

SALT LAKE COUNTY

*2001 So. State Street
Salt Lake City, UT 84114
(385) 468-7500 TTY 711*



Meeting Minutes

Tuesday, October 16, 2018

4:00 PM

Council Chambers, N1-110

County Council

1. CALL TO ORDER

Present: Council Member Jenny Wilson
Council Member Richard Snelgrove
Council Member Jim Bradley
Council Member Arlyn Bradshaw
Council Member Michael Jensen
Council Member Ann Granato
Council Member Max Burdick
Council Chair Aimee Winder Newton

Excused: Council Member Steve DeBry

Invocation - Reading - Thought

Pledge of Allegiance

Ms. Lisa Van Buskirk, Administrative and Fiscal Manager, Surveyor's Office, led the Pledge of Allegiance to the Flag of the United States of America.

2. CITIZEN PUBLIC INPUT

Comments are limited to 3 minutes unless otherwise approved by the Council. To comment by phone, please call (385-468-7480) by the beginning of the meeting. Those who are present may be asked to speak first.

3. REPORT OF ELECTED OFFICIALS:**3.1. Council Members****3.1.1 Growth Summit Series**

[18-48](#)
[7](#)

Carlton Christensen and Wilf Sommerkorn of Regional Transportation, Housing & Development

Mr. Carlton Christensen, Director, Regional Transportation, Housing & Economic Development Department, gave an overview of the Oquirrh View, a Regional Planning Progress Report, a report focusing on the area from the Bangerter Highway to the peaks of the Oquirrh Mountains, and the northwest quadrant to Utah County. Except for the southwest part, there is no general plan in place, so this report is to help guide the County as well as participating entities.

Mr. Wilf Sommerkorn, Director, Planning and Transportation Division, Regional Transportation, stated by 2065, Salt Lake County will grow by 600,000 people. There are 40,000 acres of developable land left in the

County, and 34,000 to 35,000 of that is located west of Bangerter. Until now, development has been disjointed. The County, as the regional government, can help pull that together with this existing conditions report, and later a general plan for the unincorporated County.

Mr. Jake Young, Planning Program Manager, Planning and Transportation Division, delivered a PowerPoint presentation on the Oquirrh View Phases 1 (the existing conditions study) and Phase 2 (the general plan for the unincorporated County). He presented the topics, which included demographics, land use, transportation, utilities, housing, economy, parks and trails, and the environment. The consultant study is due November 2018 and will be released January or February 2019. It will be made available to all the cities. Then, the unincorporated General Plan process will begin spring of 2019.

3.2. Other Elected Officials

3.3. Mayor

4. PROCLAMATIONS, DECLARATIONS, AND OTHER CEREMONIAL OR COMMEMORATIVE MATTERS

4.1 Recognition of Mayor's Student Art Exhibition Artists

[18-705](#)

Attachments: [Staff Report](#)

Mayor Ben McAdams recognized four student artists who have their art displayed in the Mayor's Student Art Exhibit, and high school faculty members involved. The students and faculty members are from Corner Canyon, Cyprus, East, and Herriman High Schools.

5. PUBLIC HEARINGS AND NOTICES

6. RATIFICATION OF DISCUSSION ITEM ACTIONS IN COMMITTEE OF THE WHOLE

6.1 Formal Adoption of An Ordinance Amending Title 1, of the Salt Lake County Code of Ordinances, 2001, Entitled "General Provisions", by Revising the General Penalty for Violation of an Ordinance From a Class B Misdemeanor to an Infraction; Deleting Provisions That are Obsolete or Suspended by State Statute; and Making Related Changes

[18-596](#)

Attachments: [Staff Report](#)
 [Title 1 Ordinance Change.pdf](#)

SALT LAKE COUNTY ORDINANCE

ORDINANCE 1841

COUNTY ORDINANCE GENERAL PROVISIONS AMENDMENTS

AN ORDINANCE AMENDING TITLE 1, OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, ENTITLED "GENERAL PROVISIONS," BY REVISING THE GENERAL PENALTY FOR VIOLATION OF AN ORDINANCE FROM A CLASS B MISDEMEANOR TO AN INFRACTION; DELETING PROVISIONS THAT ARE OBSOLETE OR SUPERSEDED BY STATE STATUTE; AND MAKING RELATED CHANGES.

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Title 1 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Title 1 - GENERAL PROVISIONS

Chapter 1.01 - CODE ADOPTION

1.01.010 - Adoption.

Pursuant to the provisions of Utah Code Annotated, Section 17-53-208, the county legislative body of Salt Lake County ordains as follows and has adopted the "Salt Lake County Code of Ordinances, [~~1986~~] 2001," as compiled, edited and published by [~~Book Publishing Company, Seattle, Washington~~] a private contractor.

1.01.020 - Title-Citation-Reference.

This code shall be known as the "Salt Lake County Code of Ordinances, 2001" and it shall be sufficient to refer to the code as the "Salt Lake County Code of Ordinances, 2001" in any prosecution for the violation of any provision therein or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding

to, amending, correcting or repealing all or any portion thereof as an addition to, amendment to, correction or repeal of the "Salt Lake County Code of Ordinances, 2001." Whenever a reference is made to this code as the "Salt Lake County Code of Ordinances, [2000] 2001" or to any portion thereof, or to any ordinance of Salt Lake County, the reference shall apply to all amendments, corrections and additions made before, as of or after the effective date of the ordinance codified in this chapter.

1.01.030 - Ordinance amendments-Change in form of county government.

[A.] The amendments to these ordinances regarding the change in form of Salt Lake County government from a county commission form to a mayor-council form [~~shall be~~] became effective at noon, January 1, 2001.

~~[B. The adoption of these amendments and the change in form of county government plan shall not affect any right, duty, penalty, action, or proceeding commenced under or by virtue of the ordinances repealed or amended.]~~

1.01.040 - Reference to specific ordinances.

The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with [~~the ordinances which are therein~~] any ordinance which is specifically designated by number or otherwise and which [~~are included within this code~~] has been renumbered, but such references shall be construed to apply to the corresponding provisions contained in this code.

1.01.050 - Effective date of this code.

This code [~~shall be~~] became effective on April 1, 1987.

Chapter 1.04 - GENERAL PROVISIONS

1.04.010 - Definitions and rules of construction.

A. In the construction of the revised ordinances set out in this code, and all ordinances amendatory thereof, the following definitions shall be observed, unless such construction would be inconsistent with the manifest intent of the county council, or repugnant to the context of the ordinance. Any word or phrase not specifically defined in this subsection shall have that definition set out in state law, in the common law, or according to ordinary English usage.

1. "Absent" means for the purposes of the county emergency plan, not physically present and not able to be communicated with via any means for twelve hours.

2. "At-large" means and refers to those three members of the Salt Lake County council who are elected to the council in a county-wide election.

3. "Board of health" means the Salt Lake County board of health.

4. "Business" means any activity, operation, enterprise or calling referred to in this code for which a license is required.

~~[5. "Central services" include those services and activities provided within the office of the mayor or other offices to support all county government activity including activities related to purchasing, contracting, real estate, claims, management information and data processing, facility management, fleet, accounting, auditing, legal, and general countywide administration.]~~

~~[6]~~5. "City [~~"or~~]," "town," or "metro township" means an incorporated municipality.

~~[7]~~6. "County council" or "council" means the County Council of Salt Lake County, Utah.

~~[8]~~7. "Council chair" or "chair" means that member of the Salt Lake County council who has been elected and is serving as the chairperson of the council.

~~[9]~~8. "Council district" or "district" means one or more of the six Salt Lake County council districts.

~~[10]~~9. "Council vice chair" or "vice chair" means that member of the Salt Lake County council ~~[districts]~~ who has been elected and is serving as the vice chairperson of the council.

~~[11]~~10. "County" means Salt Lake County and may also be construed to mean the portions of Salt Lake County, Utah, outside the limits of the incorporated cities, ~~[or]~~ towns, or metro townships therein.

~~[12]~~11. "County assessor" or "assessor" means the elected assessor of Salt Lake County, Utah.

~~[13]~~12. "Attorney," "county attorney" or "district attorney" means the elected attorney of Salt Lake County, Utah.

~~[14]~~13. "County auditor" or "auditor" means the elected auditor of Salt Lake County, Utah.

~~[15]~~14. "County clerk" or "clerk" means the elected clerk of Salt Lake

County, Utah.

[16]15. "County mayor" or "mayor" means the elected executive officer and mayor of Salt Lake County, Utah.

[17]16. "County recorder" or "recorder" means the elected recorder of Salt Lake County, Utah.

[18]17. "County sheriff" or "sheriff" means the elected sheriff of Salt Lake County, Utah.

[19]18. "County surveyor" or "surveyor" means the elected surveyor of Salt Lake County, Utah.

[20]19. "County treasurer" or "treasurer" means the elected treasurer of Salt Lake County, Utah.

[21]20. "Countywide" policy, procedure or regulation means those lawful policies required to be approved by the council and implemented by the mayor or offices of the county that address matters of administration and management that impact all subdivisions of county government including, but not limited to, matters related to contracting, purchasing, personnel administration, [central—services,] budgeting, debt financing, relations between offices, and other matters authorized by law for county legislative bodies.

[22]21. "Disaster" means a situation causing or threatening to cause widespread damage, social disruption, or injury or loss of life or property resulting from attack, internal disturbance, natural phenomenon, or technological hazard and includes earthquakes, storms, tornadoes, flood, landslide, avalanche, fire, drought or epidemic, as defined by state or federal statute or regulation.

[23. "~~Fire department~~" means the Salt Lake County Fire Department.]

[24]22. "Governing body" or "county governing body" means the county council for legislative matters and the mayor for executive matters.

[25]23. "Health department" means the Salt Lake County health department.

[26]24. "Highway" or "public highway" means any road, street, lane, court, place, viaduct, tunnel, culvert, bridge, alley or other public way situated within this county, laid out or erected as such by the public, or dedicated, abandoned or open to the public, or made such in any action for the partition of real

property, or such other public property so designated by any ordinance or statute, and includes the entire area within the right-of-way.

[27]25. "Interim successors" means the replacement for an unavailable or absent elected official [~~as a result of a disaster~~].

[28]26. "Knowingly" imports only a knowledge that facts exist that bring the act or omission within the provisions of this code. It does not require any knowledge of the unlawfulness of such act or omission.

[29]27. "Law" means and denotes applicable federal law, the Constitution and statutes of the state of Utah, the ordinances of Salt Lake County and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

[30]28. "License official" means the director of the Salt Lake County planning and development services division or [~~his~~] designee.

[31]29. "Local emergency" means the proclamation invoking special powers and the emergency operation plan as a result of a disaster.

[32]30. "Maliciously" or "malice" means a wish to vex, annoy or injure another person, or an intent to do a wrongful act, established either by proof or by presumption of law.

[33]31. "Owner," applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant, or less of the whole or of any part of the building or land.

[34]32. "Person" includes bodies politic and any individual, partnership, association, corporation or group of individuals, however styled or designated.

[35]33. "Personal property" means and includes money, goods, chattels, things in action and evidences of debt.

[36]34. "Plan" or "optional plan" means the Salt Lake County optional plan of county government adopted for the county at the election held on November 13, 1998 and taking effect on January 1, 2001.

[37]35. "Property" means and includes real and personal property.

[38]36. "Real property" means and includes lands, tenements and hereditaments.

[39]37. "State" means the state of Utah.

[40]38. "Tenant" or "occupant," applied to a building or land, mean and include any person who occupies the whole or any part of such building, either alone or with others.

[41]39. "Willfully," when applied to the intent with which an act is done or omitted, means and implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law or to injure another or to acquire any advantage.

[42]40. "Written" means and includes printed, typewritten, [~~mimeographed, multigraphed,~~] photocopied, printed or otherwise processed by computer or other electronic means, or otherwise reproduced in permanent visible form.

[43]41. "Year" means a calendar year unless specified otherwise.

B. Rules of Construction.

1. Mere language changes are not intended to reflect changes in the substance or meaning of the ordinances.
2. The singular number includes the plural.
3. Words used in the present tense include the past and future tenses and vice versa, unless manifestly inapplicable.
4. Words used in the masculine gender comprehend the feminine and neuter.
5. The term "may" is permissive; the terms "must" and "shall" are each mandatory.
6. Any rule of construction not specifically provided in this subsection shall utilize any rule set out in state law, in the common law, or according with ordinary English usage.

1.04.020 - Interpretation of language.

All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

1.04.030 - Computation of time.

Except when otherwise provided, the time within which an act is required to be done shall be computed in accordance with state statute or court rule. In the absence of an applicable statutory rule or rule of procedure, time is calculated by excluding the first day and including the last day. ~~[, if]~~ If the last day falls on a Saturday, Sunday or a holiday, ~~[in which case the last day]~~ the applicable deadline shall be the next following business day. When the period of time is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded.

1.04.040 - Liability of employers and agents to penalty for violation of ordinances.

When the provisions of an ordinance prohibit the commission or omission of any act, the person doing the prohibited act or omitting the directed act and the employer, if the act or omission is done within the course and scope of employment, and all other persons aiding or abetting therein, shall be guilty of the offense described and subject to the penalty prescribed for the offense.

1.04.050 - Severability.

The county council of Salt Lake County, Utah, hereby declares that the council would have passed these revised ordinances and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, void, or unlawful and that the matter not so declared shall remain in full force and effect.

1.04.060 - Separation of powers.

The optional plan of Salt Lake County government, approved by county voters in 1998 and effective in 2001, contemplates a separation of all powers granted by law to a county commission between the county legislative body (the county council) and the county executive (the county mayor), following the model or design contemplated in the governments of the United States and the State of Utah and in accordance with state statute.

A. The county council shall exercise all legislative powers, have all legislative duties, and perform all legislative functions, as may be set out in state statute, the county plan, county ordinance, or in other sources of the law.

B. Except as expressly provided otherwise in statute and except as contrary to the powers, duties, and functions of other county officers, the county mayor shall exercise all executive powers, have all executive duties, and perform all executive functions, as may be set out in state statute, the county plan, county ordinances, or in

other sources of the law.

C. Where the law is silent on the distribution or locus of a particular power, the allocation of powers shall be determined by function, according to an executive-legislative distinction. Where helpful, state and federal separation-of-power models shall be used to determine whether a particular power is executive or legislative.

Chapter 1.06 - COUNTY HOLIDAYS AND OFFICE HOURS

1.06.010 - Office hours.

A. All offices, departments, and agencies of the county shall keep their offices open for the transaction of public business between the hours of eight a.m. to five p.m., Monday through Friday. In addition to regular office hours, for those offices and agencies in which the normal transaction of public business requires other hours of operation, services shall be provided on such days and such hours as the public business necessitates.

B. All full-time county employees shall work forty hours per week. Work schedules in offices, departments, and agencies shall be established pursuant to county personnel policies and in accordance with applicable state and federal laws and regulations.

1.06.020 - Holidays.

A. The following days are legal holidays during which County offices are closed:

The First day of January	New Year's Day
The Third Monday of January	Martin Luther King Day
The Third Monday of February	Presidents' Day
The Last Monday in May	Memorial Day
The Fourth Day of July	Independence Day
The Twenty-fourth Day of July	Pioneer Day
The First Monday of September	Labor Day
The Eleventh Day of November	Veterans Day
The Fourth Thursday of November	Thanksgiving Day
The Fourth Friday of November	Day After Thanksgiving
The Twenty-fifth Day of December	Christmas Day

B. In the event that a holiday falls on a Saturday, it shall be observed on the preceding Friday. In the event that the holiday falls on a Sunday, it shall be observed on the following Monday.

C. Where the public business requires, some county offices may be required to

remain open for business on legal holidays.

1.06.030 - Legal delays.

Any act which is authorized or required to be performed on a Saturday, Sunday, or holiday, when the county offices are closed, may be performed on the next business day. No liability or loss of rights of any kind may result from that delay.

[Chapter 1.08 – PRISONERS

1.08.010 – Prisoner fees.

~~The sheriff may charge such prisoner fees as are authorized by law and approved by the council.~~

1.08.020 – Work by county prisoners.

~~A. Any prisoner confined in the Salt Lake County Jail under conviction of a misdemeanor, under which conviction or existing law the prisoner is liable to labor, may be put to labor for the county's benefit on public projects.~~

~~B. The sheriff shall direct the working of inmates under subsection A of this section and shall ensure that some responsible person will supervise inmate labor.~~

~~C. Inmates of the jail who are not under conviction of a misdemeanor may volunteer for labor under the same conditions as convicted misdemeanants.~~

1.08.030 – Jail maximum operating capacity.

~~The sheriff is authorized by law to establish a maximum operating capacity of each jail facility in the county upon approval by the council. Capacities shall be based upon available staffing and jail facility design. Capacity decisions shall be set at least annually as part of the county budget process. Once established the sheriff is authorized to deny incarceration of inmates on misdemeanor charges and establish release policies for inmates consistent with state statute, court order or law.]~~

Chapter 1.12 - GENERAL PENALTY

1.12.010 - Penalty for violation of code provisions.

A. When no other penalty is prescribed, any person convicted of violating any provision or provisions of an ordinance included in ~~[these revised]~~ this Salt Lake County code of ordinances ~~[, or in ordinances hereafter enacted,]~~ shall be deemed guilty of ~~[a misdemeanor]~~ an infraction, and punished ~~[as provided by state criminal~~

~~code for Class B misdemeanors]~~ therefor in accordance with state statute.

B. When any provision of these ordinances specifically provides that a violation of that ordinance constitutes either a class B or class C misdemeanor, such violation shall be punished in accordance with the provisions of state statute which defines the fines, imprisonment or other penalties which apply to a conviction of a class B or class C misdemeanor.

C. Nothing in this section shall be construed to limit, prohibit, or supersede any prosecution for an offence established by applicable state or federal statute or regulation which may also be considered a violation of a county ordinance, nor shall it be construed to limit the county from imposing appropriate employment disciplinary action for any ordinance violation, up to and including termination and debarment from future county employment.

Chapter 1.16 - ADMINISTRATIVE HEARING

1.16.010 - Short title.

This chapter shall be known as the "Salt Lake County Administrative Procedures Ordinance."

1.16.020 - Purpose.

The county council finds that the enforcement of the Salt Lake County ordinances, policies, regulations, and applicable state statutes is an important public function vital to the protection of the public's health, safety, welfare, and quality of life. The county council further finds that providing a hearing to county employees, citizens, and county agencies relating to the enforcement of ordinances, policies, regulations, and applicable state statutes through an administrative procedures process conducted by independent, law-trained administrative judges comports with basic due process, simplifies and expedites hearings benefitting the county and citizens, minimizes the impact on the judicial system, and provides flexibility in both the hearing process and in determining remedies and responsibilities.

1.16.030 - Scope.

The provisions of this chapter may be applied to any violations of the Salt Lake County ordinances, policies, regulations, and applicable state statutes which occur within unincorporated Salt Lake County or relate to such activities subject to Salt Lake County operations and jurisdiction. ~~[No-]~~ Judicial review shall not be available to any citizen or county agency if the provisions of this chapter are not followed. Failure to timely request and participate in an administrative review under this chapter shall bar any action in the state or federal courts by an aggrieved citizen,

county employee, or county agency.

1.16.040 - Other remedies and criminal prosecution.

The county shall have sole discretion in deciding whether to pursue criminal or civil remedies or seek administrative enforcement for the violation of any of its ordinances, policies, regulations, and applicable state statutes. This chapter shall not limit the powers of the Salt Lake County district attorney in pursuing criminal charges for the violation of any county ordinances or state statutes, in addition to any civil action the county may take.

1.16.050 - Definitions applicable to title generally.

In this chapter the following words and phrases are defined as follows:

1. "County Enforcement Action" or "Action" means any action by the county seeking compliance with any ordinance, policy, regulation, applicable state statutes, and includes a notice of violation, administrative citation, departmental determination, board findings/order, stop work order, notice of non-compliance, clean-up order, abatement action, revocation or suspension of a license or permit, assessment of charges or costs, order relating to the occupancy or use of any structure, zoning violation, seizure of any animal or property, and any other action by a county agency seeking the cessation of any business or operation or the assessment of any costs or non-criminal penalty. This term shall not include any criminal prosecution.
2. "Administrative Law Judge" means a person appointed by the mayor or his designee to preside over administrative hearings. An administrative law judge must be an attorney licensed to practice law in the State of Utah and must not be an employee of the county.
3. "Administrative Hearing" means a hearing held pursuant to the procedures established by this chapter.
4. "County" means the County of Salt Lake, Utah.
5. "County Council" means the County Council of Salt Lake County.
6. "Director" means the mayor or his designee, set out in writing, and, depending on the context, includes a deputy mayor, the division or department administrator, assistant division or department administrator, or director of an agency.
7. "Enforcement Official" means any person authorized by the county to enforce violations of the Salt Lake County Code of Ordinances, policies, regulations, or applicable state codes including, but not limited to, zoning officers, police officers,

building inspection officials, animal control officers, and health department officials.

8. "Mayor" means the Mayor of Salt Lake County or the Mayor's designee.

9. "Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, officer, or employee of any of them, or any other entity that is recognized by law as the subject of rights or duties, or who represents or is the agent of such person.

10. "Property Owner" means the record owner of real property as shown on the records of the Salt Lake County Recorder.

11. "Responsible Person" or "Responsible Party" means the person(s) determined by the county who is responsible for causing or maintaining a violation of the Salt Lake County Code of Ordinances, policies, regulations, or applicable state codes. The term "responsible person" shall include, but is not limited to, a property owner, agent, tenant, lessee, occupant, business owner, business manager or employee, architect, builder, contractor, or other person who individually or together with another person is responsible for the violation of any provision of the Salt Lake County Code of Ordinances, policies, regulations, or applicable state codes.

1.16.060 - Service of notice requirements.

1. Whenever a notice is required to be given under this chapter it shall be in the form of a notice approved by the director and the notice shall be served by one of the following methods:

A. Personal service;

B. Regular mail, postage prepaid, to the last known address of a responsible person;

C. Posting the notice conspicuously on or in front of the property that is the subject of the action.

D. Publication in a newspaper of general circulation if service has not been accomplished after reasonable efforts to comply Subsections A through C; or

E. As directed by the administrative judge.

2. Failure of a responsible person to actually receive notice shall not affect the validity of any action taken hereunder if notice has been served in the manner set

forth above.

3. Service by regular mail in the manner set forth above shall be deemed served on the fourth day after the date of mailing.

4. The failure of a person, other than a responsible person, to be served notice in accordance with this section shall not affect the validity of any proceeding taken hereunder.

1.16.070 - Direction to Adopt Rules.

The mayor shall establish rules for administrative hearings; appoint the hearing officer from the pool of approved administrative law judges, or, in the case of a conflict, appoint an outside hearing officer; provide for the notification of the involved parties; and establish guidelines and operating procedures for administrative hearings, including the type of pre-hearing discovery that may be allowed.

1.16.080 - Subpoenas.

The administrative law judge is empowered to issue subpoenas for the production of documents and things and to compel the appearance of witnesses in the pending action. It shall be unlawful for any person to willfully refuse or fail to obey a subpoena issued for an administrative hearing. A violation of this section shall be a class B misdemeanor, and such violation shall be punished in accordance with the provisions of state statute which defines the fines, imprisonment or other penalties which apply to a conviction of a class B misdemeanor.

1.16.090 - Request for administrative hearing.

1. A responsible person served with a "county enforcement action" and any county agency shall have the right to request an administrative hearing.

2. A party who has been adversely affected by an action by a county agency may also request an administrative hearing. Adverse effect may arise from:

A. Any decision or action defined in applicable county ordinance or policy to be grievable which affects ~~[affecting]~~ the employment status, compensation, or treatment of an employee of the county;

B. Denial, revocation, or termination of any license issued by the county;

C. Any decision relating to the zoning or permitted use of real property located within the unincorporated limits of the county;

D. Any decision relating to the award or failure to award a bid or proposal but which action must be brought within the time limitations and grounds set forth in the county ordinances and policies governing procurement;

E. Any notice of violation, animal seizure, assessment of costs, or other action taken by animal services; or

F. Such other violation, assessment, or action as designated by county ordinance, policy, regulation, or state law.

3. Any administrative hearing regarding a violation of any health department regulations or ordinances shall be conducted in accordance with applicable health department procedures.

4. The request for an administrative hearing shall be made in writing and delivered to the Salt Lake County mayor's office.

[4] 5. The written request for hearing must be received by the mayor within fifteen calendar days of the date the "county enforcement action" is served upon the responsible party. Failure to request an administrative hearing within fifteen calendar days from the date of service shall constitute a waiver of the right to an administrative hearing and of the right to an appeal of the "county enforcement action" to any state or federal court or agency.

[5] 6. Within fifteen days of the issuance of a "county enforcement action," the county may request an administrative hearing for the purposed of compelling a responsible person to comply with the action.

[6] 7. If a responsible person fails to request a hearing after being issued a "county enforcement action" the corrective action detailed within the action shall be considered the final administrative order and the person shall be deemed to have waived any appeal of that order.

1.16.100 - Notification of administrative hearing.

1. As soon as practicable after receiving the written notice of the request for an administrative hearing, the mayor shall appoint an administrative law judge who shall schedule a date, time, and place for the administrative hearing.

2. Written notice of the date, time, and place of the administrative hearing shall be served on the responsible person as soon as practicable prior to its date.

3. The notice shall be served by any of the methods of service set forth in Section

1.16.060

<https://library.municode.com/ut/salt_lake_county/codes/code_of_ordinances?nodeId=TIT1GEPR_CH1.16ADHE_1.16.060SENORE> of this chapter.

1.16.110 - Powers of administrative law judge.

1. An administrative law judge shall have authority to set the date, time, and place for holding an administrative hearing.
2. An administrative law judge may issue a scheduling order to guide the conduct of the case, to set the limits of any pre-hearing discovery, to provide for the identification of witnesses and their expected testimony, to list and exchange proposed exhibits, to approve stipulations regarding facts, to define applicable law, to establish the necessary foundation to exhibits, and to govern such other matters related to hearing of the matter as deemed appropriate.
3. The administrative law judge holding a hearing shall arrange for the recording of any hearing.

1.16.120 - Rules of discovery and evidence for administrative hearings.

1. The administrative law judge shall determine the scope of any pre-hearing discovery.
2. The formal rules of evidence and of civil procedure adopted by the courts shall not be applied in any administrative hearings; however, the administrative law judge shall determine the admissibility and weight to be accorded any evidence.
3. The administrative law judge shall issue a written ruling within forty-five days after the conclusion of the hearing.

1.16.130 - Appeal.

1. Any responsible person or county agency adversely affected by a final administrative order issued pursuant to a hearing may file a petition for review in the Third Judicial District Court of the State of Utah in accordance with the Utah Rules of Civil Procedure.
2. A petition for review shall be barred unless it is filed within thirty days after the administrative order is final, unless a statute provides otherwise.
3. The record of the administrative hearing including minutes, findings, orders and, if available, a true and correct transcript of the proceeding, shall be transmitted to the reviewing court by the party filing the appeal and the costs of producing the record,

including any transcripts, shall be borne by the party filing the appeal. If the proceeding was tape recorded, a transcript of such tape recording shall be deemed a true and correct transcript for purposes of this subsection.

4. The filing of a petition does not stay execution of an administrative order. Before filing a petition, a responsible person may request the administrative law judge to stay an administrative order. Upon receipt of a request to stay, the administrative law judge may order the administrative order to be stayed pending district court review if the administrative law judge finds such stay to be in the best interest of the county.

SECTION III. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED AND ADOPTED this 16th day of October, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON
Aimee Winder Newton, Chair
Salt Lake County Council

By /s/ SHERRIE SWENSEN
Sherrie Swensen
Salt Lake County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be approved. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

6.2 Budget Adjustment: Surveyor - Request for \$25,000 from the [18-732](#)
Restricted Preservation Account for Monument Supplies

Attachments: [Budget Adjustment Surveyor Monument Supplies.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
 Council Member Bradley
 Council Member Bradshaw
 Council Member Jensen
 Council Member Granato
 Council Member Burdick
 Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

- 6.3** Budget Adjustment: Salt Palace Convention Center Reserve [18-731](#)
Capital Kitchen Project Increase Because of Higher Material
Costs - \$130,000

Attachments: [355099YE06 SPCC Reserve Capital Projects](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
 Council Member Bradley
 Council Member Bradshaw
 Council Member Jensen
 Council Member Granato
 Council Member Burdick
 Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

- 6.4** Budget Adjustment: Unincorporated Municipal Services Increase [18-730](#)
in Interest and Class B Funds - Revenue and Expense \$5,715,474

Attachments: [502300YE01 Unincorporated Municipal Services](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

- 6.5** Budget Adjustment: Flood Control Projects - Transfer \$25,817 [18-728](#)
from Jordan River Trash Boom to Shriner Pond Outlet

Attachments: [461000YE03 Flood Control Projects](#)

This item was pulled.

- 6.6** Real Estate Discussion and Associated Resolutions [18-718](#)

Attachments: [Staff Report](#)

This item was pulled.

7. RATIFICATION OF CONSENT ITEM ACTIONS IN COMMITTEE OF THE WHOLE

- 7.1** Board Appointment: Reappoint Allison Thompson to the Clark [18-707](#)
Planetarium Advisory Board

Attachments: [Staff Report](#)
[Allison Thompson - Application, resume, approval form](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

- 7.2 Declaration of Gift: Best Friends Utah Rescue - Funding to assist [18-710](#)
Feline Fix Spray & Neuter Programming - \$20,000

Attachments: [Staff Report](#)
[Best Friends - Feline Fix.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

- 7.3 Approval of additional rates for the Capitol Theatre Naming [18-712](#)
Rights campaign.

Attachments: [Staff Report](#)
[CT seat pricing REVISION](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

7.4 Constable Commission ByLaws [18-724](#)

Attachments: [Constable Commission Bylaws 10October2018.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

7.5 A Resolution of the Salt Lake County Council declaring surplus real property (\$4,206.75) and approving the conveyance of a portion of the same by quit-claimed deed to Ramon Ramirez Hernandez [18-716](#)

Attachments: [Staff Report](#)
[Resolution - Surplus Real Property](#)

RESOLUTION NO. 5442

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL
DECLARING SURPLUS REAL PROPERTY AND APPROVING THE
CONVEYANCE OF A PORTION OF THE SAME BY QUIT-CLAIM

DEED TO RAMON RAMIREZ HERNANDEZ

1. Salt Lake County (the “County”) owns a parcel of real property, Parcel No. 14-21-479-036, located at approximately 2667 South Mineside Dr., Magna, Utah (the “Property”), which was struck off to the County after the tax sale in 2010.
2. Ramon Ramirez Hernandez (“Buyer”), owns a parcel of land immediately adjacent to the Property.
3. Buyer has offered to purchase the County’s interest in Property in its current condition for value, which has been reviewed and approved by the County Real Estate Section and has paid a fee of \$100, which amount shall be credited towards the purchase price of the Property. This offer is in the form of a Tax Sale Property Purchase Agreement (the “Agreement”) attached hereto as Exhibit A.
4. The County has determined that the Property is not currently in public use and that the Property has a fair market value of \$4,026.75. Proceeds from the sale of the Property will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
5. The best interest of the County and the general public will be served by the sale and conveyance of the Property to Buyer for its fair market value. The sale and conveyance will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Property described in Exhibit 1 of the Agreement is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the sale and conveyance of the Property by quit-claim deed to Buyer as provided in the Agreement for the agreed appraised value of Four Thousand Twenty-Six Dollars and Seventy-Five cents (\$4,026.75) is hereby approved; and the Mayor is hereby authorized to execute the Agreement and the Mayor and County Clerk are authorized to execute the Quit-Claim Deed, attached to the Agreement as Exhibit 2, and to deliver the fully executed documents to the Salt Lake County Real Estate Section for delivery to Buyer in accordance with the terms of the Agreement.

APPROVED and ADOPTED this 16th day of October, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON
Chair

By /s/ SHERRIE SWENSEN
Salt Lake County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

7.6 A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL [18-709](#)
AGREEING TO THE EAST WILLOW CREEK ANNEXATION

Attachments: [Staff Report](#)
[East Willow Creek Resolution.pdf](#)

RESOLUTION NO. 5443

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL
AGREEING TO THE EAST WILLOW CREEK ANNEXATION

W I T N E S S E T H

WHEREAS, Sandy City has proposed what it has titled the East Willow Creek Annexation to annex a portion of what is currently unincorporated county as shown on the map attached as Exhibit A; and

WHEREAS, the annexation is pursuant to Section 10-2-418, Utah Code Ann. (2018); and

WHEREAS, pursuant to Section 10-2-418(4), Utah Code Ann. (2018), the County “shall agree to an annexation if the majority of private property owners within the area to be annexed give written consent to the annexation” in compliance with other provisions of Section 10-2-418(4), Utah Code Ann. (2018); and

WHEREAS, Sandy City has provided written assurance that it has the written consent of the majority of private property owners within the area proposed for annexation and has also provided proof of written consent of the majority of property owners within the area proposed for annexation; and

WHEREAS, the County Council has reviewed the written consent of property owners provided by Sandy City and concluded that the consent complies with the requirements of Section 10-2-418(4), Utah Code Ann. (2018), and, therefore, the County is required by Section 10-2-418(4), Utah Code Ann. (2018), to agree to the annexation;

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that as required by Section 10-2-418(4), Utah Code Ann.(2018), the County agrees to the proposed East Willow Creek Annexation.

DATED this 16th day of October, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON
Chair

By /s/ SHERRIE SWENSEN
County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

7.7 A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL [18-704](#)
APPROVING EXECUTION OF A COOPERATIVE
AGREEMENT WITH RIVERTON CITY FOR THE ROSE

CREEK CHANNEL IMPROVEMENT PROJECT

Attachments: [Staff Report](#)
[Rose Creek Channel Improvement Interlocal Resolution](#)
[092718.pdf](#)
[Rose Creek Contract.inprocess.2.pdf](#)

RESOLUTION NO. 5444

A JOINT RESOLUTION OF THE SALT LAKE COUNTY COUNCIL
APPROVING EXECUTION OF A COOPERATIVE AGREEMENT
WITH RIVERTON CITY FOR THE ROSE CREEK CHANNEL
IMPROVEMENT PROJECT.

W I T N E S S E T H

WHEREAS, the Parties are local governmental units and “public agencies” that are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-101, *et seq.*, Utah Code Annotated (the “Interlocal Act”), to enter into agreements with each other for joint and cooperative action to make the most efficient use of their powers on a basis of mutual advantage; and

WHEREAS, the County through its Department of Public Works Flood Control and Engineering Division operates a Flood Control system in Salt Lake County (“County System”);

WHEREAS, the City desires to complete portions of the Rose Creek Channel Improvements and the County desires to provide funding to City to assist in making these Rose Creek Improvements; and

WHEREAS, the County and the City desire to enter into an agreement to set forth the obligations and responsibilities of both parties in City’s completion of these improvements; and

WHEREAS, it has been determined that the best interests of the County and the general public will be served by the execution of the attached Interlocal Cooperation Agreement and by participating as required therein.

R E S O L U T I O N

NOW, THEREFORE, IT IS HEREBY RESOLVED by the County Council of Salt Lake County that the attached Cooperation Agreement is approved; and the Mayor is authorized to execute said agreement, a copy of which is attached

as Exhibit 1 and by this reference made a part of this Resolution.

APPROVED AND ADOPTED this 16th day of October, 2018.

SALT LAKE COUNTY COUNCIL

ATTEST (SEAL)

By /s/ AIMEE WINDER NEWTON

Chair

By /s/ SHERRIE SWENSEN

County Clerk

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

7.8 Resolution of the Salt Lake County Council Requesting [18-729](#)
Recertification of the Salt Lake County Justice Court

Attachments: [Staff Report](#)
[Justice Court RESOLUTION.pdf](#)
[Justice Court Ltr to County Council.pdf](#)
[Ltr to UJC Recertification of Salt Lake County Justice Court.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be ratified. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

8. TAX LETTERS

8.1 Auditor's Tax Letters [18-706](#)

Attachments: [2016 Property Valuation - Global Consulting International, Inc - Change from \\$731,400 to \\$587,623_Redacted.pdf](#)
[2017 Property Valuation - The Dannon Company - Change from \\$19,774,600 to \\$18,246,600_Redacted.pdf](#)
[2017 Property Valuation - Hapag Investments - Change from \\$1,033,600 to \\$712,800_Redacted.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be approved. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

8.2 Assessor Tax Letters [18-719](#)

Attachments: [2018 Personal Property Tax Refund DMV \\$1,619.62](#)
[2018 Personal Property Tax Refund DMV Vet \\$995.00](#)

A motion was made by Council Member Bradshaw, seconded by Council

Member Jensen, that this agenda item be approved. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

9. LETTERS FROM OTHER OFFICES

10. PRIVATE BUSINESS DISCLOSURES

- 10.1** Disclosure of private business interest for Laycei Bottoms, of [18-703](#)
Animal Services - Holiday Inn

Attachments: [Staff Report](#)
[Bottoms_disclosure.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be approved. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

11. APPROVAL OF MINUTES

- 11.1** Approval of Council Minutes [18-721](#)

Attachments: [092518 Council Min.pdf](#)
[100218 Council Min.pdf](#)

A motion was made by Council Member Bradshaw, seconded by Council Member Jensen, that this agenda item be approved. The motion carried by the following vote:

Aye: Council Member Wilson
Council Member Bradley
Council Member Bradshaw
Council Member Jensen
Council Member Granato
Council Member Burdick
Council Chair Winder Newton

Excused: Council Member DeBry

Absent: Council Member Snelgrove

ADJOURN

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 4:48 PM until Tuesday, October 23, 2018, at 4:00 P.M.

SHERRIE SWENSEN, COUNTY CLERK

By _____
Deputy Clerk

CHAIR, SALT LAKE COUNTY COUNCIL