twenty nine~~ dollars (~~\$9351,029.00~~).

10. For opening and closing a grave at the Jewish cemetery:

a. ~~Five Nine hundred fifty thirty five~~ dollars (~~\$550935.00~~).

B. Beginning July 1, 2009~~8~~, for burials not completed by four o'clock (4:00) P.M. on any day, a fee of one hundred ~~fifty four seventy~~ dollars (~~\$154170.00~~) per hour shall be charged in addition to any other fees and costs provided for in this chapter.

C. Beginning July 1, 2009~~8~~, for any burial on a Saturday, a fee of ~~two three~~ hundred dollars (~~\$200300.00~~) shall be charged in addition to any other fees and costs provided for in this chapter.

D. Beginning July 1, 2009~~8~~, for any burial on a Sunday or holiday, a fee of ~~three~~ ~~four hundred eight sixty two~~ dollars (~~\$308462.00~~) shall be charged in addition to any other fees and costs provided for in this chapter.

SECTION 4. This ordinance shall take effect on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-1-09  
By [Signature]

(SEAL)

Bill No. \_\_\_\_\_ of 2009.  
Published: \_\_\_\_\_.



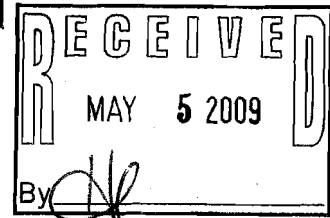
RECEIVED MAY 05 2009

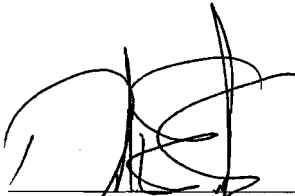
RALPH BECKER  
MAYOR

**SALT LAKE CITY CORPORATION**

OFFICE OF THE MAYOR

**CITY COUNCIL TRANSMITTAL**



  
\_\_\_\_\_  
David Everitt, Chief of Staff

Date Received: MAY 05, 2009  
Date sent to Council: MAY 05, 2009

**TO:** Salt Lake City Council  
Carlton Christensen, Chair

**DATE:** May 5, 2009

**FROM:** David Everitt, Chief of Staff

**SUBJECT:** FY 2009-10 Budget-Related Ordinances – BARRICADE FEE

**STAFF CONTACT:** Gina Chamness, 535-7766

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** The Administration recommends the Council adopt this series of ordinances necessary to implement the FY 2009-10 budget recommendation. This transmittal includes an ordinance that will add a barricade permit fee in the Transportation Division.

**BUDGET IMPACT:** The Administration believes this approval of this new fee will generate an additional \$33,000 in General Fund revenue in FY 2009-10.

**BACKGROUND/DISCUSSION:** The Administration is forwarding a series of budget-related ordinances necessary to implement the Mayor's Recommended Budget for FY 2009-10.

**PUBLIC PROCESS:** n/a



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Enacting Barricade Permit Fees)

An Ordinance Enacting Section 14.32.418, Salt Lake City Code, Pertaining to Barricade Permit Fees.

WHEREAS, the City Council has concluded that the proposed amendments are in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 14.32.418 of the *Salt Lake City Code*, pertaining to barricade permit fees be, and hereby is, enacted to read as follows:

**14.32.418 Barricade Permit Fees:**

The Transportation Director shall charge a fee of \$27.50 upon reviewing and processing a barricade permit plan proposal.

SECTION 2. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

HB\_ATT#7866-v1-Enacting\_Barricade\_Permit\_Fee.DOC

APPROVED AS TO FORM  
Salt Lake City Attorney's Office

Date May 4, 2009

By Melanie King

SALT LAKE CITY ORDINANCE

No. \_\_\_\_ of 2009

(Amending Chapter 2 of the Salt Lake City Code to change the department of management services to the department of administrative services.)

An ordinance amending Chapter 2 of the Salt Lake City Code to change the department of management services to the department of administrative services.

WHEREAS, the Mayor has proposed renaming the department of management services as the department of administrative services; and

WHEREAS, the City Council finds that those proposed changes are in the best interest of the City;

Now, therefore, be it ordained by the City Council of Salt Lake City as follows:

SECTION 1: Section 2.04.020B of the Salt Lake City Code shall be and hereby is amended to read as follows:

- B. Office Of The Mayor: Subject to the limitations and requirements of applicable budget appropriations, the mayor shall have assistants and officers who shall perform such functions and duties as may be assigned to them by the mayor. In order to provide proper staff and ~~management~~ administrative services to the city and its departments, the mayor is authorized to establish within the office of the mayor such divisions or sections as may seem necessary or proper for the purposes aforesaid.

SECTION 2: Section 2.08.025 of the Salt Lake City Code shall be and hereby is amended to read as follows:

2.08.025 Department Of ~~Management~~ Administrative Services:

- A. Functions: The department of ~~management~~ administrative services shall have charge of and be responsible for financial services, all programs relating to the personnel of the city and central support services required for city operations.



- B. City Auditor: The director of the department of ~~management~~ administrative services or the mayor's designee shall be the city auditor, within the meaning of the uniform fiscal procedures act of the state.
- C. City Treasurer: The functions of city treasurer shall be assigned to the department under the administrative direction of the director. In addition to those duties designated by the director, the city treasurer shall have charge of and be responsible for the collection and disposition of city revenues, the keeping of an accurate and detailed account of all matters within the treasurer's charge as provided in the uniform fiscal procedures act, or any successor statutes, and shall perform all other duties required by law.
- D. City Recorder:
1. The city recorder shall be assigned to the department of ~~management~~ administrative services and be under the administrative direction of the director; however, the recorder shall be responsible to the city council, which shall have equal and independent access for services with respect to legislative functions.
  2. The city recorder shall keep the corporate seal, the official papers and records of the city, as required by law; the record of the proceedings of the city, as required by law; and shall attest legal documents of the city and do those other matters prescribed by law.
- E. Budget Officer: As designated by the mayor, the director of the department may perform the duties of the budget officer in accordance with section 10-3-1219(7), Utah Code Annotated, or its successor statute.

SECTION 3: Section 2.24.030B of the Salt Lake City Code shall be and hereby is amended to read as follows:

- B. Elected Members: The pool of elected board members shall be elected in accordance with city procedure, and shall consist of one 100/200 series employee and one 300/600 series employee from each of the following departments: 1) department of airports, 2) public services, 3) public utilities, 4) community development, and 5) ~~management~~ administrative services and other areas or divisions (except the police and fire departments) not included in the other departments enumerated above.

SECTION 4: Section 2.35.080 of the Salt Lake City Code shall be and hereby is amended to read as follows:

2.35.080 Staff support from the department of ~~management~~ administrative services.

The department of ~~management~~ administrative services shall provide staff support to the committee to assist the committee in the performance of its duties.

SECTION 5: Section 2.75.020B of the Salt Lake City Code shall be and hereby is amended to read as follows:

- B. Accountability: The hearing officer shall serve as staff for the justice court but shall be supervised as an employee, under the direction of the city director of ~~management~~ administrative services or his/her designee.

SECTION 6: Section 2.78.100B of the Salt Lake City Code shall be and hereby is amended to read as follows:

- B. In the event the commission desires nonmembers to serve on such a committee, the commission may request the administrator of the police civilian review board, department of ~~management~~ administrative services, to make the appointment.

SECTION 7: Section 8.04.020 of the Salt Lake City Code shall be and hereby is amended to read as follows:

8.04.020 Office Of Animal Services:

There is created an office of animal services. A director of the office of animal services and such personnel as may be necessary to the work of the office shall be appointed by the mayor upon the recommendation of the director of the department of ~~management~~ administrative services. Alternatively, animal services may be provided through a legally executed agreement, which includes the authority and power to enforce this title.

SECTION 8: Section 10.02.100B of the Salt Lake City Code shall be and hereby is amended to read as follows:

- B. In the event the commission desires nonmembers to serve on such a committee, the commission may request the administrator of the police civilian review board, department of ~~management~~ administrative services, to make the appointment.

SECTION 9: Effective Date: This ordinance shall become effective on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

HB\_ATTYY-#8236-v1-Ord\_Amending\_Dept\_Management\_Serv\_to\_Dept\_Administrative\_Serv\_DOC

SALT LAKE CITY ORDINANCE

No. \_\_\_\_ of 2009

(Adopting the rate of tax levy upon all  
real and personal property within Salt Lake City,  
made taxable by law for fiscal year 2009-2010)

AN ORDINANCE ADOPTING THE RATE OF TAX LEVY UPON ALL REAL  
AND PERSONAL PROPERTY WITHIN SALT LAKE CITY MADE TAXABLE BY  
LAW FOR FISCAL YEAR 2009-2010.

Be it ordained by the City Council of Salt Lake City:

PREAMBLE

Chapter 2, Title 59 of the Utah Code states that the governing body of each city shall, by ordinance or resolution, adopt a proposed tax levy or, if the tax rate is not more than the certified tax rate, a final tax levy on the real and personal property for various municipal purposes. Chapter 2, Title 59, of the Utah Code provides for certain notice and hearing requirements if the proposed tax rate exceeds the certified tax rate. In that event, the proposed tax rate does not become final unless approved by resolution of the City Council following such notice and public hearing. It is the intent of Salt Lake City to comply with the mandate of the Utah Legislature, but reserve in itself the power to amend the tax rates set herein to guarantee, after final appraisal figures have been determined, that it does not exceed the amount required for its governmental operations and taxing authority granted by the Legislature. Further, it is the intent of the City to levy an additional tax, if necessary, to cover costs of State legislative mandates or judicial or administrative orders under Chapter 2, Title 59 of the Utah Code.

SECTION 1. PURPOSE. The purpose of this ordinance is to adopt a tax levy, pursuant to Chapter 2, Title 59 of the Utah Code, upon all real and personal property within Salt Lake City made taxable by law during fiscal year 2009-2010 to defray the necessary and proper expenses of Salt Lake City to maintain the government thereof and for operating and maintaining its libraries and reading rooms and to pay for costs of State legislative mandates or judicial or administrative orders under Chapter 2, Title 59 of the Utah Code.

SECTION 2. TAX LEVY: 2009-2010. The City Council hereby adopts the following levy, subject to Chapter 2 Title 59 of the Utah Code, upon all real and personal property within Salt Lake City made taxable by law, for the fiscal year of Salt Lake City beginning July 1, 2009 and ending June 30, 2010, a tax of \_\_\_\_\_ on each dollar of taxable valuation of said property apportioned as follows:

- (a) \_\_\_\_\_ shall be credited as revenue in the general fund;
- (b) \_\_\_\_\_ shall be credited as revenue in the special library fund; and
- (c) \_\_\_\_\_ shall be credited toward repayment of General Obligation Bonds.

The City Council hereby further levies a tax to cover the costs of State legislative mandates or judicial or administrative orders under Chapter 2, Title 59 of the Utah Code as determined by the Utah State Tax Commission and the Salt Lake County Auditor's Office.

Said tax levies in this Section 2 shall be subject to Mayor approval and City Council reconsideration pursuant to § 10-3b-204 of the Utah Code.

SECTION 3. CERTIFIED TO AUDITOR. The tax levies hereinabove determined and levied shall be certified by the City Recorder to the Auditor of Salt Lake County, State of Utah, pursuant to the provisions of Chapter 2, Title 59 of the Utah Code.

SECTION 4. RESERVE POWER AND RIGHT TO AMEND. The City hereby expressly reserves the power and right to amend any property tax levy made herein as it may deem just, proper and appropriate under the law.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-21-09  
By [Signature]

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

HB\_ATTYY-#5184-v2-Adopting\_the\_rate\_of\_tax\_levy.DOC



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Amending solid waste and recyclable items)

An ordinance amending Chapter 9.08, *Salt Lake City Code*, relating to solid waste and recyclable items.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 9.08, *Salt Lake City Code*, pertaining to solid waste and recyclable items be, and the same hereby is, amended to read as follows:

**Chapter 9.08**  
**GARBAGE SOLID WASTE AND REFUSE RECYCLABLE ITEMS**

**9.08.010 Definitions:**

For the purposes of this chapter the following terms, phrases and words shall have the meanings given in this section:

- A. "Agricultural waste" means the manure or crop residues from various agricultural pursuits, including, but not limited to, dairies and the raising of livestock and poultry.
- B. "Asbestos waste" means friable asbestos, which is any material containing more than 1 percent asbestos as determined using the method specified in Appendix A, 40 CFR Part 763.1, 2001 ed., which is adopted and incorporated by reference, that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.
- C. "Automated green waste containers" means containers provided by the city to subscribers to the city's green waste collection service.
- D. "Automated recycling containers" means containers provided by the city to subscribers to the city's recycling pick-up collection service.
- ~~E.~~ "Automated refuse containers" means containers provided by the city to residences for removal of garbage refuse by the service provider.
- ~~F.~~ "Bulky waste" means large items of solid refuse or green waste, or recyclable items, that are too large to fit entirely within the appropriate automated refuse, green waste, or recycling container, including, but not limited to, appliances, furniture, motor vehicles, tires, trees, large branches, and stumps.

E. "~~Cinders~~" means the residue of materials burned in boilers, furnaces and heating plants of public buildings, places of business, apartment houses, hotels, and manufacturing plants.

F. "~~Collector~~" means any person who collects or transports solid waste.

G. "~~Community waste~~" means lawn cuttings, clippings from bushes and shrubs, leaves, sweepings from yards, tin cans, newspapers, magazines and cardboard cartons (but not bulky waste or construction and demolition waste).

H. "~~Construction and demolition waste~~" means waste building materials and rubble resulting from construction, remodeling, repair or demolition operations on houses, commercial buildings, structures or pavements.

I. "~~Eligible business~~" means any place of business with access to a city curb that is located within the service provider's normal route of business.

J. "~~Eligible multi-family property~~" means any multi-family property with access to city curb that is located within the service provider's normal route of business.

K. "~~Garbage~~" means the animal and vegetable waste and other food refuse resulting from the handling, preparing, cooking or consumption of food, and other common discarded or useless household materials, but not including agricultural waste, bulky waste, community waste, construction and demolition waste, hazardous waste, radioactive waste, industrial waste, market waste, night soil, trade waste, dead animals, sludge, highly flammable or explosive material, septic tank or holding tank waste, other nonhousehold waste, or hot ashes, cinders, clinkers and stove ash that could ignite other refuse.

L. "~~Garbage service~~" "City collection service" means the removal by the service provider of garbage refuse contained in approved automated refuse containers ("refuse collection service"); green waste contained in approved automated green waste containers ("green waste collection service"); recyclable items in approved automated recycling containers ("recycling collection service"); and special collection events described in section 9.08.030(G).

H. "Construction and demolition waste" means solid waste resulting from the construction, remodeling, repair, or demolition of structures, from road building, and from land clearing. Such waste includes bricks; masonry materials such as concrete, soil, rock, wall coverings, plaster, drywall, and other inert material; plumbing fixtures; asbestos-free insulation; roofing shingles; asphaltic pavement; glass; plastics that are not sealed in a way that conceals other wastes; wood; concrete reinforcing material; and metals that are incidental to any of the above. "Construction and demolition waste" does not include hazardous waste, asbestos-containing material, garbage, fluorescent electrical fixtures containing mercury, refrigeration units

containing chlorofluorocarbons, radioactive waste, waste tires, containers with liquid wastes, or fuel tanks.

I. "Electronic waste" means consumer or business electronic equipment that is near or at the end of its useful life, including but not limited to computers, televisions, VCRs, stereos, copiers, and fax machines.

J. "Eligible recycling customer" means any person (as defined in this subsection) who is the owner or property manager of a property, including a multi-family property, that does not receive city refuse collection services, if that property receives city water and sewer service and has access to a city curb located within the service provider's normal route of business.

K. "Garbage" means the portion of refuse made up of discarded animal and vegetable wastes resulting from the handling, preparing, cooking, and consuming of food, and of such a character and proportion as to be capable of attracting or providing food for insects or other arthropods, rodents, or other animals capable of transmitting the causative agents of human disease or adversely affecting public health and well being. Garbage does not include sewage and sewage sludge.

L. "Green waste" means items of yard waste and items of fruit or vegetable food waste that have not been mixed with or coated by any other type of food or waste.

M. "Green waste collection service" means the removal by the service provider of green waste items contained in approved automated green waste containers.

N. "Hauler" means a person engaged in the off-site collection and transportation of solid waste by vehicle. "Hauler" shall include, but not be limited to, waste haulers, liquid waste haulers, waste tire haulers, and infectious waste haulers. "Hauler" shall not apply to a person engaged in transporting his or her own personally generated solid waste.

O. "Hazardous waste" means any solid ~~or hazardous waste designated as such by the U.S. environmental protection agency,~~ or a combination of solid wastes that, because of its quantity, concentration, ~~or physical, chemical, or infectious characteristics,~~ may:

1. Cause ~~cause~~ or significantly contribute to an increase in mortality or an increase in serious ~~or incapacitating irreversible illness in humans,~~ or

2. ~~Pose~~pose a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed ~~of,~~ or otherwise managed~~, or any solid waste listed as a hazardous waste under Utah Administrative Code sections R315-2-10 and 11, Utah Hazardous Waste Management Rules, or any solid waste that exhibits a characteristic of a hazardous waste as defined in Utah Administrative Code section R315-2-9, Utah Hazardous Waste Management Rules. The definition for~~

"Hazardous waste" in Utah Administrative Code section R315-2-3 is hereby incorporated by reference.

N. "Infraction" means a failure to comply with this code or rules promulgated thereunder.

O. "Market waste" means condemned or decayed or unsound vegetables, meat, fish and fruit, and all waste and offal thereof from markets, stores and factories, and all vegetable waste and refuse from such markets, stores and factories.

P. "Household hazardous waste" means solid waste generated and discarded from any single or multiple dwelling unit, campsite, ranger station, or other residential source that contains hazardous substances but is exempt from hazardous waste regulation under Utah Administrative Code section R315-2-4(c), Utah Hazardous Waste Management Rules. The container size normally and reasonably associated with households and household activities is five gallons or less. Household hazardous wastes include, but are not limited to, chemical household cleaners, household pesticides and herbicides, paints and stains, paint removers, mercury-containing compact florescent light bulbs, florescent light tubes, petroleum products, batteries (except for alkaline batteries), degreasers, and electronic waste.

Q. "Industrial solid waste" means any solid waste generated at a manufacturing or other industrial facility that is not a hazardous waste or that is a hazardous waste from a conditionally exempt small quantity generator of hazardous waste, as defined by Utah Administrative Code section R315-2-5, Utah Hazardous Waste Management Rules, generated by an industrial facility. Industrial solid waste includes waste from the following industries or resulting from the following manufacturing processes and associated activities: electric power generation; fertilizer or agricultural chemical industries; food and related products or by-products industries; inorganic chemical industries; iron and steel manufacturing; leather and leather product industries; nonferrous metals manufacturing or foundry industries; organic chemical industries; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic product industries; stone, glass, clay, and concrete product industries; textile manufacturing; transportation equipment manufacturing; and water treatment industries.

R. "Infectious waste" means a solid waste that contains pathogens of sufficient virulence and quantity that exposure to the waste of a susceptible host could result in an infectious disease. Infectious waste includes sharps.

S. "Liquid waste" means a solid waste that contains "free liquids" as defined by Method 9095 (Paint Filter Liquids Test), as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA pub. no. SW-846, latest edition). "Liquid waste" does not include infectious waste or hazardous waste.

T. "Multi-family property" means any multi-family dwelling building or group of buildings that contain(s) four (4) dwelling units or more on a single tax lot, including,

"Multi-family property" includes, without limitation, apartments, condominiums, and mobile home parks.

EU. "Owner" means any person who alone, jointly, or severally with others:

1. Has legal title to any premises, dwelling, or dwelling unit as legal or equitable owner, agent of the owner, or lessee; or
2. Is an executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner.

R.V. "Person" means any individual, public or private corporation and its officers, partnership, association, firm, trustee, executor of an estate, the state or its departments, institution, bureau, agency, county, city, political subdivision, or any other legal entity recognized by law.

~~S.~~ "Night soil" means the contents from privy vaults, cesspools, septic tanks, grease tanks and water closets.

W. "Pharmaceutical waste" means unused or expired medicines or drugs, whether obtained with a prescription or over the counter.

~~FX.~~ "Place of business" means any place in Salt Lake City in which there is conducted or carried on principally or exclusively any pursuit or occupation by any person or persons for the purpose of gaining a livelihood.

UY. "Property manager" means the person responsible for paying the city water and sewer bill for a property, but shall not include the owner of that property.

Z. "Public buildings and places" means office buildings, theaters, garages, auto camps, hotels, clubs, schools, hospitals, or other places of similar character, but shall not mean any building owned by Salt Lake City Corporation.

~~VAA.~~ "Recyclable material" ~~is a material item~~ means an item that otherwise would be abandoned or discarded, but ~~which that~~ can be utilized in the secondary material market. Such ~~material includes items include~~ newspaper and inserts; corrugated cardboard; telephone books; paperboard (cereal boxes, paper towel and toilet paper tubes, shoe boxes); magazines; home office paper; ~~junk~~; bulk-rate mail; aluminum, steel and tin cans; plastic coated milk and juice cartons; plastic grocery bags; and plastic containers with the number 1-7 recycling symbol on the container.

~~WBB.~~ "Recycling" means the series of activities, including ~~collection, separation, and~~ processing, by which products or other materials are recovered from or otherwise diverted from the solid waste stream.

~~CC.~~ "Recycling pick-up/collection service" means the removal by the service provider of recyclable material/items contained in approved automated recycling containers.

~~V.~~ "Residences and residence" means buildings or dwellings

~~DD.~~ "Refuse" means wastes commonly discarded by households, institutions, and commercial entities and includes, but is not limited to, garbage; paper contaminated with food waste; non-recyclable papers, plastics, metals, or glass items; diapers; textiles; rubber; and leather. Only objects small enough to fit in an automated refuse container are considered refuse. Refuse does not include: recyclable items, green waste, agricultural waste, asbestos waste, bulky waste, construction and demolition waste, hazardous waste, household hazardous waste, industrial waste, infectious waste, liquid waste, sewage, sludge, special wastes, yard waste, or waste tires.

~~EE.~~ "Refuse collection service" means the removal by the service provider of refuse contained in approved refuse containers.

~~FF.~~ "Residence" means a building or dwelling comprising not more than three (3) residential dwelling units, including, without limitation, a single-family dwellings, designed for separate housekeeping tenements, and where no business of any kind is conducted except such home occupations as are defined in the zoning ordinances of the city.

~~ZGG.~~ "Service provider" means the city or a person, firm or corporation working for the city engaged in the removal of solid waste, garbage, compostable material and/or recyclable material from providing city collection service for any location within Salt Lake City.

~~AA.~~ "Solid waste" means garbage, refuse, trash, rubbish, hazardous waste, industrial waste, construction and demolition waste, dead animals, sludge, liquid or semiliquid waste; other spent, useless, worthless or discarded materials or materials stored or accumulated for the purpose of discarding; materials that have served their original purpose; or waste material resulting from industrial, manufacturing, mining, commercial, agricultural, residential, institutional, recreational or community activities. It does not include solid or dissolved materials in domestic sewage or in irrigation return flows, or discharges for which a permit is required under chapter 11, title 26, Utah Code Annotated, 1953 (as amended) or its successor, or under the federal water pollution control act, 33 USC section 1251 et seq., or successor sections.

~~BB.~~ "Source separation" means a process that separates the recyclable material from solid waste prior to collection for the purpose of recycling such materials.

~~CC.~~ "Stove ashes" means the residue of material burned in stoves and in furnaces in private residences, but not the residue from furnaces in apartment houses, hotels, business houses, heating or manufacturing plants.

DD. "Trade waste" means all discarded wooden boxes, barrels, broken lumber, cardboard boxes, cartons, wastepaper, leather, rubber, excelsior, cuttings, sweepings, rags and other inflammable waste materials, and all discarded trade or manufacturing refuse from stores, factories or other places of business which are not included within the definitions of "garbage", "stove ashes" and "market waste".

HH. "Sewage" means human or animal wastes carried by water or other liquid from a dwelling, business building, institution, industrial establishment, or agricultural, recreational, or other location including, but not limited to, sewer systems, septic tanks, privy vaults, cesspools, and holding tanks in recreational vehicles or travel trailers, including any groundwater, surface water, and storm water that may be mixed with these wastes.

II. "Sharps" means any discarded or contaminated article or instrument that may cause punctures or cuts. Such waste includes, but is not limited to, needles, syringes, pipettes, intravenous tubing with needles attached, glassware, lancets, and scalpel blades.

JJ. "Sludge" means any solid, semisolid, or liquid waste, including grit and screenings, generated from a:

1. Municipal, commercial, or industrial waste water treatment plant;
2. Water supply treatment plant;
3. Car wash facility;
4. Air pollution control facility; or
5. Any other such waste having similar characteristics.

KK. "Solid waste" means any refuse, green waste, agricultural waste, asbestos waste, bulky waste, construction and demolition waste, electronic waste, hazardous waste, household hazardous waste, industrial waste, infectious waste, liquid waste, pharmaceutical waste, sewage, sludge, special wastes, yard waste, or waste tires. Solid waste does not include recyclable items.

LL. "Special wastes" means discarded non-hazardous wastes that may require special handling or other solid waste that may pose a threat to public safety, human health, or the environment. Special wastes include:

1. Ash;
2. Infectious waste including sharps;
3. Small animals wastes; and
4. Pharmaceutical waste.

MM. "Waste tire" means any tire that has been discarded or has ceased to serve the purpose for which it was initially intended due to factors such as wear or imperfections.

NN. "Yard waste" means vegetative matter resulting from landscaping, land maintenance, or land clearing operations including grass clippings, prunings, and other discarded material generated from yards, gardens, parks, and similar types of facilities. Yard waste does not include garbage, paper, plastic, processed wood, sludge, sewage, animal wastes, manure, or agricultural waste.

#### **9.08.020 Salt Lake Valley Health Department Powers:**

All scavengersalvage work shall be subject to the direction and control of the Salt Lake Valley health department. It shall be the particular duty of the health department to make rules and regulations and to enforce the provisions of this chapter in reference to garbage and scavenger workHealth Department. The Salt Lake Valley Health Department has adopted rules and regulations regarding solid waste and recycling management, and such rules and regulations apply within Salt Lake City and supersede this chapter where they are inconsistent with this chapter.

#### **9.08.030 Garbage, Green Waste, And Recycling Pick UpCity Collection Services:**

The city will provide for the collection and disposal, at the expense of the property owner or manager, of garbage, community waste, stove ashesrefuse, recyclable materialitems, and other such refusegreen waste from residences, eligible multi-family properties, eligible businesses, churches, and nonprofit organizations as provided herein. The city will provide for the collection and recycling of recyclable items and green waste, at the expense of the property owner or manager, from eligible recycling customers as provided herein. Said collection shall be under the supervision of the department of public services pursuant to the following:

##### **A. GarbageRefuse, Green Waste, And Recycling Pick UpCollection Services To ResidencesA Residence:**

**1. GarbageRefuse Service To ResidencesA Residence And Responsibility For Payment:** Except where water, sewer, and garbage refuse service to the owner's premisesa residence is properly terminated, or the owner of that residence notifies in writing the director of public services that the owner's garbage refuse will be picked up and disposed by a private collectorhauler, the owner of every residence shall be responsible and liable for the below enumerated monthly charges for garbage refuse service. The charge for such service shall be billed with the city's regular water and sewer billings to the owner, as shown on the records of the public utilities department, of such dwelling units, and directly to the at the owner's address of all other such residences provided byas shown on the directorrecords of the city'spublic utilities department of public services. In those instances where the water and sewer bill for a residence is currently being sent to a tenant or other occupantthe property manager of



that residence at the owner's request, the garbagerefuse service will be similarly billed. However, the owner of the residence is responsible to pay and is liable for all charges for garbagerefuse service furnished to thethat residence if such tenant-or occupant shall fail property manager fails to pay the same.

## **2. Sizes Of GarbageRefuse Containers And Charges For GarbageRefuse Service To Residences:**

a. Beginning in March 2008, automated garbageAutomated refuse containers will be are available in ninety (90) gallon, sixty (60) gallon, and forty eight (48)(40) gallon sizes. The owner or property manager of a residence may arrange, in writing, to have one or more automated refuse containers, of the size or sizes described above. Any residentowner or property manager of a residence who changes garbagerefuse container size must continue to use the new garbagerefuse container size for at least twelve (12) months before the residentowner or property manager may again change the size of the garbagerefuse container. Refuse containers may not be shared by residences with separate accounts on the public utility billing system.

b. Monthly charges for general garbage pick-uprefuse collection service provided to residences for the city's fiscal year 2007-20082009-2010 shall be eightnine dollars twenty five cents (\$8.25(\$9.00) per month for the firsteach automated forty eight (48)(40) gallon refuse container. The monthly charge shall be nineteen dollars twenty five cents (\$910.25) per month for the firsteach automated sixty (60) gallon garbagerefuse container. Effective March 1, 2008, theThe monthly charge shall be eleventwelve dollars twenty fivecents (\$11.2512.50) for the firsteach automated ninety (90) gallon garbagerefuse container. The first automated garbage container-Automated refuse containers shall be delivered to residences without a delivery charge. Additional forty eight (48) gallon automated garbage containers can be obtained for eight dollars twenty five cents (\$8.25) each per month plus a delivery fee of eleven dollars (\$11.00) each. Additional sixty (60) gallon automated garbage containers can be obtained for nine dollars twenty five cents (\$9.25) each per month plus a delivery fee of eleven dollars (\$11.00) each. Prior to March 1, 2008, additional ninety (90) gallon automated garbage containers can be obtained for ten dollars seventy five cents (\$10.75) each per month plus a delivery fee of eleven dollars (\$11.00) each. Effective March 1, 2008, additional ninety (90) gallon automated garbage containers can be obtained for eleven dollars twenty five cents (\$11.25) each per month plus a delivery fee of eleven dollars (\$11.00) each. These fees are subject to modification by future city councils.

c. The property owner or manager of a residence will be charged a service fee of eleven dollars (\$11.00) for each automated refuse and recycling container removed from that residence for any reason. The property owner or manager of a residence will not be charged a service fee for replacing any refuse container with another size of refuse container.

### 3. Charges For Green Waste Collection Service To Residences:

a. Beginning in March 2008, Owners or property managers of residences and eligible recycling customers who desire to subscribe to the city's green waste collection service must do so in writing. Such service shall be billed with the city's regular water and sewer billings to the owner of the property receiving green waste collection service, at the owner's address as shown on the records of the public utilities department. In those instances where the water and sewer bill for a property is currently being sent to a property manager of that property at the owner's request, the green waste collection service will be similarly billed. However, the owner is responsible to pay, and is liable for all charges, for the green waste collection service furnished to that property if such property manager fails to pay the same.

b. The minimum subscription period for automated green waste containers will be available to residents on a subscription basis. The minimum subscription period will be twelve (12) months. Green waste collection service shall be provided for nine (9) months each year beginning on March 1 and ending on November 30. —The total cost to subscribers will be forty two dollars (\$42.00) per subscription year for each container. The subscription cost will be allocated evenly and charged each month during the subscription year. The monthly charge for green waste collection service pick up for the city's fiscal year 2007-2008 shall be three dollars fifty cents (\$3.50) per month for the first automated container. The first each automated green waste container. Automated green waste containers shall be delivered to subscribers without a delivery charge. Additional green waste containers can be obtained on a twelve (12) month subscription basis. The fee will be three dollars fifty cents (\$3.50) each per month per container plus a delivery fee of eleven dollars (\$11.00) each. These fees are subject to modification by future city councils.

c. If an automated green waste container is removed from a property due to non-compliance, or at the request of the property owner or manager, the property owner or manager will be responsible for paying the remainder of the annual subscription fee for each container removed.

d. The property owner or manager will be charged a service fee of eleven dollars (\$11.00) for each automated green waste container removed from service for any reason.

### 4. Recycling Pick-Up Collection Services Available To Residences:

a. Owners or occupants/property managers of residences may elect to subscribe to the city's recycling pick-up collection service. The minimum subscription period for automated recycling containers shall be twelve (12) months.

h. Owners or occupants/property managers of residences receiving city refuse collection services will not be charged for this service in addition to the fee set forth in subsection A2 of this section.

c. Owners or property managers of properties that do not receive city refuse collection services may elect to subscribe to the city's recycling collection service, but will be charged for this service at the rates set forth in subsection B2 below.

**B. Recycling Pick-Up/Collection Service Available To Eligible Multi-Family-Property Owners, Eligible Businesses, Churches, And Nonprofit Organizations/Recycling Customers:**

**1. Recycling Pick-Up/Collection Service:** Owners of eligible multi-family properties and eligible businesses, churches, and nonprofit organizations Eligible recycling customers may elect to subscribe to the city's recycling pick-up/collection service. A business, church, nonprofit organization, or multi-family complex located outside of the service provider's normal routes may not be eligible to subscribe to the recycling program. Such service shall be billed with the city's regular water and sewer billings to owners, the owner of the property receiving recycling collection service, at the owner's address as shown on the records of the public utilities department, of eligible multi-family properties and eligible businesses, churches, and nonprofit organizations. In those instances where the water and sewer bill for a property is currently being sent to a tenant or other occupant of the premises named in the department of public utilities application/property manager of that property at the owner's request, the recycling pick-up/collection service will be similarly billed. However, the owner is responsible to pay, and is liable for all charges, for the recycling pick-up/collection service furnished such tenant or other occupant to that property if such tenant or occupant shall fail/property manager fails to pay the same. The city may collect from private streets with a signed written agreement between the department of public services and the private street owner.

**2. Charges For Recycling Pick-Up/Collection Services:** Charges for recycling pick up service provided to the owner of an eligible multi-family property or eligible business, church, or nonprofit organization for the city's fiscal year 2007-2008 shall be three dollars seventy five cents (\$3.75) per month for the first automated recycling container. Additional automated recycling containers can be obtained for three dollars seventy five cents (\$3.75) each per month.

a. The minimum subscription period for automated recycling containers shall be twelve (12) months. Charges for recycling collection service provided to an eligible recycling customer as of the beginning of the city's fiscal year 2009-2010 shall be four dollars (\$4.00) per month for each automated recycling container. Automated recycling containers shall be delivered to eligible multi-family properties and businesses/recycling customers without a delivery charge. These fees are subject to modification by future city councils.

b. The owner or property manager will be charged a service fee of eleven dollars (\$11.00) for each automated recycling container removed from service for any reason.

**3. Promotion And Education Requirements Regarding Recycling Pick-Up Or Green Waste Collection Service For Eligible Recycling Customers: In Multi-Family Properties, Businesses, Churches, And Nonprofit Organizations:** The business owner or manager of any eligible business, church, or nonprofit organization  
An eligible recycling customer who has subscribed to the city's recycling pick-up or green waste collection service must distribute general recycling or green waste information and current program recycling or green waste program guidelines to each employee of such entity person occupying, attending, or working on the property receiving recycling collection service within fourteen (14) days after such employee's commencement of employment and to all employees of the entity recycling or green waste collection service and annually. The owner or manager of any eligible multi-family property who has subscribed to the city's recycling pick-up service must distribute general recycling information and current program recycling guidelines to each tenant housed in the complex within thirty (30) days after such tenant's commencement of occupancy and to all tenants housed in the complex annually thereafter. If requested, the city will assist by providing educational flyers.

**C. Billing:**

**1. Periodic Billing Statements:** The department of public utilities shall cause billings for garbage refuse collection, green waste collection, and recycling pick-up collection services to be rendered periodically at rates established in this chapter. In the event if partial payment is made on a combined bill, the payment shall be applied first to franchise fees due, and then to each service on a pro rata basis as determined by the director of public utilities.

**2. Delinquency:** Fees and charges levied in accordance herewith shall be a debt due to the city. If this debt is not paid within thirty (30) days after billing it shall, at the option of the director of public utilities, be deemed delinquent and subject to recovery in a civil action for which the city may recover reasonable attorney fees, and said department shall have the right to terminate water, sewer, garbage refuse collection, green waste collection, and recycling pick-up collection services to said premises. Any uncollected amount due from the owner on any inactive, terminated, or discontinued account may be transferred to any active account under the owner's name and, upon failure to pay said bill after at least five (5) days' prior written notice, water, sewer, garbage refuse collection, green waste collection, and recycling pick-up collection services to that account and premises may be discontinued.

**3. Restoration Of Service:** Water, sewer, garbage refuse collection, green waste collection, and recycling pick-up collection service shall not be restored until all charges shall have been paid.

**D. Deposits Required From Non-owners:** All new water, sewer, refuse collection, green waste collection, and garbage recycling collection service users who are not the owners of the premises shall pay to the department of public utilities for deposit with the city treasurer an amount sufficient to cover the cost of garbage-city collection services that may accumulate. The amount deposited shall be not less than twice any the monthly or bimonthly bill for garbage-collection over the preceding year on such premises, but in no case shall it be less than ten dollars (\$10.00) services. The department of public utilities shall issue a certificate receipt of deposit. The amount deposited shall be refunded by the city treasurer to the holder upon the surrender of the certificate receipt properly endorsed, provided all garbage-refuse collection, green waste collection, and recycling collection service bills and other charges are paid. All bills for garbage-city collection service must be paid promptly without reference to said deposit. Whenever any user of garbage-city collection services fails to pay for garbage-city collection services rendered to such premises, the money deposited or any part thereof may be applied by the department of public utilities to the payment of such delinquent bills by the department of public utilities. The owner of the premises will be required to pay any deficiency.

**E. Abatement:** Those owners granted indigent abatement for taxes on their dwelling by Salt Lake County under section 59-2-1107 et seq., Utah Code Annotated, or its successor section, shall be granted a fifty percent (50%) annual abatement of the above garbage pick-up-city collection service charges during the year of such abatement.

**F. Enterprise Fund:** All funds received from garbage service and recycling pick-up service shall be placed in the garbage enterprise fund and left separate and apart from all other city funds. The collection, accounting, and expenditure of all such funds shall be in accordance with existing fiscal policy of the city. Suspensions or Terminations:

1. If a residence being served receiving city collection service is vacant and the owner is trying to sell it, or it is or will be vacant because of an extended vacation of the occupant, the owner may apply to the public services director, in writing for termination of garbage, for suspension of city collection service for a the period of time specified in the written request period. The
2. An owner of a residence may apply to the public services director, in writing, for termination of refuse collection service. If the residence will not be vacant, the request must include an explanation of how refuse will be removed from the property, including applicable supporting documentation such as a billing statement or signed agreement with a private hauler.
3. In the case of any suspension or termination pursuant to this subsection F, all automated garbage refuse, green waste, and recycling container(s) will be picked up and returned at the residence will be removed from that residence pursuant to the owner's request and upon payment of an eleven dollar (\$11.00) per container

~~service fee. If said service fee is paid, no garbage, green waste, or recycling collection fee shall be charged during the period of vacancy.~~

G. Special Collection Events: The city may, at its discretion, also provide for the periodic collection and disposal of bulky waste, bagged leaves, Christmas trees, or other specific types of solid waste. If the city elects to conduct one of these periodic collection and disposal events, all residences that receive refuse collection services from the city will be notified of the event and given instructions regarding the allowable dates and other rules governing the type and placement of allowable types of solid wastes on city streets for collection by the service provider. Only customers of city refuse collection services may participate in these periodic collection events. City customers of refuse collection services will not be charged for periodic collection and disposal events in addition to the fee set forth in subsection A2 of this section. Residents must separate yard waste from other solid waste disposed of through special collection events.

**9.08.040 Refuse Enterprise Fund:**

There is hereby created a fund category known as the refuse enterprise fund, which shall contain a fund known as the refuse and recycling operations fund and a fund known as the environmental and energy fund. All fees, monies, and revenues received from refuse collection service and recycling collection service shall be placed in the refuse and recycling operations fund and shall be used for refuse operations and recycling collection services. Some or all fees, monies, and revenues received from the Salt Lake Valley Solid Waste Management Facility shall be placed in the environmental and energy fund, as determined annually by the City Council, and shall be used for environmental and energy management and recycling management, including open space, environmental sustainability programs, and other related purposes. Any fees, monies, and revenues received from the Salt Lake Valley Solid Waste Management Facility that are not placed in the environmental and energy fund, shall be placed in the refuse and recycling operations fund. All amounts in the refuse enterprise fund shall be left separate and apart from all other city funds. The collection, accounting, and expenditure of all such funds shall be in accordance with this subsection and in accordance with existing fiscal policy of the city.

**9.08.050 Vehicles - Approval By Salt Lake Valley Health Department:**

It is unlawful for any person to convey, transport, or haul through or upon any of the public streets; any garbage, swill, market solid waste, night soil or other similar refuse except in sanitary receptacles especially constructed for that purpose, the same to be subject to the approval of the valley health department as permitted by the Salt Lake Valley Health Department. Haulers must comply with all permitting, vehicle, and operational requirements established by the Salt Lake Valley Health Department. Private citizens are permitted to transport only their own personally generated solid waste to appropriate licensed and permitted disposal and recycling facilities under the condition

that they follow all rules regarding securing and covering loads, and prevent all spills or other releases of the material during transport.

#### **9.08.060 Vehicles - Covering Of Contents:**

It is unlawful for any person to haul, convey, or transport through or upon any of the public streets, any ~~garbage, ashes, market wastes, trade wastes, manure, night soil, loose paper, scrap lumber, excelsior, tree limbs, bush clippings, lawn clippings, house refuse, yard refuse, liquid wastes, or any other refuse materials,~~ solid waste in open trucks, open trailers, or other open conveyances, unless such waste is covered completely with a heavy tarp, canvas, or other acceptable material subject to the approval of the valley health department, Salt Lake Valley Health Department. Each vehicle must be so covered with a heavy duty canvas or other heavy acceptable material at all times when the vehicle is being used for the collection of, or carrying, transporting, or hauling garbage, manure, market of solid waste, night soil, dead animals, or other refuse and is to be being driven for a distance of five (5) blocks or more without making a planned stop.

#### **9.08.070 Refuse Container Specifications:**

A. This section shall apply only to collections made by ~~the city or a private contractor working for the city. In the event service provider.~~ If any container that does not conform to the provisions of this section is set out for collection, the service provider shall have the authority to deny collection services for such container. Any container not meeting the requirements of this section will be tagged by the service provider, and shall not be used again, but shall promptly be replaced by the user thereof.

B. Containers must meet the following specifications:

1. Automated refuse, ~~green waste,~~ and recycling containers shall be made available by the city, and shall be made from durable plastic with a close fitting lid and shall be designed for collection by automated refuse, ~~green waste,~~ and recycling collection vehicles. These containers shall be of such durability that they will be warranted for a minimum of ~~five (5) ten (10)~~ years of normal use.

2. ~~Damage to such refuse and recycling containers caused by hot ashes, clinkers, hot oil or any other material or substance that cuts, melts or ignites the container or other materials shall be paid for by the property owner at the cost of the container plus ten dollars (\$10.00) for delivery of the replacement container. A police case number will be required on all cases of stolen containers before such container shall be replaced. Missing containers replaced without a case number shall be charged at the city's cost plus a ten dollar (\$10.00) delivery fee. If a stolen container is subsequently recovered, the cost of the container shall be credited to the property owner's account. The property owner or manager is responsible to keep containers provided by the service provider in good sanitary condition.~~

3. ~~No rocks, dirt, sand or concrete shall be placed in automated containers.~~

~~4. Owners of residences and eligible multi-family properties, businesses, churches and nonprofit organizations using automated containers shall place all material to be collected within the container or containers with the lids closed. No cans, boxes, barrels or bundled refuse other than that contained in the automated containers shall be collected. There is no limit on the number of automated containers that may be obtained from the city by owners of residences and then placed out for collection.~~

~~5. There is no limit on the number of automated recycling containers that may be obtained from the city by owners of eligible multi-family properties, businesses, churches and nonprofit organizations and then placed out for collection.~~

#### **9.08.080 Containers For All Collection Services: Garbage And Market Waste:**

~~All garbage, refuse, green waste, and recyclable material and market waste items placed outside for collection, whether by a service provider or by another hauler, must be placed in rainproof and fly-proof containers or receptacles, constructed either a metallic container of durable plastic or metal with proper, tight-fitting covers, or weather resistant paper bags specifically for use in garbage and refuse collection, having a method of closing the bag tightly, and shall at all times be kept securely closed, and shall be kept in such place and in such manner as to prevent offense. When automated refuse containers and, automated green waste containers, or automated recycling containers are being used, they shall only be filled to a level that permits the lid to close.~~

#### **9.08.090 Collection Time - Placement Of Containers:**

~~A. Receptacles containing garbage, recyclable material and other Automated refuse, green waste matter and recycling containers containing refuse, green waste, or recyclable items to be collected and hauled by the service provider, shall be set out for collection on a city street adjacent to the property, or at the places and at such times as may be designated by the order of the Salt Lake Valley healthcity's public services department. Such receptacles containers must not be set out upon the street for collection prior to the evening of the day before collection, and must be set out on the day of collection by seven o'clock (7:00) A.M. and spaced three feet (3') (where possible) from the curb, any parked vehicle or, other container, and any other obstruction, as designated by the Salt Lake Valley healthcity's public services department.~~

~~B. The property owner, manager, or resident is responsible for ensuring automated containers placed for collection are accessible to the service provider's collection vehicle.~~

~~C. All empty receptacles containers must be removed from the street as soon as practicable after being emptied, and in every case must be removed from the street the same day they are emptied. No such receptacle shall be permitted to remain on any street longer than may be necessary for the removal of the contents thereof.~~



C. Recycling containers must be set on a city street for collection, not in a parking lot or alleyway.

A. 9.08.095 Allowable Materials for Refuse, Green Waste, and Recyclable Item Collection by Service Provider

This section shall apply to all solid and liquid wastes and recyclable items set out for collection by a service provider. Recyclable items must be separated from refuse and green waste. Only those items deemed to be recyclable items by the city shall be placed in a recycling container. If materials other than the allowable materials listed below are placed in an automated refuse, green waste, or recycling container, the service provider may refuse to empty the container until the unallowable material has been removed, and the city may take enforcement action as described in section 9.08.115.

A. The following wastes are the only wastes that may be placed in an automated refuse container:

1. Refuse as defined in section 9.08.010;
2. Construction and demolition waste if the quantity in each container does not exceed the weight limits allowed in section 9.08.140(C), if less than 1/3 of the container contains sod, dirt, concrete, bricks, or rocks, and if the waste can be placed in the container without causing damage to the container;
3. Liquid wastes if the quantity is limited to less than one gallon, if the liquid is sealed in a leak-proof container, and if the liquid is not considered a household hazardous waste, a hazardous waste, sewage, or any other type of waste that is not permitted in the refuse container under section 9.08.110;
4. Special wastes that have been prepared according to the special waste handling instructions included in section 9.08.100;
5. Yard waste if an alternative, such as composting or placement in an automated green waste container, is not available.

B. The following wastes are the only wastes that may be placed in automated green waste containers:

1. Yard waste;
2. Discarded fruit and vegetable material from kitchens, if it is not mixed or contaminated with other refuse including other kitchen wastes.

C. The following items are the only items that may be placed in automated recycling containers:

1. Recyclable items as listed in section 9.08.010.

**9.08.100 Special Waste Materials Requiring Special Preparation: Materials Requiring Special Preparation:**

This section shall apply only to the disposal and collection of all special wastes collected in collections made by the city or a private contractor working for the city.

The following special wastes may be placed in an automated refuse container for refuse collection only if they are properly handled by following the instructions below.

A. Ash may be placed in the automated refuse container or other permitted refuse container if it is completely cool to the touch and does not contain any hot or burning coals or cinders. Before being placed in the automated refuse container or other permitted refuse container, the ash must be sealed in a bag or other container to prevent it from being released to the atmosphere during collection or transport.

B. Infectious waste, including sharps, may be placed in the automated refuse container or other permitted refuse container if:

1. The amount of such infectious waste placed in that container in any one calendar month does not exceed 25 pounds;

2. All sharps are completely contained in metal or rigid plastic puncture resistant containers, equipped with tight fitting lids, and secured with packing tape to ensure that the contents are not spilled;

3. All infectious wastes other than sharps are contained in disposable plastic bags that are impervious to moisture and that have a minimum thickness of 3.0 millimeters, and that are tightly sealed to ensure that the contents are not spilled;

4. All bags and containers used for containment and disposal of infectious waste including sharps shall be red in color and conspicuously labeled with the words "Infectious Waste," "Biohazard," or with the international infectious waste symbol.

C. Pharmaceutical waste may be placed in the automated refuse container or other permitted refuse container if it is first rendered noxious or unrecoverable by mixing it with used pet litter, used coffee grounds, or similar objectionable substance, and then is sealed inside a bag or other container that will prevent it from being spilled or scavenged from the refuse container.

D. Small animal waste material ~~must~~ may be placed in the automated refuse container or other permitted refuse container if it is dry, and mixed with sand, sawdust, commercial pet litter, or similar absorptive material, and double wrapped in paper or placed in a separate plastic bag before being placed in a refuse container for disposal.

~~B. Sharp objects such as broken glass, knives and hypodermic needles must be double wrapped in paper or other suitable material so that no sharp edge is exposed before being placed in a refuse container for disposal.~~

~~C. Recyclable material must be source separated from garbage and hazardous waste. Only these items deemed as recyclable material by the city shall be placed in the recycling container.~~

#### **9.08.110 Materials Not Collected By Service Provider:**

This section shall apply only to collections made by ~~the a~~ service provider. The following materials require special handling and disposal, and shall not be set out for collection by the a service provider, whether placed in a container or otherwise:

A. ~~Highly inflammable~~ Flammable, corrosive, or explosive materials;

B. ~~Hazardous or radioactive waste material;~~

C. ~~Hot ashes, cinders, clinkers or stove ashes which could ignite other refuse; Hot or burning materials of any type;~~

D. ~~Dead animals;~~

E. ~~Septic tank waste or holding tank waste from recreational vehicles or travel trailers. Sewage;~~

F. ~~Asbestos waste;~~

G. ~~Agricultural waste;~~

H. ~~Household hazardous waste;~~

I. ~~Electronic waste;~~

J. ~~Sludge;~~

K. ~~Waste tires.~~

#### **9.08.115 Compliance With And Enforcement Of Recycling And Green Waste ~~Pick Up~~Collection Service Laws:**

A. ~~In evaluating whether an infraction a violation regarding the recycling or green waste pick-up collection service has occurred, city staff or the city's contractor service provider has the right to visit the premises of multi-family properties, businesses, residences, churches, and nonprofit organizations or eligible recycling customers that subscribe to the recycling pick-up service or residences that subscribe to the green waste or green waste~~

collection service to determine the presence and capacity of recycling or green waste containers, the presence and quantities of recyclable material items in recycling containers, the presence and quantities of green waste in green waste containers, the presence of signs, flyers, stickers, and other information that promotes recycling, and to engage in discussion with tenants, employees, property managers, residents, and owners regarding their recycling or green waste program.

B. The city may initiate an enforcement action based on its own observations or notification by the service provider or other third parties for of failure to comply with this code and rules promulgated thereunder governing the recycling or green waste pick up collection service. The city or its service provider will notify the resident or owner or eligible recycling customer in writing describing the nature of the failure to comply.

C. The city reserves the right to discontinue recycling or green waste pick up collection service for any residence, multi-family property, business, church, or nonprofit organization or eligible recycling customer that fails to comply with this code and rules promulgated thereunder governing the recycling or green waste pick up collection service. The property owner or manager will be charged a service fee of eleven dollars (\$11.00) for each container removed from service.

D. For a period of six (6) months after the recycling or green waste pick up collection service has been discontinued due to infractions a violation, the residence owner, multi-family property owner, business owner, church or nonprofit organization eligible recycling customer shall not be allowed to subscribe to the recycling or green waste pick up collection service. After the six (6) month period, the owner or eligible recycling customer may request recycling or green waste collection service in accordance with section 9.08.030.

#### **9.08.120 "No Dumping" Signs:**

The city will furnish to any person who shall apply for the same a "no dumping" sign, at cost, to be placed on any lot where offensive solid or other refuse liquid waste of any type is likely to be deposited, in accordance with approved regulations of the valley health department Salt Lake Valley Health Department.

#### **9.08.130 Unauthorized Collection:**

It is unlawful for any person to remove any community refuse, recyclable items, or green waste set out on a public street or alley for service provider collection on a regular garbage and refuse collection day without written authorization from the department of public services. Nothing herein shall be construed to prohibit any person from removing community refuse, recyclable items, or green waste which has been produced on premises actually occupied by the person removing said waste.

#### **9.08.140 Damaging Garbage Containers:**

- A. ~~All licensed collectorshaulers of garbage refuse, recyclable materialitems, or other refuse and city employees engaged in garbage and refuse collectiongreen waste, including service providers, shall, immediately upon emptying containers or receptacles, replace the cover thereon and set such containers or receptacles in an upright position. All garbage and recycling collectorshaulers, including service providers, shall exercise reasonable care in the handling of garbage refuse, recyclable materialitems, and other refusegreen waste, and the containers or receptacles containing the same.~~
- B. It is unlawful for any person to ~~wilfully~~willfully break, deface, or injure any container or receptacle used to contain garbage refuse, recyclable material or other refuse, items, or green waste, or to do or permit anything to be done in connection with such containers or receptacles or the contents thereof whichthat shall be offensive or filthy in relation to any person, place, building, premises, or highway.
- C. Damage to automated refuse, green waste, or recycling containers caused by placing more than 160 pounds of solid waste in an automated 40-gallon refuse container, 200 pounds of solid waste in an automated 60-gallon refuse container, or 300 pounds of solid waste or recyclable items in an automated 90-gallon container, or caused by hot materials, corrosive materials, or any other solid waste, material, or substance that cuts, melts, or ignites the container or other materials shall be paid for by the property owner to whom the container is assigned at the cost of the container plus an eleven dollar (\$11.00) service fee for each damaged container removed. A police case number will be required on all cases of stolen containers before such container shall be replaced. Missing containers replaced without a police case number shall be charged at the city's cost. If a stolen container is subsequently recovered, the cost of the replacement container shall be credited to the property owner's account.

**9.08.145 Unlawful To Place On Streets Or Premises:**

- A. ~~It is unlawful for any person, to deposit, or for an owner or occupant of any premises or vacant property to deposit or cause or permit to be deposited, or to allow to remain deposited thereon, any garbage, recyclable material, marketsolid or liquid waste, stove ashes, trade waste, or any other similar refuse in or upon any street or alley, or upon any premises in the city, without express permission from the Salt Lake Valley Health Department except within the specified time frame and requirements of the city's special collection events as set forth in section 9.08.030(G), board of health.~~
- B. If solid or liquid wastes are placed on the street during special collection events described in section 9.08.030(G) that do not comply with the rules governing the allowable type, placement, or separation of solid wastes, the solid or liquid wastes will not be picked up and the resident occupying the property bordering the solid or liquid waste will be required to remove and properly dispose of the solid or liquid waste. Violations will be referred to the Salt Lake Valley Health Department.

9.08.150 [Reserved] Placing Loose Trade Waste On Street Prohibited:

~~It is unlawful for any person to place or cause to be placed upon any street or alley, for the purpose of collection or otherwise, any loose paper, excelsior or similar trade waste. All such trade waste must be baled or placed in sacks securely tied or otherwise containerized, as directed elsewhere in this chapter, before collection is made.~~

**9.08.160 Vehicles Standing On Street Prohibited When:**

~~It is unlawful for any person to suffer, permit, or allow any vehicle loaded with community solid or liquid waste, garbage, manure, slops, swill, market waste or other refuse to be or remain standing upon any public street within the city any longer than may be necessary for the purpose of loading and transporting the same.~~

**9.08.170 Befouling Gutters And Ditches Prohibited:**

~~It is unlawful for any person to sweep into or deposit any rubbish or refuse, green waste, or any other type of solid or liquid waste in any gutter or ditch within the city limits.~~

**9.08.180 Polluting Water With Animals Or Fowl Prohibited:**

~~It is unlawful for any person to throw or deposit any dead animal or fowl, or any live animal or fowl for the purpose of drowning, in any reservoir, pool, canal, creek, or other stream or body of water within the city.~~

**9.08.185 Removal Of Dead Animals And Condemned Food By Contract:**

~~The mayor or his or her designee may contract with a person or corporation to remove from the corporate limits of the city any animal found dead within the city, or any meat, fish, or poultry duly condemned as unfit for human food by inspectors acting under the board of health Salt Lake Valley Health Department, and to have the exclusive right to receive dead dogs and cats from the city or other person at any place designated thereby for receipt of such. Such contractor shall remove and properly dispose of all such without charge to the city.~~

**9.08.190 Spilling Garbage Solid or Liquid Waste Or Recyclable Material Items On Streets Unlawful:**

~~It is unlawful for any person engaged in hauling garbage, recyclable material, manure, rubbish solid or other matter liquid waste of any kind, or recyclable items, to permit, allow, or cause any of said matter waste or items to fall and remain in the streets.~~

**9.08.200 Dumping Garbage, Refuse Solid or Liquid Waste Or Recyclable Material Items Prohibited:**

~~It is unlawful for any person to place, deposit, or dump garbage, solid or liquid waste of any type, or recyclable material, ashes, market waste, paper boxes, cartons, trade waste, manure or night soil, or any other refuse items, upon any lot within the limits of the city,~~

whether such lot is occupied or vacant, and whether such person so placing, depositing, or dumping such ~~refusewaste or items~~ is the owner, tenant, occupant, or lessor thereof or has the same under his or her jurisdiction and control.

SECTION 2. This ordinance shall take effect July 1, 2009.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-24-09  
By: [Signature]



SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009  
(Fuel/Equipment Fee Increase for Secondary Employment)

An ordinance amending section 2.54.030 of the Salt Lake City Code, relating to fuel/equipment fee increase for secondary employment.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 2.54.030 of the Salt Lake City Code be, and the same hereby is, amended as follows:

**2.54.030 Use Policy And Restrictions:**

- A. Except as provided in subsection B of this section, no motor vehicle owned by the city may be taken home by any city employee except under the following circumstances:
1. Authorization to regularly take home a city owned vehicle is granted by the department director and approved by the chief administrative officer or his or her designee based on a demonstrated need for such vehicle to be taken home to serve the public interest; or
  2. Due to an isolated incident of use when, because of the lateness of the hour or other peculiar circumstances, it is impractical or impossible to return such vehicle to city custody at the end of a duty shift.
- B. Authorization to regularly take home a city owned vehicle may be granted to a full time employee for a "demonstrated need" based on at least one of the following criteria:
1. The employee has been designated as the director of a city department.
  2. The vehicle is assigned to a sworn and certified law enforcement officer of the Salt Lake City police department or an employee of the Salt Lake City fire department (in either case, a "public safety officer"), pursuant to their department's take home car program requirements. For public safety officers who live within Salt Lake City, off duty use of the vehicle is available within Salt Lake City. For public safety officers who live outside Salt Lake City: a) off duty use of the vehicle is available only while the officer is already within Salt Lake City on official city business, and b) limited personal use of the vehicle is allowed outside Salt Lake City only when incidental to the officer's commute to or from his or her residence. Travel to and from secondary employment in a city vehicle is prohibited except with respect to police officers and

in that case only if the secondary employer, ~~beginning October 1, 2006~~, pays a fuel surcharge of ~~threesix~~ dollars (\$36.00) per work shift of the police officer. The amount of personal use shall be established by police department or fire department policy, as the case may be, and shall be a reasonable amount that, as described in that policy, shall not accumulate excessive miles on the vehicle. Fleet management shall provide to the police chief and the fire chief a monthly report detailing usage and mileage of city vehicles, thus enabling the police chief and the fire chief to monitor vehicle usage and to determine what constitutes a reasonable accumulation of miles on vehicles.

3. The employee must respond to at least five (5) emergency situations or callbacks to work per month.

4. The nature of the employee's work requires immediate response to emergency situations, regardless of frequency, that require the use of specific safety or emergency equipment that cannot be reasonably carried in the employee's personal vehicle.

C.1. Employees who have a demonstrated need as set forth in subsection B of this section may use city owned motor vehicles on a voluntary basis to travel to and from their homes only with the knowledge and consent of the appropriate department head, and only if such employees, beginning October 1, 2006, make biweekly payments to the city for such use according to the following fee schedule:

Distance (In Miles) From The Intersection Of I-80 And Redwood Road	Biweekly Payment
Public safety employees who live in the city	-\$ 0.00
Employees (other than public safety employees) who live in the city	_0.00
5 or less	10.40
10 or less	20.80
15 or less	31.20
20 or less	41.60
25 or less	52.00
30 or less	62.40
35 or less	72.80
More than 35	72.80

The city council shall reevaluate the fee schedule each year in conjunction with its adoption of the annual city budget. For employees whose use of vehicles is grandfathered pursuant to subsection D of this section, the biweekly fee shall increase by twenty percent (20%) in the third year of the grandfather period, by an additional

twenty percent (20%) in the fourth year of the grandfather period, and by an additional twenty percent (20%) in the fifth year of the grandfather period. Prior to October 1, 2006, employees who use city owned motor vehicles as described in this subsection C shall make payment to the city according to the written fee schedule for such use adopted by the mayor or the mayor's designee that was in effect in July 2006. Notwithstanding anything herein to the contrary, department heads, including the chief of the police department and the chief of the fire department, shall not be required to pay the fees imposed by this subsection C.

2. The mayor shall, by written policy, set forth liability insurance coverage to such employees, which coverage shall be not less than two hundred thousand dollars (\$200,000.00) per incident, shall cover bodily injury, death, and property damage and shall be in addition to that required by Utah code sections 31A-22-304 and 63-30d-802.

D. Except as otherwise provided in this subsection, under no circumstances shall a city owned vehicle be authorized for take home use for an employee who resides farther than thirty five (35) miles from the intersection of I-80 and Redwood Road, regardless of the department in which the employee is employed. Public safety officers qualifying for a take home vehicle as of August 1, 2006, will be grandfathered from this limitation for a period of five (5) years beginning August 1, 2006.

E. Except as provided in subsection B2 of this section, under no circumstances shall a city vehicle be used for any purpose other than city business, to promote a city interest, or for any use authorized by the mayor or the mayor's designee.

F. The distance of an employee's residence from the intersection of I-80 and Redwood Road may be established by evidence generated by any commonly available internet or computer software program that estimates distances using driving directions. An employee who disagrees with the determination of the city regarding that distance calculation may appeal that determination to the employee's department head or the department head's designee, pursuant to a process established by departmental policy. Any department's policy shall require the employee to: 1) provide documentation supporting any disagreement with the distance determination of the city, and 2) describe any action taken by the department regarding the matter. The department shall maintain records regarding the appeal and shall make those records available for audit purposes.

SECTION 3. That this ordinance shall take effect immediately upon the date of its

first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

**APPROVED AS TO FORM**

Salt Lake City Attorney's Office

Date: 4/24/09

By: Martha S. Stonebrook

Martha S. Stonebrook, Senior City Attorney

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2009

(Approving a Memorandum of Understanding  
between Salt Lake City Corporation and  
Local 1004 of the American Federation of State,  
County and Municipal Employees (AFSCME)  
representing the "100, 200 and certain identified 300 Series" City Employees)

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING  
BETWEEN SALT LAKE CITY CORPORATION AND LOCAL 1004 OF THE AMERICAN  
FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME)  
REPRESENTING THE "100, 200 and certain identified 300 SERIES" CITY EMPLOYEES,  
WHICH SHALL BECOME EFFECTIVE ON PROPER RATIFICATION AND SIGNATURE.

PREAMBLE

Local 1004 of the American Federation of State, County and Municipal Employees (AFSCME) as the Certified Bargaining Representative for the "100, 200 and certain identified 300 Series" City Employees, and the Mayor, have agreed to a Memorandum of Understanding subject to appropriate ratification by the "100, 200 and certain identified 300 Series" City employees and signature of the parties.

Section 12(c) of the Collective Bargaining and Employee Representation Joint Resolution, dated January 13, 2009, provides that no collective bargaining Memorandum of Understanding shall be effective until the City Council approves the Memorandum of Understanding, enacts implementing legislation and appropriates all required funds.

The attached Memorandum of Understanding is a two year agreement effective for fiscal years 2010 and 2011. The City Council has appropriated necessary funds required to implement the provisions of the attached Memorandum of Understanding for fiscal year 2010.

Accordingly, the City Council wants to approve the attached Memorandum of Understanding between Salt Lake City Corporation and Local 1004 of the American Federation of State, County and Municipal Employees (AFSCME) which shall become effective on ratification and signature of the parties.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. PURPOSE. The purpose of this Ordinance is to approve the attached Memorandum of Understanding which shall become effective on appropriate ratification by the "100, 200 and certain identified 300 Series" City employees and on signature of the Mayor, as the Chief Administrative Officer for the City and Local 1004 of the American Federation of State, County and Municipal Employees (AFSCME) representing the "100, 200 and certain identified 300 Series" employees, pursuant to Section 12(c) of the Collective Bargaining and Employee Representation Joint Resolution, dated January 13, 2009.

SECTION 2. The attached Memorandum of Understanding between the City and Local 1004 of the American Federation of State, County and Municipal Employees (AFSCME) is hereby approved.

SECTION 3. AUTHORIZATION. The Mayor of Salt Lake City, Utah is hereby authorized to act in accordance with the terms and conditions of the attached Memorandum of Understanding when it is properly ratified and executed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be deemed effective on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of

\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_

Mayor's Action: \_\_\_\_\_ Approved \_\_\_\_\_ Vetoed

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-27-09  
By [Signature]

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2009

(Approving a Memorandum of Understanding  
between Salt Lake City Corporation and  
Local 1645 of the International Association of  
Firefighters, representing the "400 Series City Employees and Fire Captains")

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING  
BETWEEN SALT LAKE CITY CORPORATION AND LOCAL 1645 OF THE  
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS REPRESENTING THE "400  
SERIES CITY EMPLOYEES AND FIRE CAPTAINS" WHICH SHALL BECOME  
EFFECTIVE ON PROPER RATIFICATION AND SIGNATURE.

PREAMBLE

Local 1645 of the International Association of Firefighters as the Certified Bargaining Representative for the "400 Series City Employees and Fire Captains", and the Mayor, have agreed to a Memorandum of Understanding subject to appropriate ratification by the "400 Series City employees and Fire Captains" and signature of the parties.

Section 12(c) of the Collective Bargaining and Employee Representation Joint Resolution, dated January 13, 2009, provides that no collective bargaining Memorandum of Understanding shall be effective until the City Council approves the Memorandum of Understanding, enacts implementing legislation and appropriates all required funds.

The attached Memorandum of Understanding is a three year agreement effective for fiscal years 2010, 2011 and 2012. The City Council has appropriated necessary funds required to implement the provisions of the attached Memorandum of Understanding for fiscal year 2010.

Accordingly, the City Council wants to approve the attached Memorandum of



Understanding between Salt Lake City Corporation and Local 1645 of the International Association of Firefighters which shall become effective on ratification and signature of the parties.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. PURPOSE. The purpose of this Ordinance is to approve the attached Memorandum of Understanding which shall become effective on appropriate ratification by the "400 Series City employees and Fire Captains" and on signature of the Mayor, as the Chief Administrative Officer for the City and Local 1645 of the International Association of Firefighters representing the "400 Series City employees and Fire Captains", pursuant to Section 12(c) of the Collective Bargaining and Employee Representation Joint Resolution, dated January 13, 2009.

SECTION 2. The attached Memorandum of Understanding between the City and Local 1645 of the International Association of Firefighters is hereby approved.

SECTION 3. AUTHORIZATION. The Mayor of Salt Lake City, Utah is hereby authorized to act in accordance with the terms and conditions of the attached Memorandum of Understanding when it is properly ratified and executed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be deemed effective on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_ day of

\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_

Mayor's Action: \_\_\_\_\_ Approved \_\_\_\_\_ Vetoed

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-27-09  
By [Signature]

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009

(Approving a Memorandum of Understanding  
between Salt Lake City Corporation and the Salt Lake Police Association, Local 75 (SLPA)  
representing the "500 Series City Employees and Police Sergeants")

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING  
BETWEEN SALT LAKE CITY CORPORATION AND THE SALT LAKE POLICE  
ASSOCIATION, LOCAL 75 (SLPA) REPRESENTING THE "500 SERIES CITY  
EMPLOYEES AND POLICE SERGEANTS", WHICH SHALL BECOME EFFECTIVE ON  
PROPER RATIFICATION AND SIGNATURE.

PREAMBLE

The Salt Lake Police Association, Local 75 (SLPA) as the Certified Bargaining  
Representative for the "500 Series City Employees and Police Sergeants", and the Mayor, have  
agreed to a Memorandum of Understanding subject to appropriate ratification by the "500 Series  
City employees and Police Sergeants" and signature of the parties.

Section 12(c) of the Collective Bargaining and Employee Representation Joint  
Resolution, dated January 13, 2009, provides that no collective bargaining Memorandum of  
Understanding shall be effective until the City Council approves the Memorandum of  
Understanding, enacts implementing legislation and appropriates all required funds.

The attached Memorandum of Understanding is a one year agreement effective for fiscal  
year 2010. The City Council has appropriated necessary funds required to implement the  
provisions of the attached Memorandum of Understanding for fiscal year 2010.

Accordingly, the City Council wants to approve the attached Memorandum of  
Understanding between Salt Lake City Corporation and the Salt Lake Police Association, Local

75 (SLPA) which shall become effective on ratification and signature of the parties.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. PURPOSE. The purpose of this Ordinance is to approve the attached Memorandum of Understanding which shall become effective on appropriate ratification by the "500 Series City employees and Police Sergeants" and on signature of the Mayor, as the Chief Administrative Officer for the City and the Salt Lake Police Association, Local 75 (SLPA) representing the "500 Series employees and Police Sergeants", pursuant to Section 12(c) of the Collective Bargaining and Employee Representation Joint Resolution, dated January 13, 2009.

SECTION 2. The attached Memorandum of Understanding between the City and the Salt Lake Police Association, Local 75 (SLPA) is hereby approved.

SECTION 3. AUTHORIZATION. The Mayor of Salt Lake City, Utah is hereby authorized to act in accordance with the terms and conditions of the attached Memorandum of Understanding when it is properly ratified and executed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be deemed effective on July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of

\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_

Mayor's Action: \_\_\_\_\_ Approved \_\_\_\_\_ Vetoed

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4/27/09  
By [Signature]

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009

(Approving Employee Overtime & Other Pay Allowances for  
All non-represented Employees  
of Salt Lake City)

AN ORDINANCE APPROVING EMPLOYEE OVERTIME & OTHER PAY  
ALLOWANCES FOR ALL NON-REPRESENTED EMPLOYEES OF SALT LAKE  
CITY.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. PURPOSE. The purpose of this Ordinance is to approve the  
attached Employee Overtime & Other Pay Allowances for all non-represented Salt Lake  
City employees. Three copies of said Employee Overtime & Other Pay Allowances shall  
be maintained in the City Recorder's Office for public inspection.

SECTION 2. APPLICATION. The Employee Overtime & Other Pay Allowances  
shall not apply to employees whose employment terminated prior to the effective date of  
this Ordinance.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be deemed effective on  
July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-27-09  
By [Signature]

PROPOSED ORDINANCE (4/22/09)  
"EMPLOYEE OVERTIME & OTHER PAY ALLOWANCES"

This ordinance shall apply to all City employees not otherwise represented by a recognized collective bargaining unit and not covered by the provisions of an applicable memorandum of understanding.

I. OVERTIME COMPENSATION

A. Payment of Overtime Compensation To Non-Exempt Employees.

Management may authorize or require FLSA non-exempt employees to perform City work on an overtime basis as defined by the Fair Labor Standards Act. Overtime shall be compensated by actual payment or given compensatory time off at a rate of 1-1/2 times.

1. In addition to hours actually worked, all holiday leave hours paid shall be used in the calculation of overtime. Determination whether an employee receives cash payment or compensatory time off shall be at the discretion of the Department Director, subject to the limitations of the Fair Labor Standards Act and City policy.

2. An employee may receive compensatory time for overtime up to a maximum of 80 hours. The City may, at its sole discretion, pay an employee for any or all accrued compensatory hours.

B. Labor Costs—Declared Emergency. The City may pay exempt "600 Series" and "Appointed" (excluding Department heads /officials) employees overtime pay for any hours worked over forty (40) hours in a workweek at a rate of 1-1/2 times their regular hourly rates of pay. The City shall only make such payment when all of the following conditions occur:

1. The Mayor or the City Council, pursuant to Salt Lake City Ordinance 2.04.030, or its successor provisions, has issued a "Proclamation of Local Emergency;" and,
2. Exempt employees are required to work over forty (40) hours for one workweek during the Emergency period: and,
3. Funds are available. The City shall determine if funds are available and obtain prior approval from the Mayor to use available funds to cover the overtime payments.

The City shall distribute any overtime payments consistently with a pre-defined standard that treats all employees equitably. Hours worked under a declared Emergency must be paid hours and cannot be accrued as compensatory time.

II. LONGEVITY PAY

- A. Eligibility. Full-Time employees who have completed 6 full years of employment with the City shall receive a monthly longevity benefit in the sum of \$50.00. Said benefit shall be \$75.00 per month for employees who



have completed 10 full years of employment with the City. Said benefit shall be \$100.00 per month for employees who have completed 16 full years of employment with the City. Said benefit shall be \$125.00 per month for employees who have completed 20 full years of employment with the City. The computation of longevity pay shall be based on the most recent date the person became a Full-Time salaried employee.

1. "Appointed" employees shall not be eligible for longevity benefits.
- B. Pension Base Pay. Longevity paid to full-time employees pursuant to paragraph A of this section shall be deemed included within base pay for purposes of pension contributions.
- C. Longevity pay is paid pro-rata each bi-weekly pay period, based on the most recent date the person became a full-time salaried employee. Employees do not earn or receive longevity payments while on unpaid leave of absence. Upon return from an approved, unpaid leave of absence, longevity payments shall resume on the same basis as if the employee had not been on such leave of absence.

### III. WAGE DIFFERENTIALS

- A. Call-back and Standby. Full-Time "300 Series" employees may receive call-back and standby compensation based on Department Director approval and the following guidelines:
  1. Employees who have been released from normally scheduled work and standby periods, and who return to their normal work site upon direction of an appropriate department head or designated representative prior to their next normal duty shift and without advanced notice or scheduling, shall receive a minimum of three (3) hours straight-time pay and in addition shall be guaranteed a minimum four (4) hours work or straight-time pay thereof.
  2. Employees who have been released from normally scheduled work but have not been released from standby status and who return to their normal work site upon direction of an appropriate department head or designated representative prior to their next normal duty shift and without advanced notice or scheduling, shall be guaranteed a minimum four (4) hours work or straight-time pay thereof.
  3. Employees may be eligible for: (1) two hours of straight time pay for each 24 hour period of limited standby status; or (2) two hours straight time pay for each 12-hour period of limited standby status if they are Department of Airports or Public Utilities Department employees.

Any employee on standby as a member of the Snow Fighter Corps shall not receive standby/on-call pay or shift differential when on standby or called back to fight snow.

- B. Shift Allowance/ Differential. Full-time "300 Series" and "600 Series" employees who work a swing shift or night shift may receive an allowance or differential.

1. All shift differential pay shall be included when computing overtime. Employees who are receiving the snow fighter corps differential pay shall not receive a shift differential while receiving snow fighter corps differential pay.
  2. Swing Shift: If the majority of the hours in a regularly scheduled shift are between the hours of 3:00 p.m. and 11:00 p.m., a "300 Series" employee shall receive an allowance of \$0.70 for each hour of that shift; a full-time "600 Series" employee is eligible to receive an allowance not to exceed \$73.60 per pay period.
  3. Night Shift: If the majority of the hours in a regularly scheduled shift are between 11:00 p.m. and 8:00 a.m., a "300 Series" employee shall receive a premium of \$0.90 for each hour of that shift; a full-time "600 Series" employee is eligible to receive an allowance not to exceed \$97.43 per pay period.
  4. "700 Series Employees": Employees classified as "700 Series" may receive a shift differential based upon Department Director approval. The same rates paid for shift work performed by regular full-time employees in similar classifications apply.
- C. Police Lieutenant Shift Differential: Employees classified as "500 Series" Police Lieutenants shall be paid shift differentials according to the approved wage schedule. Shifts are to be determined as follows:
1. Day shift begins at 0500 hours until 1159 hours.
  2. Swing shift begins at 1200 hours until 1859 hours.
  3. Graveyard shift begins at 1900 hours until 0459 hours.
- D. Acting/Working out of Classification. Management, with guidance from a department head, may temporarily assign additional higher-level job duties to employees which may include some or all of the duties of a supervisor or other team member. In consultation with the Division of Human Resource Management, a department head may elect to grant additional compensation to an employee for work performed in an acting capacity or otherwise beyond the employee's regular job classification, as deemed appropriate.
1. Typically, additional compensation is provided when a temporary assignment lasts for more than 20 working days. Compensation adjustments may be retroactive to the start date of the temporary job assignment.
- E. Snowfighter Pay for Full-Time "300 Series" Employees Designated by the City. Full-Time "300 Series" employees designated by the City as members of the Snow Fighter Corps shall receive a pay differential equal to \$200 per pay period for the snowfighter season not to exceed \$2,000 during each fiscal year of this compensation plan. Such pay differential shall be for work related to snow removal and shall be separate from regular earnings on each employee's wage statement.

1. Employees who are qualified to operate snow-removal equipment shall be assigned to the Snowfighter Corps by department seniority on a volunteer basis. If the City does not have enough volunteers to staff a snowfighter crew, as determined by the supervisor or department head, employees shall be assigned on a department seniority basis, with the junior employees assigned first.
2. Any employee otherwise qualified for the allowance, who is absent from normal scheduled work more than five working days in a pay period, shall be ineligible to receive the allowance for that pay period. Vacation and compensatory time shall not be considered as absent work days for purposes of determining eligibility for this allowance.

IV. EDUCATION AND TRAINING PAY

A. Education Incentives. The Mayor may adopt programs to promote employee education and training, provided that all compensation incentives under such programs are authorized within appropriate budget limitations established by the City Council.

1. Police Captains and Lieutenants are eligible for a \$500 per year job-related training allowance.
2. Fire Department employees shall be eligible for incentive pay following completion of degree requirements at a fully accredited college or university and submission of evidence of his/her diploma to the Fire Chief or designee. Education incentive pay shall be awarded according to the following monthly allowances according to the educational degree held:

Doctorate.....	\$100.00
Masters.....	\$75.00
Bachelors.....	\$50.00
Associate.....	\$35.00

- a. No employee shall be entitled to compensation for an educational degree which qualifies the employee for his/her position of employment; or for any degree which is not specifically related to the employee's actual employment duties.

V. ALLOWANCES

A. Meal Allowance. Employees shall be eligible for meal allowances in the amount of \$10.00 when said employees work two or more hours consecutive to their normally scheduled shift, as pre-approved by their supervisor. Said employees may also receive \$10.00 for each additional four hour consecutive period of work which is in addition to the normally scheduled work shift, as preapproved by their supervisor.

1. Fire Department employees shall provided with adequate food and drink to maintain safety and performance during emergencies or extraordinary circumstances.

B. Business Expenses. City policy shall govern the authorization of employee advancement or reimbursement for actual expenses reasonably incurred in the

performance of City business. Advancement or reimbursement shall be approved only for expenses documented and authorized in advance within budget limitations established by the City Council.

C. Automobiles

1. The Mayor may authorize, subject to the conditions provided in City policy, an employee to utilize a City vehicle on a take-home basis, and may require said employee to reimburse the City for a portion of the take-home vehicle cost as provided in City ordinance.
2. Employees who are authorized to use, and who do use, privately owned automobiles for official City business shall be reimbursed for the operation expenses of said automobiles at the rate specified in City policy.
3. A car allowance may be paid to Appointed employees, as determined by the Mayor, at a rate not to exceed \$400 per month.

D. Uniform Allowance. Employees shall be provided the following monthly uniform allowances when required to wear uniforms in the performance of their duties:

1. Airport Police supervisory employees—\$75.00
2. Field Supervisor (Parking Enforcement)—\$65.00
3. Non-sworn Police and Fire Department employees—\$65.00
4. Watershed Management Division Personnel—\$65.00
5. Fire: "900 Series" Battalion Chiefs shall be provided uniforms and other job-related safety equipment, as needed. Employees may select uniforms and related equipment from an approved list. The total allowance provided shall be \$475 per year, or the amount received by the 400 Series employees, whichever is greater. Appointed employees shall be provided uniforms or uniform allowances to the extent stated in Fire Department policy.
  - a. Dangerous or contaminated safety equipment shall be cleaned, repaired, or replaced by the Fire Department.
6. Police: "800 Series" Police Lieutenants and Captains in uniform assignments, as determined by their Division Commander, may purchase authorized uniform items up to \$450.00 per fiscal year.
  - a. The City shall provide for the cleaning of uniforms as described in Police Department policy.
  - b. Employees in plainclothes assignments, as determined by their Division Commander, shall be provided a clothing and cleaning allowance of \$ 39.00 per pay period.

c. In addition to the above uniform, clothing and cleaning allowances, employees shall be allowed one additional uniform consisting of a uniform pant, shirt, and tie. The cost of this additional uniform shall be paid for by the Police Department.

d. Uniforms or uniform allowances for Police Appointed employees shall be provided to the extent stated in Police Department policy.

- E. Allowances for Certified Golf Teaching Professionals. The Mayor may, within budgeted appropriations and as business needs and market surveys indicate, authorize golf lesson revenue sharing between the City and employees recognized as Certified Golf Teaching Professionals as defined in the Golf Division's Golf Lesson Revenue Policy. Such individuals may be salaried or seasonal employees. Payment to an employee for lesson revenue generated shall be reduced by 1) a 10 percent administrative fee to be retained by the Golf Division, and 2) the employee's payroll tax withholding requirements in accordance with federal and state law.
- F. Other Allowances. The Mayor or the City Council may, within budgeted appropriations, authorize the payment of other allowances in extraordinary circumstances (as determined by the Mayor or the City Council) and as dictated by City needs.

## VI. SEVERANCE BENEFIT

- A. Subject to availability of funds, any current Appointed employee who is not retained, not terminated for cause and who is separated from City employment involuntarily shall receive severance benefits based upon their respective appointment date.

Severance benefits shall be calculated using the employee's salary rate in effect on the employee's date of termination. Receipt of severance benefits is contingent upon execution of a release of all claims approved by the City Attorney's Office.

1. Current Appointed Employees Who Were Appointed Before January 1, 1989 shall receive a severance benefit equal to one month's base salary for each year of continuous City employment, calculated on a pro-rata basis, for a total benefit of up to a maximum of six months.
2. Current Appointed employees appointed on or after January 1, 1989 and before January 1, 2000 shall receive a severance benefit equal to one month's base salary for each continuous year of City employment before January 1, 2000. Severance shall be calculated on a pro-rata basis for a total benefit of up to a maximum of six months.

3. Current Department heads appointed on or after January 1, 2000 shall receive a severance benefit equal to two months' base salary after one full year of continuous City employment; four months' base salary after two full years of continuous City employment; or, six months' base salary after three full years or more of continuous City employment.
  4. Current Appointed employees who are not Department heads, and who were appointed on or after January 1, 2000 shall receive a severance benefit equal to one week's base salary for each year of continuous City employment, calculated on a pro-rata basis, for a total benefit of up to a maximum of six months.
- B. Leave Payout: Appointed employees with leave hour account balances under Plan A or Plan B shall, in addition to the severance benefit provided, receive a severance benefit equal to the "retirement benefit" value provided under the leave plan of which they are a participant (either Plan A or Plan B), if separation is involuntary and not for cause.
- C. Not Eligible for Benefit. An Appointed employee is ineligible to be paid severance benefits under the following circumstances:
1. An employee who, at the time of termination of employment, has been convicted, indicted, charged or is under active criminal investigation concerning a public offense involving a felony or moral turpitude. This provision shall not restrict the award of full severance benefits should such employee subsequently be found not guilty of such charge or if the charges are otherwise dismissed.
  2. An employee who has been terminated or asked for a resignation by the Mayor or Department Director under bona fide charges of nonfeasance, misfeasance or malfeasance in office.
  3. An employee who fails to execute a Release of All Claims approved by the City Attorney's Office, where required as stipulated above.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2009

(Approving Holiday, Vacation and Leave Accrual Plan for  
All non-represented Employees  
of Salt Lake City)

AN ORDINANCE APPROVING A HOLIDAY, VACATION AND LEAVE  
ACCRUAL PLAN FOR ALL NON-REPRESENTED EMPLOYEES OF SALT LAKE  
CITY.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. PURPOSE. The purpose of this Ordinance is to approve the  
attached Holiday, Vacation and Leave Accrual Plan for all non-represented Salt Lake City  
employees. Three copies of said Holiday, Vacation and Leave Accrual Plan shall be  
maintained in the City Recorder's Office for public inspection.

SECTION 2. APPLICATION. The Holiday, Vacation and Leave Accrual Plan  
shall not apply to employees whose employment terminated prior to the effective date of  
this Ordinance.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be deemed effective on  
July 1, 2009.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

Published: \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 4-27-09  
By [Signature]



PROPOSED ORDINANCE (4/28/09)  
"HOLIDAY, VACATION & LEAVE ACCRUAL"

This ordinance shall apply to all City employees not otherwise represented by a recognized collective bargaining unit and not covered by the provisions of an applicable memorandum of understanding.

I. HOLIDAYS

Full-Time employees shall receive holidays and vacation as provided in this section. Employees do not earn or receive holiday and vacation benefits while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by federal laws, regulations and city ordinance.

A. The following days shall be recognized and observed as holidays for Full-Time employees covered by this plan. Such Full-Time employees shall receive their regular rate of pay for each of the unworked holidays. Regular Part-time "700 Series" employees shall receive four hours of pay at their regular rate of pay for each of the unworked holidays:

1. New Year's Day, the first day of January.
2. Martin Luther King, Jr. Day, the third Monday of January.
3. President's Day, the third Monday in February.
4. Memorial Day, the last Monday of May.
5. Independence Day, the fourth day of July.
6. Pioneer Day, the twenty-fourth day of July.
7. Labor Day, the first Monday in September.
8. Columbus Day, the second Monday of October (only for eligible employees assigned to the Justice Court Division)
8. Veteran's Day, the eleventh day of November.
9. Thanksgiving Day, the fourth Thursday in November.
10. The Friday after Thanksgiving Day (floating holiday, see explanation below).
11. Christmas Day, the twenty-fifth day of December.
12. One personal holiday, taken upon request of the employee and at the discretion of the supervisor.

- B. When any holiday listed above falls on a Sunday, the following business day shall be considered a holiday. When any holiday listed above falls on a Saturday, the preceding business day shall be considered a holiday. In addition to the above, any day may be designated as a holiday by proclamation of the Mayor and/or the City Council.
- C. No Full-time employee shall receive in excess of one day of holiday pay for a single holiday. No regular part-time "700 Series" employee shall receive in excess of four hours of holiday pay for a single holiday. Employees must work or be on authorized leave their last scheduled working day before and the next working day following the holiday to qualify for holiday pay.
- D. Holiday Exception: Employees may observe the following holidays up to 50 days prior to the actual holiday, with prior management approval: 1) the Friday after Thanksgiving Day (for all eligible employees except for those assigned to the Justice Court Division); and, 2) Columbus Day (only for eligible employees assigned to the Justice Court Division).
- E. Police Lieutenant & Captain: Employees classified as "800 Series" Police Lieutenants and Captains who retire or separate from City employment for any reason shall be compensated for any holiday time accrued and unused during the preceding 12 months. Employees shall not be compensated for any unused holiday time accrued before the 12 months preceding the employee's retirement or separation.

II. VACATION LEAVE

- A. Full-Time employees shall be entitled to receive their regular salaries during vacation periods earned and taken in accordance with the following provisions. No employee shall be entitled to use any vacation unless the employee has successfully completed his or her initial probationary period.
- B. Except for "900 Series" Fire Battalion Chiefs and those listed in Paragraph C of this section, Full-Time employees and Appointed employees shall accrue vacation leave based upon years of City Service as follows:

<u>Years of City Service</u>	<u>Hours of Vacation Accrued Per Biweekly Pay Period</u>
0 to end of year 3	3.08
4 to 6	3.69
7 to 9	4.62
10 to 12	5.54
13 to 15	6.15
16 to 19	6.77

20 or more 7.69

- C. For Department Directors, the Mayor's Chief of Staff, up to two additional senior positions in the Mayor's Office as specified by the Mayor, the Executive Director of the City Council, and the Director of the Redevelopment Agency, the following schedule shall apply:

<u>Years of City Service</u>	<u>Hours of Vacation Accrued Per Biweekly Pay Period</u>
0 to end of year 14	6.15
15 or more	7.69

- D. "900 Series" Fire Battalion Chiefs in the Operations Division of the Fire Department shall accrue vacation leave according to the following schedule:

<u>Years of City Service</u>	<u>Shifts of vacation per year for Operations Fire Employees</u>
0 to end of year 3	5
4 to 6	6
7 to 9	7.5
10 to 12	9
13 to 14	10
15 to 19	11
20 or more	12.5

- E. For any plan year in which there are 27 pay periods, no vacation leave hours will be awarded on the 27<sup>th</sup> pay period.
- F. Years of City Service shall be based on the most recent date the person became a Full-Time salaried employee.
- G. Regular full-time and regular part time employees re-hired by Salt Lake City are eligible to receive up to three years of prior service credit for vacation and personal leave accrual.
- H. Full-Time and Appointed employees (except those listed in Paragraph C of this section) may accumulate vacations, according to the length of their full-time years of City Service up to the following maximum limits:
- |                             |                                     |
|-----------------------------|-------------------------------------|
| Up to and including 9 years | Up to 30 days/ 15 shifts/ 240 hours |
|-----------------------------|-------------------------------------|

After 9 years

Up to 35 days/ 17.5 shifts/ 280 hours

After 14 years

Up to 40 days/ 20 shifts/ 320 hours

"Days," herein, means "8-hour" days. "Shifts," herein, means "24 hour" combat shifts.

- I. Department Directors and those included in Paragraph C of this section may accumulate up to 320 hours of vacation without regard to their years of employment with the City.
- J. Any vacation accrued beyond said maximums shall be deemed forfeited unless utilized prior to the end of the calendar year in which the maximum has been accrued. However, in the case of an employee returning from an unpaid military leave of absence, related provisions under city ordinance shall apply.
- K. Vacation Allowance: The Mayor or the City Council may, as a recruiting incentive, provide an allowance of up to 120 hours of vacation leave, if it would be in the City's best interest to do so.

### III. SICK AND OTHER RELATED LEAVE OR PERSONAL LEAVE

- A. Benefits in this section are for the purpose of continuing income to employees during absence due to illness, accident or personal reasons. Some of these absences may qualify under the Family and Medical Leave Act (FMLA). The City requires all employees using FMLA leave to exhaust their paid leave allotments for FMLA-qualifying events prior to taking FMLA leave unpaid. Employees are not eligible to earn or receive leave benefits while on unpaid leave of absence. However, employees on an unpaid military leave of absence may be entitled to the restoration of such leave benefits, as provided by city ordinance.
- B. Employees hired on or after November 16, 1997 shall receive personal leave benefits under Plan B. All other employees shall participate in the plan they participated in on November 15, 1997.
- C. Employees who were hired on or before November 16, 1997, shall participate in Plan B if they so elected during any City-established election period occurring after 1997.
- D. Plan "A"
  - 1. Sick Leave
    - a. Sick leave shall be provided for Full-Time employees under this Plan "A" as insurance against loss of income when an employee is unable to perform assigned duties because of illness or injury. The Mayor may establish rules governing the interfacing of sick leave and Workers' Compensation benefits and avoiding, to the extent allowable by law, duplicative payments.

- b. Employees with Plan A accumulated sick leave hours as of 6/30/2009 will be capped and no additional hours will accrue under this Plan. All accrued hours as of this date will also be capped at a value calculated using the employees base hourly rate as of 6/30/2009. Any sick hours used after 6/30/2009 will be deducted hour for hour from an employee's accrued sick leave balance as of 6/30/2009.
- c. Employees covered by this plan shall have an open window from 5/8/09 through 6/5/09 to transfer to the Personal Leave Plan B. Employees who transfer will be granted the maximum number of personal leave hours, beginning at the start of the next personal leave plan year.
- d. Under this Plan "A," Full-Time employees who have accumulated 240 hours of sick leave may choose to convert up to 64 hours of the sick leave earned and unused during any given year to vacation. Any sick leave used during the calendar year reduces the allowable conversion by an equal amount.
- e. Conversion at the maximum allowable hours will be made unless the employee elects otherwise. Any election by an employee for no conversion, or to convert less than the maximum allowable sick leave hours to vacation time, must be made by notifying his or her Personnel/Payroll Administrator, in writing, not later than the second payperiod of the new calendar year. Otherwise, the opportunity to waive conversion or elect conversion other than the maximum allowable amount shall be deemed waived for that calendar year. In no event shall sick leave days be converted from other than the current year's sick leave allocation.
- f. Any sick leave hours, properly converted to vacation benefits as above described, shall be taken prior to any other vacation hours to which the employee is entitled; provided, however, that in no event shall an employee be entitled to any pay or compensation upon an employee's separation for any sick leave converted to vacation. Any sick leave converted to vacation remaining unused at the date of separation shall be forfeited by the employee.

## 2. Hospitalization Leave

- a. Hospitalization leave shall be provided for Full-Time employees under this Plan "A," in addition to sick leave authorized hereunder, as insurance against loss of income when employees are unable to perform assigned duties because of scheduled surgical procedures, urgent medical treatment, or hospital inpatient admission.
- b. Employees shall be entitled to 30 days of hospitalization leave each calendar year. Hospitalization leave shall not accumulate from year to year. Employees may not convert hospitalization leave to vacation or any other leave, nor may they convert hospitalization leave to any additional benefit at time of retirement.

- c. Employees who are unable to perform their duties during a shift due to preparations (such as fasting, rest, or ingestion of medicine), for a scheduled surgical procedure, may report the absence from the affected shift as hospitalization leave, with the prior approval of their division head or supervisor.
- d. Employees who must receive urgent medical treatment at a hospital, emergency room, or acute care facility, and who are unable to perform their duties during a shift due to urgent medical treatment, may report the absence from the affected shift as hospitalization leave. The employee is responsible to report the receipt of urgent medical treatment to the employee's Division head or supervisor as soon as practical. For purposes of use of hospitalization leave, urgent medical treatment includes at-home care directed by a physician immediately after the urgent medical treatment and within the affected shift.
- e. Employees who are admitted as an inpatient to a hospital for medical treatment, so they are unable to perform their duties, may report the absence from duty while in the hospital as hospitalization leave.
- f. Medical treatment consisting exclusively or primarily of post-injury rehabilitation or therapy treatment, whether conducted in a hospital or other medical facility, shall not be counted as hospitalization leave.
- g. An employee requesting hospitalization leave under this section may be required to provide verification of treatment or care from a competent medical practitioner.

### 3. Dependent Leave

- a. Under Plan "A," dependent leave may be requested by a Full-Time employee covered by this Compensation Plan for the following reasons:
  - 1) Becoming a parent through birth or adoption of a child or children.
  - 2) Placement of a foster child in the employee's home.
  - 3) Due to the care of the employee's child, spouse, spouse's child, adult designee (as defined in Paragraph H. below), adult designee's unmarried child under age 26, or parent with a serious health condition.

"Adult Designee" shall mean any individual with whom an eligible employee has a long term committed relationship of mutual caring and support. The adult designee must have resided in the same household with the eligible employee for at least the past 12 consecutive months, and must have common financial obligations with the employee. The adult designee and the employee must be

jointly responsible for each other's welfare.

Adult designees and adult designees' children are not covered by FMLA.

- b. Under Plan "A," dependent leave may also be requested by a Full-Time employee to care for an employee's child, spouse, spouse's child, adult designee (as defined in Paragraph H. below), adult designee's unmarried child under age 26, or a parent who is ill or injured but who does not have a serious health condition.
  - c. The following provisions apply to the use of dependent leave by a Full-Time employee:
    - 1) Dependent leave may be granted with pay on a straight time basis.
    - 2) If the employee has available unused sick leave, the employee shall be entitled to use as dependent leave such unused sick leave.
    - 3) The employee shall give notice of the need to take dependent leave and the expected duration of such leave to to his or her supervisor as soon as possible under the circumstances.
    - 4) The employee shall provide, upon request of the supervisor, certification of birth or evidence of a child placement for adoption, or a letter from the attending physician in the event of hospitalization, injury or illness of a child, spouse, spouse's child, adult designee, adult designee's child, or parent within five calendar days following termination of such leave.
    - 5) An employee's sick leave shall be reduced by the number of hours taken by an employee as dependent leave under this paragraph provided, however, that up to 40 hours of dependent leave used during the calendar year will not affect the sick leave conversion options as outlined in paragraph XI.E.1.c.
    - 6) Probationary employees are not eligible for dependent leave.
4. Career Incentive Leave, Plan "A." Full-Time employees, who have been in continuous Full-Time employment with the City for more than 20 years, and who have accumulated to their credit 1500 or more sick leave hours, may make a one-time election to convert up to 160 hours of sick leave into 80 hours of paid Career Incentive Leave. Career Incentive Leave must be taken prior to retirement. Sick leave hours converted to Career Incentive Leave will not be eligible for a cash payout upon termination or retirement even though the employee has unused Career Incentive Leave hours available. This leave can be used for any reason. Requests for Career Incentive Leave must be submitted in writing to the Department Director and be approved subject to the department's business needs (e.g., work schedules and workloads).

5. Retirement Benefit, Plan "A."

- a. Persons who retire under the eligibility requirements of the Utah State Retirement System will be paid in cash at their base hourly rate as of 6/30/09 for 25% of their accumulated sick leave hours.
- b. In lieu of the above, Full-Time employees may elect to convert 50% of the sick leave hours provided above to pay for health insurance premiums. Those hours will be calculated at the employee's base hourly rate as of 6/30/09. The sick leave hours converted to a dollar allowance shall be subject to any state and federal income and social security tax withholding required by law. Upon an issuance of payment to an employee, the employee shall endorse the payment to the City, which is to be held in a non-interest bearing account from which the City will pay the insurance carrier until the account balance is exhausted. This provision shall not act to reinstate an employee with sick leave benefits which were in any respect lost, used, or forfeited prior to the effective date of this plan.

E. Plan "B"

1. The benefit Plan Year of Plan "B" begins in each calendar year on the first day of the pay-period that includes November 15. Under this Plan "B," paid personal leave shall be provided for employees as insurance against loss of income when an employee needs to be absent from work because of illness or injury, to care for a dependent, or for any other emergency or personal reason. Where the leave is not related to the employee's own illness or disability—or an event that qualifies under the FMLA—a personal leave request is subject to supervisory approval based on the operational requirements of the City and any policies regarding the use of such leave adopted by the department in which the employee works.
2. Each Full-Time employee under this Plan "B" shall be awarded, at the beginning of the second pay period of November in each calendar year, personal leave hours based on the following schedule:

<u>Months of Consecutive City Service</u>	<u>Hours of Personal Leave</u>
Less than 6	40
Less than 24	60
24 or more	80

Employees hired during the plan year will be provided paid personal leave on a pro-rated basis.

3. Not later than October 31st in each calendar year, employees covered by Plan "B" may elect, by notifying their Personnel/Payroll Administrator in writing, to:



- a. Convert any unused personal leave hours available at the end of the first pay period of November to a lump sum payment equal to the following: For each converted hour, the employee shall be paid 50 percent of the employee's hourly base wage rate in effect on date of conversion. In no event shall total pay hereunder exceed 40 hours of pay, or
  - b. Carryover to the next calendar year up to 80 unused personal leave hours, or
  - c. Convert a portion of unused personal leave hours, to a lump sum payment as provided in subparagraph (a) above and carry over a portion as provided in subparagraph (b) above.
4. Maximum Accrual. A maximum of 80 hours of personal leave may be carried over to the next plan year. Any personal leave hours unused at the end of the plan year in excess of 80 shall be converted to a lump sum payment as provided in subparagraph 3.a above.
5. Termination Benefits. At termination of employment for any reason, accumulated unused personal leave hours, minus any adjustment necessary after calculating the "prorated amount," shall be paid to the employee at 50 percent of the hourly base wage rate on date of termination for each unused hour. For purposes of this paragraph XI.F.5, "prorated amount" shall mean the amount of personal leave credited at the beginning of the plan year, multiplied by the ratio of the number of months worked in the plan year (rounded to the end of the month which includes the separation date) to 12 months. If the employee, at the time of separation, has used personal leave in excess of the prorated amount, the value of the excess amount shall be reimbursed to the City and may be deducted from the employee's paycheck.
6. Conditions on Use of Personal Leave are:
- a. Minimum use of personal leave is one hour, with supervisory approval.
  - b. Except in unforeseen circumstances, such as emergencies or the employees' inability to work due to their illness or accident, or an unforeseen FMLA-qualifying event, the employees must provide their supervisors with prior notice to allow time for the supervisors to make arrangements necessary to cover the employees' work.
  - c. For leave due to unforeseen circumstances, the employees must give their supervisors as much prior notice as possible.
7. Career Enhancement Leave, Plan "B." A Full-Time employee covered under this Plan "B" is eligible, after 15 years of full time service with the City, to be selected to receive up to two weeks of career enhancement leave. This one-time leave benefit could be used for formal training, informal course of study, job-related travel, internship, mentoring or other activity that could be of benefit to the City and the employee's career development. Selected employees shall receive their full regular salary

during the leave. Request for this leave must be submitted in writing to the appropriate department head, stating the purpose of the request and how the leave is intended to benefit the City. The request must be approved by the department head and by the Human Resources Director (who will review the request for compliance with the guidelines outlined here).

8. Retirement/Layoff (RL) Benefit, Plan "B"

- a. Full-Time employees currently covered under Plan "B" who were hired before November 16, 1997, and who elected to be covered under Plan "B," shall have a retirement/layoff (RL) account equal to sixty percent of their accumulated unused sick leave hours available on November 16, 1997, minus any hours withdrawn from that account since it was established.
- b. Full-Time employees who were hired before November 16, 1997 and who elected in 1998 to be covered under Plan "B," shall have a retirement/layoff (RL) account equal to fifty percent of their accumulated unused sick leave hours available on November 14, 1998, minus any hours withdrawn after the account is established.
- c. Full-Time employees who were hired before November 16, 1997 and who elected in 2007 or later during any period designated by the City to be covered under Plan "B," shall have a retirement /layoff (RL) account equal to forty percent of their accumulated unused sick leave hours available on the date that Plan B participation began, minus any hours withdrawn after the account is established.
- d. Payment of the RL Account.
  - 1) All of the hours in the RL account shall be payable to an employee only upon retirement or as a result of layoff. Hours shall be paid according to the employee's hourly rate of pay in effect on June 27, 2009.
  - 2) In the case of retirement only, in lieu of the above, Full-Time employees may elect to convert the RL account payment as provided herein to pay for health insurance premiums. Such payment shall be subject to any state and federal income and social security tax withholding required by law. An employee's available RL account balance, computed by the hours therein times the base salary rate in effect on June 27, 2009, determines the number of months of medical and surgical coverage that may be purchased. The purchase is made on a monthly basis, which shall be computed on a monthly basis of charges against the account balance. If insurance costs increase, the number of months of coverage will decrease.
- e. Hours may be withdrawn from the RL account for emergencies after personal leave hours are exhausted, and with approval of the employee's supervisor. RL account hours may also be used as a

supplement to Workers' Compensation benefits which, when added to the employee's Workers' Compensation benefits, equals the employee's regular net salary. The employee must make an election in writing to the Director of Management Services to use RL account hours to supplement Workers' Compensation benefits.

9. Short-Term Disability Insurance, Plan "B." Protection against loss of income when an employee is absent from work due to short-term disability shall be provided to Full-Time employees covered under Plan "B" through short-term disability insurance (SDI). There shall be no cost to the employee for SDI. SDI shall be administered in accordance with the terms determined by the City. As one of the conditions for receiving SDI, the employee may be required to submit to a medical examination by a medical provider of the City's choosing.

#### IV. BEREAVEMENT LEAVE

- A. Time off with pay will be granted to an employee who suffers the loss of a wife, husband, child, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandfather, step-grandfather, grandmother, step-grandmother, grandchild, or step grandchild, stepchild, stepmother, stepfather, stepbrother or stepsister, grandfather-in-law, grandmother-in-law, or adult designee or adult designee's relative as if the adult designee were the employee's spouse. In the event of death in any of these instances, the employee will be paid his/her regular base pay for scheduled work time from the date of death through the day of the funeral or memorial service, not to exceed five working days. The employee will be permitted one additional day of funeral leave on the day following the funeral or memorial service if: such service is held more than 150 miles distance from Salt Lake City; the employee attends the service; and the day following the service is a regular work shift.
  1. In the event of death of a relative other than those enumerated in paragraph A above, an employee shall be paid for time off from scheduled working hours while attending the memorial services for such person, not to exceed one work shift.
  2. In the event of death of friends, an employee may be allowed to use vacation or personal leave for time off to attend the funeral or memorial service for such person, subject to the approval of his/her immediate supervisor.
  3. In the event of death of any covered family member while an employee is on vacation, the employee's vacation shall be extended by the amount of time authorized as bereavement leave under this subsection.

#### V. MILITARY LEAVE JURY DUTY

- A. Leave of absence for employees who enter uniformed service. An employee who enters the service of a uniformed services of the United States, including the United States Army, United States Navy, United States Marine Corps, United States Air Force, commissioned Corps of the National Oceanic and Atmospheric Administration, United States Coast Guard, or the

commissioned corps of the Public Health Service, shall be entitled to be absent from his or her duties and service from the City, without pay, as required by state and federal law. Said leave shall be granted for no more than five cumulative years, consistent with the federal Uniform Services Employment and Reemployment Act.

- B. Leave while on duty with the armed forces or Utah National Guard.  
Employees covered by this Plan who are or who shall become members of the reserves of a federal armed forces, including United States Army, United States Navy, United States Marine Corps, United States Air Force, and the United States Coast Guard, or any unit of the Utah National Guard, shall be allowed full pay for all time not in excess of 11 working days per calendar year spent on duty with such agencies. This leave shall be in addition to the annual vacation leave with pay. To qualify, employees claiming the benefit under this provision shall provide documentation to the City demonstrating duty with such agencies. To qualify, duty herein need not be consecutive days of service.

#### VI. JURY LEAVE

- A. An employee shall be released from duty with full pay when, in obedience to a subpoena or direction by proper authority, the employee is required to either serve on a jury or appear as a witness as part of their position for the federal government, state of Utah, or other political subdivision.
1. Employees shall be entitled to receive and retain statutory juror's fees paid for jury service in the State and Federal Courts.
  2. On any day that an employee is required to report for jury service and is thereafter excused from such service during his or her regular working hours from the City, he or she shall forthwith return to and carry on his or her regular City employment. Employees who fail to return to work after being excused from jury service for the day shall be subject to discipline.

#### VII. INJURY LEAVE

- A. The City shall establish rules governing the administration of an injury leave program for employees of the Operations Division of the Department of Airports who are required to carry firearms as part of their jobs, under the following qualifications and restrictions:
1. The disability must have resulted from an injury arising out of the discharge of official duties and/or while exercising some form of necessary job related activity as determined by the City;
  2. The employee must be unable to return to work due to the injury as verified by a medical provider acceptable to the City;
  3. The leave benefit shall not exceed the value of the employee's net salary during the period of absence due to the injury, less all amounts paid or credited to the employee as Workers' Compensation, Social Security,

long-term disability or retirement benefits, or any form of governmental relief whatsoever;

4. The value of benefits provided to employees under this injury leave program shall not exceed the total of \$5,000 per employee per injury; unless approved in writing by the employee's Department Head after receiving an acceptable treatment plan and consulting with the City's Risk Manager;
5. The City's Risk Manager shall be principally responsible for the review of injury leave claims provided that appeals from the decision of the City's Risk Manager may be reviewed by the Chief Administrative Officer who may make recommendations to the Mayor for final decisions;
6. If an employee is eligible for Workers' Compensation as provided by law; and is not receiving injury leave pursuant to this provision, said employee may elect in writing to the Director of Management Services to use either accumulated sick leave or hours from the RL account, if applicable, and authorized vacation time to supplement Workers' Compensation so that the employee is receiving the employee's regular net salary.

#### VIII. ADDITIONAL LEAVES OF ABSENCE

Additional unpaid leaves of absence may be requested in writing and granted to an employee at the discretion of the Department Director.