

ORDINANCE NO. 21-15

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 3 “REVENUE AND FINANCE”, CHAPTER 3.12 “SPECIAL IMPROVEMENT TAXES”, SECTION 3.12.020 “DELINQUENCY; NOTICE OF SALE”, CHAPTER 3.24 “PURCHASING POLICY”, SECTION 3.24.020 “LAWS/UTAH CODE CITATIONS”, SECTION 3.24.060 “PURCHASING PROCEDURES; GENERAL”, SECTION 3.24.070 “DISPOSAL OF PUBLIC PROPERTY”, TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.84 “INTRABLOCK DEVELOPMENT”, SECTION 17.84.050 “PUBLIC HEARING”.

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

- 1. The attached table shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in yellow shall be added.

3.12.020 DELINQUENCY; NOTICE OF SALE

After the date of delinquency, as fixed in the levy and notice of tax adopted by the governing body in connection with the creation of a special improvement district and the levy of taxes necessary to pay for the project, the treasurer shall proceed to make up a list of all property upon which the special tax remains due and unpaid **and publish as required by Utah Code annotated.** ~~and cause the same to be published at least once in some newspaper having general circulation in the municipality at least ten days prior to the date of sale.~~ The delinquency list shall contain a description of the property delinquent according to lots, block or parcels, together with the owner's name or names, if known, and if not known, in lieu thereof, the words "unknown owner" with the amount of taxes due on each separate parcel exclusive of costs, and shall be accompanied by a notice of sale substantially in the following form:

3.24.020 LAWS/UTAH CODE CITATIONS

C. Contracts Awarded By Sealed Bids:

- 3. Public notice of the invitation for bids shall be given a reasonable time prior to the date set forth therein for the opening of bids. ~~The notice shall include publication in a newspaper of general circulation a reasonable time prior to bid opening.~~

3.24.060 PURCHASING PROCEDURES; GENERAL

- A. Supplies, Material And Equipment: "Supplies, material and equipment" means any and all articles or things which shall be furnished to or used by any city department. This purchasing classification includes items ranging from office supplies to motorized equipment.
1. Formal Bidding; Unit Or Project Cost In Excess Of Fourteen Thousand Nine Hundred Ninety Nine Dollars:
 - e. Step 5. Formal Request For Bids. Department head and purchasing officer work with city recorder to develop formal legal notice. ~~for newspaper. City recorder places ad in newspaper of general circulation.~~

3.24.070 DISPOSAL OF PUBLIC PROPERTY

- A. Disposal Of Capitalized Personal Property (See Definitions):
2. The city shall advertise through public notice, ~~in a newspaper of general circulation~~, the sale of any personal property. The notice may be general in nature without listing each item individually.
- C. Disposal Of Real Property To Include Land, Buildings, Etc.:
3. In cases where the property is to be disposed of through a sale to the general public, such action shall be accomplished through a sealed bid process. The city recorder shall cause a notice to be published ~~in a newspaper of general circulation~~ which shall describe the property to be sold, the minimum asking price of the property, the date and time bids shall be submitted and any other information pertinent to the property being sold.

17.84.050 PUBLIC HEARING

A public hearing shall be held by the planning commission after public notice has been ~~given in the local newspaper or as provided~~ **as listed** in the Utah Code Annotated.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 14th day of April, 2021

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder