

# TITLE II

## ADMINISTRATIVE AND PERSONNEL

### CHAPTER 1: GENERAL ADMINISTRATIVE PROVISIONS

- 2.01.010 Intent, Purpose
- 2.01.020 Temporary Absence of City Manager
- 2.01.030 Administrative Organization Generally
- 2.01.040 Intergovernmental Cooperation

### CHAPTER 2: CITY COUNCIL

- 2.02.010 Governing Body
- 2.02.020 Powers and Duties
- 2.02.030 Meetings
- 2.02.040 Open Meetings Law
- 2.02.050 Notice of Meetings
- 2.02.060 Agenda
- 2.02.070 Minutes
- 2.02.080 Mayor Presides
- 2.02.090 Quorum
- 2.02.100 Voting
- 2.02.110 Reconsideration
- 2.02.120 Rules of Procedure
- 2.02.130 Council Committees
- 2.02.140 Attendance
- 2.02.150 Disorderly Conduct
- 2.02.160 Required Attendance of Witnesses and Production of Evidence

### CHAPTER 3: MAYOR

- 2.03.010 Functions and Duties
- 2.03.020 Presiding Officer
- 2.03.030 Intergovernmental Cooperation
- 2.03.040 Vacancy in Office
- 2.03.050 Restrictions

### CHAPTER 4: CITY MANAGER

- 2.04.010 Office Created
- 2.04.020 Term of Office
- 2.04.030 Resignation
- 2.04.040 Other Employment
- 2.04.050 Powers of Mayor Not Delegated
- 2.04.060 Duties

### CHAPTER 5: APPOINTED OFFICES

- 2.05.010 Appointed Offices
- 2.05.020 Appointment and Vacancies
- 2.05.030 Bond
- 2.05.040 Salaries
- 2.05.050 Transfer of Records
- 2.05.060 Conflicts of Interests

2.05.070 City Recorder  
2.05.080 City Treasurer  
2.05.090 City Police Chief

**CHAPTER 6: DEPARTMENT ORGANIZATION**

2.06.010 City Finance Director  
2.06.020 City Engineer  
2.06.030 City Public Works Director  
2.06.040 City Attorney  
2.06.050 City Justice Court Judge  
2.06.060 City Recreation Director  
2.06.070 City Fire Chief

**CHAPTER 7: CAMPAIGN FINANCIAL DISCLOSURE IN CITY ELECTIONS**

2.07.010 Campaign Financial Disclosure

**CHAPTER 8: GOVERNMENT RECORDS**

2.08.010 General  
2.08.020 Retention Schedule  
2.08.030 Records requests  
2.08.040 Fees  
2.08.050 Fee Waiver  
2.08.060 Appeals

**CHAPTER 1**

**GENERAL ADMINISTRATIVE PROVISIONS**

- 2.01.010 Intent, Purpose**
- 2.01.020 Temporary Absence of City Manager**
- 2.01.030 Administrative Organization Generally**
- 2.01.040 Intergovernmental Cooperation**

**2.01.010: INTENT, PURPOSE**

It is the intent and purpose of this title of the Syracuse Municipal Code to establish and clarify the organization and operation of city departments and to provide for an orderly means of conducting the operation of city government. It is further intended that this title ensure cooperation and coordination between the legislative branch, the executive branch, and all departments of the city. All ordinances of the city shall be construed in such manner as to foster and promote such cooperation, liaison and coordination.

**2.01.020: TEMPORARY ABSENCE OF CITY MANAGER**

In the event of the temporary absence of the City Manager due to illness, vacation or similar reasons, the Mayor may assign a designee or act in the position of the City Manager.

**2.01.030: ADMINISTRATIVE ORGANIZATION GENERALLY**

Department heads, as provided by this title, shall report to the City Manager who shall report directly to the Mayor. Subject to the limitations and requirements of applicable budget and appropriations, the city's administrative organization shall consist of the operating departments, offices, and divisions or bureaus, as set forth in this title.

**2.01.040: INTERGOVERNMENTAL COOPERATION**

1. Information to City Council: The Mayor, in conjunction with the City Manager, shall provide such information concerning city finances, operations and procedures, as reasonably requested by the City Council and necessary for the City Council to fulfill its statutory duties, which are not privileged, private or confidential.
2. Interference by Council Prohibited: No member of the City Council shall direct or request, except in writing, the appointment of any person to, or his removal from, office or to interfere in any way with the performance by the officers of their duties. The City Council shall, in compliance with norms and code of Conduct, not give orders to any subordinate of the Mayor either publicly or privately.

**CHAPTER 2**  
**CITY COUNCIL**

<b>2.02.010</b>	<b>Powers and Duties</b>
<b>2.02.020</b>	<b>Vacancy in Office</b>
<b>2.02.030</b>	<b>Meetings</b>
<b>2.02.040</b>	<b>Open Meetings Law</b>
<b>2.02.050</b>	<b>Notice of Meetings</b>
<b>2.02.060</b>	<b>Agenda</b>
<b>2.02.070</b>	<b>Minutes</b>
<b>2.02.080</b>	<b>Mayor Presides</b>
<b>2.02.090</b>	<b>Quorum</b>
<b>2.02.100</b>	<b>Voting</b>
<b>2.02.110</b>	<b>Reconsideration</b>
<b>2.02.120</b>	<b>Rules of Procedure</b>
<b>2.02.130</b>	<b>Council Committees</b>
<b>2.02.140</b>	<b>Attendance</b>
<b>2.02.150</b>	<b>Disorderly Conduct</b>
<b>2.02.160</b>	<b>Required Attendance of Witnesses and Production of Evidence</b>

**2.02.010: POWERS AND DUTIES**

The City Council:

1. is the legislative body of the municipality and shall exercise the legislative powers and perform the legislative duties and functions of the municipality;  
and
2. may:
  - (a) adopt rules and regulations, not inconsistent with statute, for the efficient administration, organization, operation, conduct, and business of the municipality;
  - (b) prescribe by resolution additional duties, powers, and responsibilities for any elected or appointed municipal official, unless prohibited by statute;
  - (c) require by ordinance that any or all appointed officers reside in the municipality;
  - (d) provide for filling a vacancy in an elective or appointive office;
  - (e) take any action allowed under Utah Code Ann. § 10-8-84, as amended; and
  - (f) perform any function specifically provided for by statute or necessarily implied by law.

**2.02.020: MID-TERM VACANCY IN OFFICE**

Mid-term City Council vacancies shall be filled as provided in *Utah Code Annotated Section 20A-1-510*.

**2.02.030: MEETINGS**

1. Regular Meetings. The City Council shall hold regular meetings to conduct the business of the City at least once each month and shall prescribe by ordinance the time and place for holding its regular meetings.
2. Special Meetings. If at any time the business of the City requires a special meeting of the City Council, such a special meeting may be ordered by the Mayor or any two Council Members. Notice of the special meeting shall be provided in accordance with the provisions of *Utah Code Ann. § 10-3-502*, as amended. The order of the special meeting shall be entered into the minutes of the City Council.
3. Closed Meetings. The affirmative vote of at least two-thirds of the City Council present at an open meeting for which notice is given and a quorum is present may call a closed meeting to discuss certain items as provided under *Utah Code Ann. § 52-4-5*, as amended. The reason or reasons for holding a closed meeting and the vote, either for or against the proposition to hold such a meeting, cast by each member, by name, shall be entered on the minutes of the meeting. No ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting.
4. Electronic Meetings.
  - a. Definitions. As used in this Syracuse Municipal Code:
    - i. "Anchor location" means the physical location from which the electronic meeting originates or from which the participants are connected.
    - ii. "Electronic meeting" means a City Council meeting convened or conducted by means of a conference using electronic communications.
    - iii. "Electronic notice" means electronic mail or fax.
    - iv. "Monitor" means to hear or observe, live, by audio or video equipment, all of the public statements of each member of the City Council who is participating in a meeting.
    - v. "Participate" means the ability to communicate with all of the members of the City Council, either verbally or electronically, so that each member of the City Council can hear or observe the communication.
    - vi. "Public hearing" means a portion of a meeting at which comments from the public will be accepted.
    - vii. "Public statement" means a statement made in the ordinary course of business of the City Council with the intent that all other members of the City Council receive it.

- b. Procedures. The City Council may, by following the procedures and requirements of this Ordinance, convene and conduct an electronic meeting. The City Council convening or conducting an electronic meeting shall:
  - i. Give public notice of the meeting pursuant to *Utah Code Ann.* § 52-4-202 by posting written notice at the anchor location; and
  - ii. Providing written or electronic notice to at least one newspaper of general circulation within the state; and a local media correspondent;
- c. In addition to giving public notice required by Subsection (i), provide:
  - i. Notice of the electronic meeting to the members of the City Council at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
  - ii. A description of how the members will be connected to the electronic meeting.
- d. Electronic Meeting General. The procedures to be followed at the electronic meeting shall be the same as those followed by the City Council in a non-electronic open and public meeting of the City Council. The Mayor, or Mayor Pro-tempore, shall conduct the meeting and the meeting shall be held pursuant to the agenda posted for that meeting. Prior to commencing the electronic meeting, an electronic link shall be established with all participants and the anchor location. Minutes shall be kept for the meeting in accordance with the requirements of the Open Meetings Law. Following passage of a motion to adjourn, the electronic link shall be terminated and the meeting shall be deemed concluded. If the meeting is a public hearing, space and facilities will be provided at the anchor location so that interested persons and the public may attend, monitor and participate in the open portions of the meeting.

**2.02.040: OPEN MEETINGS LAW**

All meetings of the City Council shall be open to the public, except closed meetings, and shall be conducted in accordance with the Open and Public Meetings Act as set forth in *Utah Code Ann.* § 52-4-1, *et seq.*, as amended.

**2.02.050: NOTICE OF MEETINGS**

The City shall give public notice at least once each year of its annual meeting schedule and shall give not less than twenty-four (24) hours public notice of the agenda, date, time and place of each of its meetings, other than emergency meetings, in accordance with *Utah Code Ann.* § 52-4-6, as amended.

**2.02.060: AGENDA**

A written agenda for each regular meeting shall be prepared by the City Manager or his designee. The Mayor or two members of the City Council may place items on the agenda.

**2.02.070: MINUTES**

Written minutes shall be kept of all meetings of the City Council in accordance with the provisions set forth in *Utah Code Ann.* § 52-4-7, as amended.

**2.02.080: MAYOR PRESIDES**

The Mayor shall be the chairperson and preside at the meetings of the City Council. In the absence of the Mayor or because of his inability or refusal to act, the City Council may elect a member of the City Council to preside over the meeting as Mayor Pro Tempore in accordance with the procedures set forth in Chapter 2.03 of this Title of the Syracuse Municipal Code.

**2.02.090: QUORUM**

No action of the City Council shall be official or of any effect except when a quorum of the Council Members are present, except as otherwise provided by law. Three (3) or more members of the City Council, not including the Mayor, shall constitute a quorum.

**2.02.100: VOTING**

1. How Taken. A roll call vote shall be taken and recorded for all ordinances, resolutions, and any action which would create a liability against the city and in any other case at the request of any member of the City Council by a “yes” or a “no” vote. Every resolution or ordinance shall be in writing before the vote is taken.
2. Number Required. The minimum number of “yes” votes required to pass any ordinance, resolution, or to take any action by the Governing Body, unless otherwise prescribed by law, shall be three (3). Any ordinance, resolution, or motion of the Governing Body having fewer favorable votes than required herein shall be deemed defeated and invalid; except in the following: fewer votes may compel attendance of absentees, may adjourn a meeting from time to time, and may fill a vacancy in the Governing Body.
3. Mayor Voting. The Mayor shall not vote at meetings of the City Council, except in case of a tie vote of the City Council, the appointment or dismissal of the City Manager, or as otherwise provided by law. Furthermore, the Mayor shall have no power to veto any act of the City Council unless otherwise specifically authorized by statute.

**2.02.110: RECONSIDERATION**

Any action taken by the City Council shall not be reconsidered or rescinded at any special meeting unless the number of members of the City Council present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

**2.02.120: RULES OF PROCEDURE**

Except as otherwise provided by law, the City Council may determine its own rules of procedure or the proper conduct of its meetings. In general, the City Council refers to *Robert's Rules of Order* as a guide for the conduct of its business. The Council may further adopt norms and/or a Code of Conduct to establish practices and procedures, at its discretion.

**2.02.130: COUNCIL ADVISORY COMMITTEES**

The City Council may from time to time create subcommittees titled Council Advisory Committees to advise the City Council as a whole on issues affecting the City.

**2.02.140: ATTENDANCE**

The City Council shall have the power to compel the attendance of its own members and to provide such penalties as it deems necessary for the failure to comply therewith.

**2.02.150: DISORDERLY CONDUCT**

The City Council may fine or expel any of its members for disorderly conduct upon an affirmative majority vote of those members present. The City Council may also, upon an affirmative majority vote of those members present, expel any person who is disorderly during any regular, study, or special meeting of the City Council.

**2.02.160: REQUIRED ATTENDANCE OF WITNESSES AND PRODUCTION OF EVIDENCE**

The City Council may require the attendance of any person to give testimony or produce records, documents or things for inspection, copying or examination necessary or useful for the governance of the City. The City Council shall issue subpoenas in its own name in the manner provided in the Utah Rules of Civil Procedure or may by ordinance establish its own procedure for issuing subpoenas under this Section.

## CHAPTER 3

### MAYOR

2.03.010	Functions and Duties
2.03.020	Presiding Officer
2.03.030	Mayor Pro Tempore
2.03.040	Intergovernmental Cooperation
2.03.050	Vacancy in Office
2.03.060	Restrictions

#### 2.03.010: FUNCTIONS AND DUTIES

In accordance with *Utah Code 10-3b-104*, the Mayor shall be the Chief Executive and Administrative Officer of the city. He shall have the power and duty to:

1. Enforce the laws and ordinances of the city;
2. Execute the policies adopted by the City Council;
3. Appoint and remove the City Manager, department heads, commission, board and committee members with the advice and consent of the City Council, except as may otherwise be specifically limited by law;
4. Attend all meetings of the City Council with the right to take part in all discussions and the responsibility to inform the City Council of the condition and needs of the municipality, and make recommendations and freely give advice to the City Council;
5. Appoint or act as the budget officer for the purpose of fulfilling the requirements of the Uniform Municipal Fiscal Procedures Act for Utah cities;
6. Appoint, with the advice and consent of the City Council, a qualified person to each appointed office deemed necessary for good government;
7. Furnish, or cause to be furnished, the City Council with a report, periodically or as determined by ordinance, setting forth the amounts of all budget appropriations, the total disbursements to date from these appropriations, and the amount of indebtedness incurred or contracted against each appropriation (including disbursements and indebtedness incurred and not paid) and the percentage of the appropriations encumbered to date, which reports shall be made available for public inspections;
8. Execute agreements within certified budget appropriations on behalf of the city, or delegate by written executive order the power to execute such agreements to executive officials, subject to the procedure described in *Utah Code Annotated, section 10-6-138*;

9. When necessary, call on the residents of the city over the age of twenty one (21) years to assist in enforcing the laws of the state and ordinances of the city; and
10. Perform such other duties as may be prescribed by this title or may be required by ordinance consistent with a six member council.

**2.03.020: PRESIDING OFFICER**

The Mayor shall be the Chief Executive Officer and preside at the meetings of the City Council. However, the Mayor shall not vote at meetings of the City Council, except in case of a tie vote of the City Council, the appointment or dismissal of the City Manager, or as otherwise provided by law. Furthermore, the Mayor shall have no power to veto any act of the City Council unless otherwise specifically authorized by statute.

**2.03.030: MAYOR PRO TEMPORE**

The City Council shall annually elect the Mayor Pro Tempore and two additional persons, in specific order of succession, as emergency interim successors to act in the absence of the Mayor. In the absence of the Mayor or because of his inability or refusal to act, the Mayor Pro Tempore shall preside over the meeting and shall possess the powers and duties of Mayor. Any member of the City Council elected as Mayor Pro Tempore shall retain his power and authority as a member of the City Council and shall be entitled to vote as a member of the City Council on all matters.

**2.03.050: MID-TERM VACANCY IN OFFICE**

A mid-term vacancy in the office of the Mayor shall be filled as provided in *Utah Code Annotated*, section 20A-1-510.

**2.03.060: RESTRICTIONS**

The Mayor may not serve as the City Recorder or as the City Treasurer as dictated in *Utah Code Annotated*, section 10-3-301.

**CHAPTER 4**  
**CITY MANAGER**

<b>2.4.010</b>	<b>Term of Office</b>
<b>2.04.020</b>	<b>Resignation</b>
<b>2.04.030</b>	<b>Other Employment</b>
<b>2.04.040</b>	<b>Powers of Mayor Not Delegated</b>
<b>2.04.050</b>	<b>Duties</b>

**2.4.010: Term of Office**

The City Manager shall serve at the pleasure of the City Council and may be terminated at any time with or without cause.

**2.04.020: Resignation**

Before voluntarily resigning from the position of City Manager, the City Manager shall give the City Council at least thirty (30) days notice in writing of his intent to resign.

**2.04.030: Other Employment**

The City Manager shall not accept any outside employment in addition to employment by the City without prior annual written approval of the City Council.

**2.04.040: Powers of Mayor Not Delegated**

The legislative and judicial powers of the Mayor, his position as chairman of the City Council, and any ex officio position he may hold, shall not be delegated to the City Manager.

**2.04.050: Duties**

1. The powers, duties, and functions of the office of City Manager shall be subject to the control of the Governing Body, but such Manager shall report to the Mayor pursuant to provisions of Section 10-3b-104(1)(a), *Utah Code Annotated*, or its successor section.
2. **Appoint and Remove Employees.** Except as set forth in Chapter 3, above, regarding the Mayor's duties, the City Manager shall have the authority to appoint, employ and remove employees as provided herein. The City Manager shall also be responsible for reviewing the status and performance of any personnel being considered for discharge, transfer, or demotion from appointment or employment with the City. In addition, the Manager shall exercise control of all departments, divisions and bureaus within the city government;
3. **Supervise Department Heads.** The City Manager shall provide direct supervision of and have direct responsibility over each Department Head.

4. Personnel Policies. The City Manager shall be responsible for implementing and enforcing the personnel policies and procedures of the City.
5. Inventory Property. The City Manager shall keep or cause to be kept a current inventory showing all real and personal property of the City and its location. The City Manager shall be responsible for the care and custody of all such property, including equipment, buildings, parks and all other City property which is not by law assigned to some other officer or body for care and control.
6. Purchasing and Claims. The City Manager shall implement and enforce all provisions of the ordinances of the City relating to purchasing.
7. Council Meetings. The City Manager shall attend meetings of the City Council and may take part in the discussion and recommend to the City Council adoption of such measures as the City Manager may deem necessary or expedient.
8. Review Contracts. In Accordance with adopted City polices and procedures of the City, the Manager shall review, where appropriate, make recommendations, and where within his authority, execute, proposed contracts of the City.
9. Propose Plans and Programs. The City Manager shall propose plans and programs concerning the development, operation and needs of the City and submit such plans to the City Council to be approved and developed as policy.
10. Implement Policy. The City Manager shall implement all policy changes and directives of the Mayor and the City Council.
11. Management Controls. The City Manager shall set performance standards and exercise managerial control to ensure that the City government is functioning in the most efficient and effective manner.
12. Organization. The City Manager shall recommend the creation and organization of all necessary departments, divisions, and bureaus necessary for the government of the City to the City Council for its approval prior to implementation.
13. Records. The City Manager shall, as needed, examine the books, records, and official papers of the City's departments and offices.
14. Legislative Mandates. The City Manager shall be responsible to keep abreast of and advise the Governing Body regarding legislative changes and issues that affect the City.
15. Additional Duties. The City Manager shall have such other powers and shall perform such other duties and obligations as may be required of him by State law or by ordinance, resolution, or policy of the City Council.

## CHAPTER 5

### APPOINTED OFFICES

2.05.010	Appointed Offices
2.05.020	Appointment and Vacancies
2.05.030	Bond
2.05.040	Salaries
2.05.050	Transfer of Records
2.05.060	Conflicts of Interests
2.05.070	City Recorder
2.05.080	City Treasurer
2.05.090	City Chief of Police

#### 2.05.010: APPOINTED OFFICES

The City Council may create any appointed office deemed necessary for the government of the City and shall prescribe the powers and duties to be performed by appointed officials, including, but not limited to, the City Manager, the City Recorder, the City Treasurer, the City Attorney, the City Engineer, the City Police Chief, the City Justice Court Judge, and Department Heads.

#### 2.05.020: APPOINTMENT AND VACANCIES

The Mayor, with the advice and consent of the City Council, may appoint and fill vacancies in all appointed offices provided for by law or ordinance. Except as otherwise provided by law, the term of office of all appointed officers shall be until their respective successors are chosen and qualified, unless they are sooner removed by the Mayor with the concurrence of a majority of the members of the City Council, or by the City Council with the concurrence of the Mayor.

#### 2.05.030: BOND

1. Required. Before commencing the duties of office, the City Recorder and City Treasurer shall execute a bond with good and sufficient sureties payable to the City or shall be included within public employee blanket bonds conditioned for the faithful performance of the duties of his office and the payment of all monies received by such officer according to the law and the ordinances of the City in the applicable amount set forth by the State Money Management Council. In the event that someone other than the City Treasurer is disbursing funds, that person shall be bonded as well.
2. Limitation on Treasurer's Bond. The City Treasurer's bond may not be set at an amount less than that established by the State Money Management Council pursuant to *Utah Code Annotated*, section 51-7-15, as amended.
3. Filed. All bonds shall be filed with the City Recorder, except the City Recorder's bond, which shall be filed with the City Treasurer.
4. Premium Charge. The premium charge by a corporate surety for any official bond shall be paid by the City.

5. Additional Bonds. The City Council may at any time require further and additional bonds of any or all appointed officers of the City by resolution or ordinance.

**2.05.040: SALARIES**

1. Salary. Appointed officers shall receive such compensation for their services as the City Council may fix or amend by ordinance in accordance with notice and hearing requirements set forth in *Utah Code Annotated*, section 10-3-818, as amended.
2. Monthly Compensation. Unless otherwise provided by ordinance, the compensation of municipal officers shall be paid at least monthly.

**2.05.050: TRANSFER OF RECORDS**

Every officer of the City, upon expiration of his term for any cause whatsoever, shall deliver to his successor all books and records which may be the property of the City immediately after notification and/or request to do so.

**2.05.060: CONFLICTS OF INTERESTS**

All appointed officers of the City shall annually disclose conflicts of interest and otherwise adhere to provisions of the Utah Officers' and Employees' Ethics Act, set forth at *Utah Code Ann. §10-3-1301, et seq.*, as amended, hereby adopted by reference as if fully set forth herein.

**2.05.070: CITY RECORDER**

1. Appointment. On or before the first Monday in February following a municipal election, the Mayor, with the advice and consent of the City Council, shall appoint a qualified person to the office of City Recorder.
2. Office. The City Recorder shall occupy an office in the City offices or at some other place convenient thereto as the City Council may direct.
3. Corporate Seal. The City Recorder shall keep the Corporate Seal. When certified by the City Recorder under the Corporate Seal, copies of all papers filed in the City Recorder's office and transcripts from all records of the City Council shall be admissible in all courts as originals.
4. Meetings of City Council. The City Recorder, or his designee, shall attend meetings and keep the record of the proceedings of the City Council.
5. Actions of City Council. The City Recorder shall record all ordinances, resolutions, and regulations passed by the City Council.
6. Contracts. The City Recorder shall countersign all contracts made on behalf of the City or to which the City is a party and shall maintain a properly indexed record of all such contracts.
7. Elections and Appointments. The City Recorder shall manage all municipal election procedures and requirements as provided in the *Utah Code Annotated*, as amended, and shall keep a record of all persons elected or

appointed to any office within the City, including the date of appointment or election, term of office, date of death, resignation, or removal, and name of person appointed to fill any vacancy.

8. Records of the City. The City Recorder shall keep all of the books, records, accounts and documents of the City at the Recorder's Office. Such records shall be open for public inspection pursuant to the provisions of the Utah Government Records Access and Management Act.
9. Limitations. The City Recorder shall not serve as the City Treasurer.
10. Additional Duties. The City Recorder shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation..

**2.05.080: CITY TREASURER**

1. Appointment. On or before the first Monday in February following a municipal election, the Mayor, with the advice and consent of the City Council, shall appoint a qualified person to the office of City Treasurer.
2. Custodian. The City Treasurer shall be the custodian of all money, bonds, or other securities belonging to the City.
3. Collections. The City Treasurer shall collect and receive all monies payable to the City, including taxes, assessments, licenses, fines, forfeitures, service charges, fees and other revenues of the City. The City Treasurer shall keep an accurate account of all monies received hereunder and shall promptly deposit all such monies in the appropriate bank accounts of the City.
4. Receipts. The City Treasurer shall give or cause to be given to every person paying money to the City Treasury, a receipt or other evidence of payment therefore, specifying the date of payment and the amount paid. The City Treasurer shall file the duplicate of such receipt, a summary report, or other evidence of payment in the office of the City Recorder.
5. Checks. The City Treasurer, or other designated person, shall sign all checks and shall, prior to affixing said signature, determine or cause to be determined that sufficient funds are on deposit in the appropriate bank account of the City to honor such check.
6. Warrants. The City Treasurer shall pay all warrants in the order in which presented and as money becomes available for payment thereof in the appropriate funds of the City. The City Treasurer shall note upon the back of each warrant presented the date of presentation and the date of payment.
7. Special Assessments. All monies received by the City Treasurer on any special assessment shall be applied to the payment of the improvement for which the assessment was made.
8. Accounting. The City Treasurer shall keep an accurate and detailed accounting of all transactions, receipts, collections, disbursements and other matters within the Treasurer's charge as provided by State law or as the City may by ordinance or resolution direct.

9. Limitations. The City Treasurer shall not serve as the City Recorder.
10. Additional Duties. The City Treasurer shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation.

**2.05.090: CITY POLICE CHIEF**

1. Appointment. On or before the first Monday in February following a municipal election, the Mayor, with the advice and consent of the City Council, shall appoint a qualified person to the office of City Police Chief.
2. Duties. The Police Chief shall have the same authority and responsibilities as sheriffs and constables of Davis County, Utah, pursuant to provisions of *Utah Code Annotated §10-3-913*,, or its successor section,, and shall:
  - a. suppress riots, disturbances, and breaches of the peace;
  - b. apprehend all persons violating State laws or City ordinances;
  - c. diligently discharge his or her duties and enforce all ordinances of the City to preserve the peace, good order, and protection of the rights and property of all persons; attend the municipal Justice Court of the City when required, provide security for such Court, and obey its orders and directions; and
  - d. Additional Duties. The City Police Chief shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation.

## CHAPTER 6

### DEPARTMENT ORGANIZATION

2.06.010	City Finance Director
2.06.020	City Engineer
2.06.030	City Public Works Director
2.06.040	City Attorney
2.06.050	City Justice Court Judge
2.06.060	City Recreation Director
2.06.070	City Fire Chief

#### 2.06.010: CITY FINANCE DIRECTOR

1. Position Created. The position of Finance Director is hereby created pursuant to *Utah Code Annotated*, Section 10-6-157, as amended (1953).
2. Accounts and Payment of Claims. The Finance Director shall maintain or cause to be maintained the general books for each fund of the City and all subsidiary and detailed records relating thereto, including a list of outstanding bonds, for what purpose, when and where payable, and the rate of interest they respectively bear, together with the amount of each outstanding. The Director shall keep accounts with all receiving and disbursing officers of the City, shall pre-audit all claims and demands against the City before they are allowed, and shall prepare checks in payment thereof to be drawn on the appropriate bank accounts of the City. The Director shall certify on the check or voucher copy of the check that he has pre-audited the claim, that it is true and correct, that it is within the lawful debt limit of the City, that it does not over expend the appropriate departmental budget and that the claim has been approved by the City Council. The Director shall also state the date of approval.
3. Ex Officio Auditor. The Finance Director shall be the ex officio auditor of Syracuse City and shall perform the duties of such office without extra compensation.
4. Financial Statements. The Finance Director or other delegated person shall prepare and present to the City Council the following financial statements:
  - a. As of the end of each month, a summary of cash receipts and disbursements by funds or appropriate groups of funds, showing in total, the beginning cash and invested balances, the receipts and disbursements separately for the period, and cash and invested balances in each fund or groups of funds at the end of the period.
  - b. As of the end of such period as the City Council may direct, but not less often than once each quarter, a statement of revenues and expenditures and comparison with the budget of the general fund.
  - c. An annual statement of income and expense of each utility fund, reflecting operations to date in the current year and a comparison

thereof with operating results for the same period during the preceding year.

- d. As of the end of such periods as the City Council may require, a condensed statement of receipts and disbursements and comparison with the cash budget of each utility fund.
  - e. Such statements of operations in other special funds or reports on financial condition at such times as the City Council may require.
5. Annual Audited Report. Within 180 days after the close of each fiscal period, the Finance Director or other delegated person shall prepare an annual financial report, in accordance with the Uniform Accounting Manual for Utah Cities. This report shall include a statement of revenues and expenditures and comparison with budgets for those funds for which budgets are required, statements of revenues and expenditures or of income and expense, as the case may be, of all other operating funds; a balance sheet of each fund and a combined balance sheet of all funds as of the close of the fiscal year, together with such other financial and statistical data as the City Council may require. The report shall also identify impact fee funds by the year in which they were received, the project from which they were collected, the capital projects for which the funds are budgeted, and the projected schedule for expenditure. The annual financial report may be conducted by an independent auditor on the results of operation for the year and financial condition at the close of the year, if the report is appropriately prepared and reviewed with the City Council. Copies of the annual report shall be filed as a public document in the office of the City Recorder.
  6. Publication of Annual Statement of Financial Condition. The Finance Director shall prepare and furnish to the City Council, on or before the first Monday in October of each year, a detailed statement of the financial condition of the City, and all the revenues and expenditures of the previous year.
  7. Certification of Annual Property Tax Levy. The Finance Director shall certify the resolution making the annual tax levy to the County Auditor not later than the first Thursday in August of each year.
  8. Additional Duties. The City Finance Director shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation.

**2.06.020: CITY ENGINEER**

1. Appointment. The City Council may contract with, retain, or appoint an engineer licensed to practice engineering in the State of Utah to the office of City Engineer. Any person appointed or retained as City Engineer shall be a registered professional engineer under Title 58, Chapter 22 of the *Utah Code Annotated*, as amended.
2. Records. The City and/or the City Engineer shall maintain all maps, plans, plats, profiles, drawings, final estimates, specifications and contracts which in any way relate to the public improvements and engineering affairs of the City

and the holder of such records shall ensure public accessibility to the same as required by law.

3. Recording. The City Engineer shall record and file all drawings and documents pertaining to public lands and improvements of the City, and shall maintain such records and files in good condition allowing no alteration, mutilation or changes to be made. The recording or filing of any drawing or instrument with the City shall not conflict in any way with the recording or filing of the same in other offices of record.
4. Fees. The City Engineer shall not record any drawings or instruments, file any papers or notices, furnish any copies, or render any service connected with his official duties, until the required fees for the same are paid or tendered.
5. Seal. The City Engineer shall have a seal for his use, which seal shall be affixed to every certification approval.
6. Additional Duties. The City Engineer shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation.

**2.06.030: CITY PUBLIC WORKS DIRECTOR**

1. Position Created. There is hereby created the position of Public Works Director who shall act as the Department Head of the Public Works Department.
2. Duties. The Public Works Director shall have such powers and duties as designated and assigned to him by the City Council.

**2.06.040: CITY ATTORNEY**

1. Appointment. The City may contract with, retain, or appoint an attorney licensed to practice law in the State of Utah to the office of City Attorney to provide such legal assistance to the City as may be necessary.
2. Duties. The City Attorney shall act as legal advisor to the City in all matters pertaining to contracts with or by the City or questions of legality arising out of any law, ordinance or otherwise, and shall advise all City officers in relation to their official duties.
3. Criminal Prosecutor. The City may make a separate contract with an attorney or attorneys for the performance of criminal prosecutorial legal services.

**2.06.050: CITY JUSTICE COURT JUDGE**

The office of City Justice Court Judge is hereby created, who shall act as the Justice Court Judge of the Syracuse City Justice Court. The Justice Court Judge shall be appointed and shall have such powers and duties as set forth in Title 4 of this Syracuse Municipal Code and as otherwise designated or assigned to him by the City Council.

**2.06.060: RECREATION DIRECTOR**

The Recreation Director plans, schedules, and develops various recreation activities and programs for the community.

**2.06.070: CITY FIRE CHIEF**

1. Appointment. On or before the first Monday in February following a municipal mayoral election, there shall be appointed by the Mayor, with the advice and consent of the City Council, a City Fire Chief who shall perform the duties required of him by law, and shall perform such other duties as the City Council may require.
2. Duties. The duty of extinguishing fires and of protecting life and property within the city is entrusted to the Chief of the Fire Department. He may make suitable regulations under which the officers and the members of the department shall be required to wear an appropriate uniform or badge by which, in case of fire and at other times, their authority and position in the fire department may be known. The Chief shall have sole and entire command over all officers and members of the department at fires. He shall have full charge at all times of all apparatus and appurtenances belonging to the department, and he shall adopt such measures as deemed expedient for the extinguishment of fire, protection of property, observance of the laws of the state, and duties required of him by law and the ordinances of the city. It shall be the duty of the Fire Chief to examine the condition of all buildings and to inspect engines, hoses, and hoods, and ladder equipment of the city fire department. It shall further be the duty of the Fire Chief to see that at all times the provisions of the ordinances relating to the protection and regulation of the property are strictly enforced, and to enforce all ordinances concerning the prevention and protection against fires.
3. Additional Duties. The City Fire Chief shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation.

## CHAPTER 7

### CAMPAIGN FINANCIAL DISCLOSURE IN CITY ELECTIONS

#### 2.07.010 Campaign Financial Disclosure

#### 2.07.010: CAMPAIGN FINANCIAL DISCLOSURE

Campaign Financial Disclosure in City Elections is in accordance with *Utah Code Ann. § 10-3-208*, as amended

(1) As used in this section:

(a) "Reporting date" means:

(i) 10 days before a municipal general election, for a campaign finance statement required to be filed no later than seven days before a municipal general election; and

(ii) the day of filing, for a campaign finance statement required to be filed no later than 30 days after a municipal primary or general election.

(b) "Reporting limit" means:

(i) \$50; or

(ii) an amount lower than \$50 that is specified in an ordinance of the municipality.

(2) (a) (i) Each candidate for municipal office who is not eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement:

(A) no later than seven days before the date of the municipal general election; and

(B) no later than 30 days after the date of the municipal general election.

(ii) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement no later than 30 days after the date of the municipal primary election.

(b) Each campaign finance statement under Subsection

(2)(a) shall:

(i) except as provided in Subsection (2)(b)(ii):

(A) report the candidate's itemized and total:

(I) campaign contributions, including in-kind and other non-monetary contributions, received before the close of the reporting date; and  
(II) campaign expenditures made through the close of the reporting date; and

(B) identify:

(I) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor;

(II) the aggregate total of all contributions that individually do not exceed the reporting limit; and

(III) for each campaign expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or

(ii) report the total amount of all campaign contributions and expenditures if the candidate receives \$500 or less in campaign contributions and spends \$500 or less on the candidate's campaign.

(4) Each municipal clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 14 days before each municipal general election, notify the candidate in writing of:

(a) the provisions this ordinance governing the disclosure of campaign contributions and expenditures;

(b) the dates when the candidate's campaign finance statement is required to be filed; and

(c) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.

(5) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the municipal clerk or recorder shall:

(a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and

(b) make the campaign finance statement filed by a candidate available for public inspection by:

(i) (A) posting an electronic copy or the contents of the statement on the municipality's website no later than seven business days after the statement is filed; and

(B) verifying that the address of the municipality's website has been provided to the lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or

(ii) submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under Section 20A-11-103 no later than two business days after the statement is filed.

(6) (a) If a candidate fails to file a campaign finance statement before the municipal general election by the deadline specified in Subsection (2)(a)(i)(A), the municipal clerk or recorder shall inform the appropriate election official who:

(i) shall:

(A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or

(B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(ii) shall not count any votes for that candidate.

(b) Notwithstanding Subsection (6)(a), a candidate who files a campaign finance statement seven days before a municipal general election is not disqualified if:

(i) the statement details accurately and completely the information required under Subsection (2)(b), except for inadvertent omissions or insignificant errors or inaccuracies; and

(ii) the omissions, errors, or inaccuracies are corrected in an amended report which is filed within 24 hours of discovery of the discrepancy.

(7) A campaign finance statement required under this section is considered filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that is it due.

(8) (a) A private party in interest may bring a civil action in district court to enforce the provisions of this section.

(b) In a civil action under Subsection (8)(a), the court may award costs and attorney's fees to the prevailing party.

## CHAPTER 7

### GOVERNMENT RECORDS

2.07.010	General
2.07.020	Retention Schedule
2.07.030	Records requests
2.07.040	Fees
2.07.050	Fee Waiver
2.07.060	Appeals

#### 2.07.010: GENERAL

All government records of the City shall be maintained, classified and accessed in accordance with the Government Records Access and Management Act set forth at *Utah Code Ann.* §§ 63-2-101. *et seq.*, as amended.

#### 2.07.020: RETENTION SCHEDULE

All government records of the City shall be retained in accordance with the Utah Municipal General Records Retention Schedule (1998), as updated, which is hereby adopted by reference as the Syracuse City Records Retention Schedule.

#### 2.07.030: RECORDS REQUESTS

Any person requesting a record shall file a written Government Records Access and Management Request Form as provided by the City. Such requests shall be submitted and processed in accordance with the Government Records Access and Management Act.

#### 2.07.040: FEES

The City may charge reasonable fees to cover the City's actual cost of providing a record. Fees for providing a record shall be adopted and may be amended as part of the City's Fee Schedule. When the City compiles a records in a form other than that normally maintained by the City in response to a records request, the actual costs for compiling the record may include those costs set forth in *Utah Code Ann.* § 63-2-203, as amended; provided, no charge may be made for the first quarter hour of staff time. The City may require payment of past fees and future estimated fees before beginning to process a request if: (1) fees are expected to exceed fifty dollars (\$50.00); or (2) the requester has not paid fees from previous requests. Any prepaid amount in excess of fees due shall be returned to the requester.

#### 2.07.050: FEE WAIVER

In accordance with *Utah Code Ann.* Section 63-2-203 of the Act, the City may fulfill a record request without charge when it determines that:

1. releasing the record primarily benefits the public rather than a person;

2. the individual requesting the record is the subject of the record, or an individual specified in Subsections 63-2-202(1) or (2) of the Act; or
3. the requester's legal rights are directly implicated by the information in the record and the requester is impecunious.

**2.07.060: APPEALS**

Any person aggrieved by the City's access determination made or fees imposed under this Chapter may appeal the determination, or fee assessed, within thirty (30) days to the Mayor in accordance with the provisions set forth in *Utah Code Ann.* § 63-2-401, as amended.