

**SANTAQUIN CITY
ORDINANCE 12-01-2021**

AN ORDINANCE TO AMEND FINANCIAL ADMINISTRATION CODE

WHEREAS, the City of Santaquin is a fourth-class city of the State of Utah; and

WHEREAS, the state legislature has granted general welfare power to the City Council independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power; and

WHEREAS, the cities of Spanish Fork and Lindon have set standards of best practices for financial policy making; and

WHEREAS, the City of Santaquin has utilized the financial policies of the cities of Spanish Fork and Lindon as templates in order to implement said best practices.

NOW THEREFORE, be it ordained by the Council of the Santaquin City, in the State of Utah, as follows:

SECTION 1: **REPEAL** “1.40.020 PURCHASE ORDER SYSTEM” of the Santaquin City Municipal Code is hereby *repealed* as follows:

R E P E A L

~~1.40.020 PURCHASE ORDER SYSTEM~~ (*Repealed*)

- A. Purchases Made By Full Time Employee: All purchases of goods or services to be made by or on behalf of the city shall be made only by a full time employee of the city, or such other person as may be authorized by a purchase order.
- B. Purchases Of Less Than One Hundred Dollars: Purchases of less than one hundred dollars (\$100.00) made by authorized individuals within their departments do not require a purchase order. The mayor or his/her designee may, at his or her discretion, require approval of all purchases by an individual employee or department of less than one hundred dollars (\$100.00) if in his or her discretion there is concern regarding proper and prudent spending of public monies.
- C. Purchases Of One Hundred Dollars To Five Hundred Dollars: Purchases of one hundred dollars (\$100.00) to five hundred dollars (\$500.00) require a purchase order, properly completed and identified with the appropriate general ledger number, signed and approved by the head of the department for which the funds are being drawn.
- D. Purchases From Five Hundred Dollars To Fifteen Thousand Dollars: Purchases from five hundred dollars (\$500.00) to fifteen thousand dollars (\$15,000.00) require a

purchase order, properly completed and identified with the appropriate general ledger number signed and approved by the mayor, or his/her designee. Supporting signatures may include the city manager, the functional area director over the department for which the funds are being drawn, and the head of the department for which the funds are being drawn.

- E. Purchases Over Fifteen Thousand Dollars: Purchases of more than fifteen thousand dollars (\$15,000.00) require city council approval in accordance with advertising requirements as outlined by Utah state law.
- F. Waiver Of Requirements: The city council may waive any of the foregoing requirements upon its determination that said waiver is in the best interests of the city.
- G. Emergency Purchases: Each department supervisor shall be allowed to purchase emergency supplies for the following situations:
 - 1. Any problem which could cause equipment downtime.
 - 2. Broken water lines.
 - 3. Traffic obstructions.
 - 4. Major crimes.
 - 5. Auctions; persons as only designated by the city council may purchase at auctions.
 - 6. Fuel and oil purchases.
 - 7. Health and public safety emergencies.
- H. Violation: If any employee of the city shall violate the provisions of this section, he may be punished as outlined by the city's personnel manual at the time of the violation. If a council member shall violate the provisions of this section, he shall be punished as deemed necessary by a majority of the city council in a regular city council meeting. (Ord. 06-01-2010, 6-2-2010, eff. 6-3-2010)

SECTION 2: **REPEAL** “1.40.030 BIDDING REQUIREMENTS” of the Santaquin City Municipal Code is hereby *repealed* as follows:

REPEAL

~~1.40.030 BIDDING REQUIREMENTS~~ (*Repealed*)

- A. Informal Bids Submitted: Prior to any purchase in an amount greater than one thousand dollars (\$1,000.00) and less than fifteen thousand dollars (\$15,000.00), at least three (3) informal bids must be obtained and submitted to and approved by the city council.
- B. Notification Of Intent To Purchase: Prior to any purchase in an amount of fifteen thousand dollars (\$15,000.00) or more, the city shall post on the Utah Public Notice Website, created in Utah Code § 63F-1-701, in such a format notifying sellers and providers of the city's intent to purchase a specific item or service. Said notice shall be posted at least fifteen (15) days prior to a specified closing date. In addition, notice shall be published on the website established by and in accordance with Utah Code §

45-1-101.

- C. Formal Bids Submitted: Prior to any purchase in excess of fifteen thousand dollars (\$15,000.00), at least three (3) formal sealed bids must be obtained and submitted to and approved by the city council.
- D. City Not Limited: Nothing herein limits the city from rejecting any and all bids, nor requires the city to accept the lowest bid. (Ord. 06-01-2010, 6-2-2010, eff. 6-3-2010)

**SECTION 3: REPEAL “1.40.040 SPECIAL ASSESSMENT
GUARANTEE FUND”** of the Santaquin City Municipal Code is hereby *repealed* as follows:

R E P E A L

1.40.040 SPECIAL ASSESSMENT GUARANTEE FUND (*Repealed*)

The city hereby adopts a special assessment guarantee fund, as provided in Utah Code § 17A-3-301 et seq., for the purpose of guaranteeing repayment of the special road assessments to the general fund. (Ord. 06-01-2010, 6-2-2010, eff. 6-3-2010)

SECTION 4: REPEALER CLAUSE All provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

SECTION 5: CODIFICATION, INCLUSION IN THE CODE, AND SCRIVENER'S ERRORS It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Sections of the ordinance may be re-numbered or re- lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

SECTION 6: SEVERABILITY CLAUSE If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

SECTION 7: EFFECTIVE DATE This Ordinance shall be in full force and effect at 5:00 p.m. on _____ and after the required approval and publication according to law. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED BY THE SANTAQUIN CITY COUNCIL
_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Miller	_____	_____	_____	_____
Council Member Montoya	_____	_____	_____	_____
Council Member Mecham	_____	_____	_____	_____
Council Member Hathaway	_____	_____	_____	_____

Presiding Officer

Attest

Kirk F. Hunsaker, Mayor, Santaquin City

K. Aaron Shirley, City Recorder
Santaquin City