ORDINANCE NO. 2025-02

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING CITY CODE PROVISIONS GOVERNING PUBLICATION OF NEWLY ENACTED CITY ORDINANCES

WHEREAS the city council for Ivins City (the "City Council") is authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City;

WHEREAS the City Council has investigated and considered how newly enacted ordinances should be published.

WHEREAS the City Council finds that newly enacted ordinances should be published by following the provisions of Utah Code Section 10-3-711, which require a municipality to publish a short summary of the ordinance as a class A notice under Section 63G-30-102 of the Utah Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City as follows:

Section 1. Amendment to Sections 2.01.305 through 307 of the Ivins City Code. Section 2.01.305 through 2.01.307 of the Ivins City Code are hereby amended as follows:

2.01.305: REQUIREMENTS AS TO FORM; EFFECTIVE DATE:

(1) Ordinances passed or enacted by the city council shall be signed by the mayor, or if he is absent, by the mayor pro tempore, or by a quorum of the city council, and shall be recorded before taking effect. No ordinance shall be void or unlawful by reason of its failure to conform to the provisions of Utah Code Annotated sections 10-3-704(1) through 10-3-704(4).

(2) Ordinances shall become effective twenty (20) days after publication ~~or posting~~, or thirty (30) days after final passage by the city council, whichever is closer to the date of final passage, but ordinances may become effective at an earlier or later date after publication ~~or posting~~ if so provided in the ordinance.

(3) Ordinances which do not have an effective date shall become effective twenty (20) days after publication ~~or posting~~, or thirty (30) days after final passage by the city council, whichever is sooner.

2.01.306: PUBLICATION ~~AND POSTING~~ OF ORDINANCES:

(1) All ordinances, except those enacted pursuant to Utah Code Annotated sections 10-3-706 through 10-3-710, before taking effect, shall be deposited in the office of the city recorder and a short summary of the ordinance published in accordance with section 10-3-711 of the Utah Code~~at least once in a newspaper of general circulation within the city or by posting a complete copy of the ordinance in three (3) public places within the city~~.

(2) Any ordinance, code or book, other than the state code, relating to building or safety standards, city functions, administration, control or regulations, may be adopted and shall take effect without further publication or posting, if reference is made to the code or book and at least one copy has been filed for use and examination by the public in the office of the city recorder prior to the adoption of the ordinance by the city council.

2.01.307: RECORDING, NUMBERING AND CERTIFICATION OF PASSAGE:

The city recorder shall record, in a book used exclusively for that purpose, all ordinances passed by the city council. The city recorder shall give each ordinance a number, if the city council has not already done so. Immediately following each ordinance, or codification of ordinances, the city recorder shall make or cause to be made a certificate stating the date of passage and of the date of publication ~~or posting, as required~~. The record and memorandum, or a certified copy thereof, shall be prima facie evidence of the contents, passage, and publication ~~or posting~~ of the ordinance or codification. Failure to comply with this section shall not affect or render invalid any ordinance of the city.

Section 2. Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS 16TH DAY OF JANUARY, 2025 BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Mike Scott	_____	_____	_____	_____
Kevin Smith	_____	_____	_____	_____
Sharon Barton	_____	_____	_____	_____
Sharon Gillespie	_____	_____	_____	_____
Lance Anderson	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari D. Jimenez, City Recorder