

ORDINANCE NO. 2017-11

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 5.03 OF THE CENTERVILLE MUNICIPAL CODE REGARDING BUDGETS

WHEREAS, the City Council has previously adopted Chapter 5.03 of the Centerville Municipal Code regarding Budgets; and

WHEREAS, the City Council desires to amend various sections of Chapter 5.03 of the Centerville Municipal Code regarding Budgets to comply with recent amendments to applicable State law provisions adopted by the Utah Legislature in the 2017 General Session; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 5.03 of the Centerville Municipal Code regarding Budgets as more particularly set forth herein are in the best interest of the public and will provide clarity regarding notice and public hearing requirements for the municipal budget process in accordance 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 5.03.040 of the Centerville Municipal Code regarding the Review of Tentative Budget is hereby amended to read in its entirety as follows:

5.03.040. Review of Tentative Budget

The City Council shall review, consider and adopt the tentative budget at any regular or special public hearing called for the purpose, ~~and for which a~~ Notice of the public hearing on the tentative budget shall be provided at least seven days before the hearing by posting on the Utah Public Notice Website created under Utah Code § 63F-1-701 and on the City website ~~has been provided in accordance with CMC 5.03.060.~~ The tentative budget may be amended or revised in such manner as is deemed advisable prior to the public hearing on the final budget in accordance with the provisions of CMC 5.03.080. The City Council may not reduce an appropriation required for debt retirement and interest or reduction of any existing deficits in accordance with Utah Code § 10-6-117, or otherwise required by law or ordinance, below the minimum required.

Section 2. Amendment. Section 5.03.060 of the Centerville Municipal Code regarding the Notice and Public Hearing is hereby amended to read in its entirety as follows:

5.03.060. Notice and Public Hearing

At the meeting at which the tentative budget is adopted, the City Council shall establish the time and place of a public hearing to consider adoption of the final budget and shall order that notice thereof be published at least seven days prior to the hearing in at least one issue of a newspaper of general circulation published in Davis County, ~~and on the Utah Public Notice Website created under Utah Code § 63F-1-701, and on the home page of the City website, either in full or as a link.~~ The City Council shall hold a public hearing

on the tentative budget at the time and place advertised at which all interested persons in attendance shall be given an opportunity to be heard, for or against, the estimates of revenue and expenditures or any item in the tentative budget of any fund.

Section 3. Amendment. Section 5.03.070 of the Centerville Municipal Code regarding the Continuing Review is hereby amended to read in its entirety as follows:

5.03.070. Continuing Review

After the public hearing on the tentative budget, the City Council may continue to review the tentative budget and may insert new items or increase or decrease items of expenditures that were the proper subject of consideration at the public hearing, provided that no appropriation required for debt retirement and interest, or reduction of any existing deficits in accordance with Utah Code § 10-6-117, or otherwise required by law or ordinance, may be reduced below the minimum required. The City Council shall increase or decrease the total anticipated revenue to equal the net change in proposed expenditures in the budget of each fund.

Section 4. Amendment. Section 5.03.120 of the Centerville Municipal Code regarding the Enterprise Funds is hereby amended to read in its entirety as follows:

5.03.120. Enterprise Funds

In addition to the requirements of CMC 5.03.110, any transfer of money deposited in an enterprise fund for a good, service, project, venture, or other purpose that is not directly related to the goods or services provided by the enterprise for which the enterprise fund was created must comply with applicable provisions of Utah Code § 10-6-135.5.

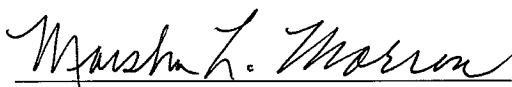
Section 5. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 6. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, which occurs first.

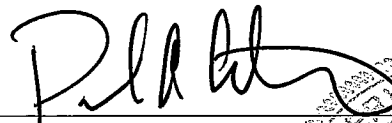
PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 2nd DAY OF MAY, 2017.

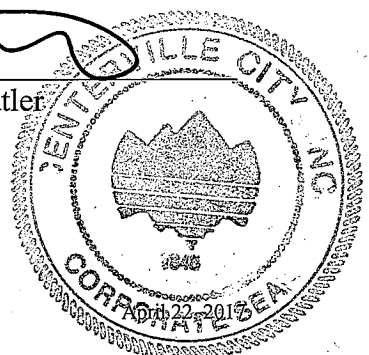
CENTERVILLE CITY

ATTEST:


Marsha L. Morrow, City Recorder

By:


Mayor Paul A. Cutler



Voting by the City Council:

	"AYE"	"NAY"
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.

Marsha L. Morrow
MARSHA L. MORROW, City Recorder

DATE: May 4, 2017

RECORDED this 4 day of May, 2017.

PUBLISHED OR POSTED this 4 of May, 2017.