

ORDINANCE NO. 2021-20

AN ORDINANCE AMENDING SECTION 5.03.080 OF THE CENTERVILLE MUNICIPAL CODE REGARDING FINAL BUDGET, SECTION 5.03.150 OF THE SAME REGARDING ACCUMULATED FUND BALANCE, AND SECTION 5.05.010 OF THE SAME REGARDING PROPERTY TAX LEVY

WHEREAS, the City Council has previously adopted Title 5 of the Centerville Municipal Code regarding Revenue and Finance; and

WHEREAS, the City Council desires to amend Section 5.03.080 of the Centerville Municipal Code regarding Final Budget, Section 5.03.150 of the same regarding Accumulated Fund Balance, and Section 5.05.010 of the same regarding Property Tax Levy to comply with recent amendments to applicable State law provisions adopted by the Utah Legislature in HB 446 (2019) and HB 128 (2021); and

WHEREAS, the City Council finds that the proposed amendments to various sections of Title 5 (Revenue and Finance) of the Centerville Municipal Code regarding are in the best interest of the public and will bring City ordinances into compliance with applicable State law provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 5.03.080 of the Centerville Municipal Code regarding the Final Budget is hereby amended to read in its entirety as follows:

5.03.080. Final Budget

The City Council shall, by resolution or ordinance, adopt a final budget for the ensuing fiscal period for each fund for which a budget is required herein before June 22 of each fiscal period, or September 1 ~~August 17~~ in the case of a property tax increase under Utah Code §§ 59-2-919 through 59-2-923. Upon final adoption, the budgets shall be in effect for the budget period, subject to amendment.

Section 2. Amendment. Section 5.03.150 of the Centerville Municipal Code regarding Accumulated Fund Balance is hereby amended to read in its entirety as follows:

5.03.150. Accumulated Fund Balance

- (a) All Funds. The City may accumulate retained earnings or fund balances, as appropriate, in any fund in accordance with applicable provisions of the Uniform Fiscal Procedures Act and the Uniform Accounting Manual.
- (b) General Fund. Accumulated fund balances in the General Fund are restricted to purposes permitted by law. Any fund balance in excess of 5% of the total revenues of the General Fund may be utilized for budget purposes. Except as otherwise provided in the Uniform Fiscal Procedures Act or the Uniform Accounting Manual, any

accumulated fund balance in the General Fund shall not exceed ~~35%~~ 25% of the total revenue of the General Fund for the current fiscal period. If there is a deficit fund balance at the close of the last completed fiscal year, the City Council shall include an item of appropriation for the deficit in the current budget of the fund in accordance with Utah Code § 10-6-117.

- (c) Capital Improvement Fund. Within a capital improvement fund, the City Council may, in any budget period, appropriate from estimated revenue or fund balance to a reserve for capital improvements for purposes set forth in the Uniform Fiscal Procedures Act and the Uniform Accounting Manual.

Section 3. Amendment. Section 5.05.010 of the Centerville Municipal Code regarding the Property Tax Rate is hereby amended to read in its entirety as follows:

5.05.010. Property Tax Rate

The City Council shall by resolution or ordinance set the real and personal property tax levy for various municipal purposes before June 22 of each year, or September 1 ~~August 17~~ in the case of a property tax rate increase under Utah Code §§ 59-2-919 through 59-2-923; provided, the City Council may set the levy at an appropriate later date with approval of the State Tax Commission. The City Recorder shall certify the ordinance or resolution setting the levy to the county auditor as required by State law.

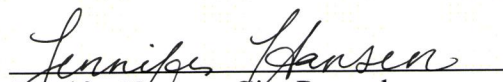
Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, which occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 7th DAY OF SEPTEMBER, 2021.**

CENTERVILLE CITY

ATTEST:


Jennifer Hansen, City Recorder

By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	"ABSENT"
Councilmember Fillmore	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember Ivie	<u>X</u>	_____	_____
Councilmember McEwan	<u>X</u>	_____	_____
Councilmember Mecham	<u>X</u>	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Jennifer Hansen
JENNIFER HANSEN, City Recorder

DATE: 9/9/2021

RECORDED this 9th day of September, 2021.

PUBLISHED OR POSTED this 9th of September, 2021.

