

1 EXHIBIT A

2 to

3 ORDINANCE No. 23-03

4 AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE TITLE 3,
5 CHAPTER 4, SECTION 1 ("ALLOWED TRANSACTIONS") AND
6 SECTION 2 ("REPORT TO CITY COUNCIL")

7 Legislative Redlined Version

8 CHAPTER 4

9 WAIVER OF FEES, FINES AND DOUBTFUL ACCOUNTS; COMPROMISE OF
10 CLAIMS BY OR AGAINST THE CITY; NONPROFIT ASSISTANCE

11 SECTION:

12 3-4-1: Allowed Transactions

13 3-4-2: Report To City Council

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16 3-4-1: ALLOWED TRANSACTIONS:

17 A. Definitions: For purposes of this chapter, the following definitions shall apply:

18 1. Penalty: A fine and/or interest added onto a service fee and/or the forfeiture of goods
19 and/or services

20 2. Service Fee: A requirement to pay money to the City for goods or services rendered,
21 as identified in the City's Uniform Consolidated Fee Schedule

22 3. Settle: A verbal or written agreement between two or more parties to i) pay a certain
23 amount of money, ii) perform a certain amount of services, or iii) provide a certain amount of
24 goods, which may be more or less than the full amount required to make the other party(ies)
25 whole

26 4. Waive: To write off, forgive, or remit service fees or penalties required by the City to
27 be paid before city services or goods may be provided ~~Of Waive And Obligation: For purposes~~
28 ~~of this chapter, "waiving", "waive", or "waived" also means writing off, forgiving, settling,~~
29 ~~and/or compromising any fee, fine, interest, penalty, or other monies legally required to be paid~~
30 ~~to the city ("obligation").~~

31 B. Authorization to Waive or Settle:

32 1. City Mayor's Authority: The City Mayor shall have the authority to:

33 a. waive any penalty;

b. settle any monetary obligations of the City or owed to the City as further set forth in West Jordan City Code 3-2-2 and 9-8-9;

c. rectify an alleged error~~An obligation may only be waived as follows:~~

2. City Council Authority: Subject to Utah Code 10-8-2 and West Jordan City Code Title 2, Chapter 6, the City Council shall have the authority to:~~1. City Administrator Determination Of Doubtful/Uncollectible Amounts: After the city (i) has made reasonable efforts to collect an obligation, or (ii) has otherwise concluded that an obligation is uncollectible as determined by the city administrator or designee, the city may waive any amount less than five thousand dollars (\$5,000.00) per account without city council approval.~~

a. waive any service fee;

b. provide monetary or non-monetary assistance to a nonprofit entity whether or not the city receives consideration in return; and~~2. City Administrator Authority To Rectify Errors: The city administrator or designee may rectify an alleged error by city personnel.~~

c. write off doubtful and uncollectible accounts, in whole or in part.~~3. Nonprofit Contributions: Consistent with the requirements of Utah Code Annotated section 10-8-2(2) or any successor provision, and the procedures required by title 2, chapter 6 of this code, the city council may (i) waive an obligation, or (ii) otherwise provide monetary or nonmonetary assistance to a nonprofit entity whether or not the city receives consideration in return.~~

~~4. Settlement Of Litigation And Claims By Or Against The City: A claim made by or against the city shall be settled or compromised, in whole or in part, as set forth in section 3-2-2.~~

~~5. For Value Exchange Agreements: The mayor may agree to the payment of an obligation in a written for-value exchange agreement without the approval of the city council if the value of the agreement is ten thousand dollars (\$10,000.00) or less. (Ord. 19-55, 12-11-2019, Effective at 12 noon on January 6, 2020; amd. Ord. 20-38, 9-30-2020)~~

3-4-2: REPORTS TO CITY COUNCIL:

A. Report of Doubtful and Uncollectible Accounts: T~~The mayor or designee shall provide a n annual report of doubtful and uncollectible accounts to the city council no less than once each fiscal year that~~which includes (i) the account holder's name, (ii) the remaining unpaid balance including interest, (iii) the length of time the account has been delinquent, and (iv) the methods that have been used to attempt collection of the delinquent account. Upon presentation of such report, the City Council may write off any or all of the doubtful or uncollectible accounts, in whole or in part.

B. Report of Settled Claims: a summary of the Obligations waived, the~~The Mayor shall provide the Council an annual report of any claims or settlements and the amounts paid or~~

72 ~~received. for value exchange agreements entered, and the assistance provided to nonprofit~~
73 ~~entities, pursuant to this chapter.~~ The summary shall (i) identify the recipients or participants,
74 and (ii) the dollar amount or value provided to each recipient or participant. (Ord. 19-55, 12-11-
75 2019, Effective at 12 noon on January 6, 2020)