1	ORDINANCE 2012-18.
2 3 4	AN ORDINANCE AMENDING SECTIONS 2.01.040 AND 2.01.050 (COUNCIL DISTRICTS) OF THE PROVO CITY CODE. (11-217)
5 6 7	WHEREAS, Section 10-3-205.5 of the Utah Code allows municipal legislative bodies to divide into districts and sets forth the requirements for such districts; and
8 9 10	WHEREAS, Section 10-3-205.5 of the Utah Code requires municipal legislative bodies to update district boundaries in conjunction with the decennial Federal Census; and
11 12 13 14 15	WHEREAS, in order to conform to Utah Code requirements it is proposed that Chapter 2.01.040 and 2.01.050 of the Provo City Code be amended to modify Provo City legislative district boundaries as set forth below; and
16 17 18 19	WHEREAS, on July 10, 2012 and July 17, 2012 after soliciting input from the public, a Citizen Advisory Panel, and other interested parties, the Municipal Council held a duly noticed public hearing to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record; and
20 21 22 23 24	WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds (i) Provo City legislative district boundaries should be amended; and (ii) the ordinance amendment, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.
25 26 27	NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:
28 29	PART I:
30 31 32	Section 2.01.040 of Provo City Code is hereby amended as follows:
<ul> <li>33</li> <li>33</li> <li>34</li> <li>35</li> <li>36</li> <li>37</li> <li>38</li> <li>39</li> <li>40</li> <li>41</li> <li>42</li> <li>43</li> <li>44</li> <li>45</li> <li>46</li> <li>47</li> </ul>	<b>2.01.040. City Council.</b> Each member of the Municipal Council shall be a resident of Provo City and shall be elected for a term of four (4) years with the term commencing at 12 noon on the first Monday of January following the election of officers. Council members-elect shall take the oath of office at said date and time or as soon thereafter as is practical. Provided, however, that the first term for Council seats one (1), three (3), five (5) and six (6) shall be for two (2) years for the first term only. The first term shall commence at 12 noon on January 4, 1982. Council seats 2, 5, and City-wide I shall be elected for a term of four (4) years, with the next term following July 17, 2012 to commence at 12 noon on January 6, 2014. Council seats 1, 3, 4, and City-wide II shall be elected for a term of four (4) years with the next term for which elected, unless sooner removed as provided by law, and until a successor is elected and has qualified. Council members, while in office, shall have no other compensated employment with Provo City.
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51 2.01.050. Council Districts. 52 (1) The seven (7) members of the Municipal Council shall be elected to represent the 53 Council districts set forth below. Changes or amendments to Council district boundaries made 54 by ordinance do not affect the standing, constituency, or term of office of those duly elected 55 Council members serving at the time of the change or amendment and a mid-term vacancy is not 56 created solely through the effect of such a change or amendment. A Council member who was 57 duly elected to a previously existing Council district shall continue to represent the realigned 58 district in which the Council member resides until the end of that Council member's term of 59 office 60 (a) COUNCIL DISTRICT 1: One (1) Council member shall be elected to 61 represent Council District 1 which includes the following voting precincts in Provo City, 62 or the successor(s) thereof: 8, 16, 29, 30, 32, 34, 41, 42 and 49 15, 16, 26, 28, 29, 30, 32, 63 37, 38, 39, 40, 41, and 42. The representative of this district shall, when filing as a 64 candidate for office and at the time of election and while in office, be a resident of 65 Council District 1. 66 (b) COUNCIL DISTRICT 2: One (1) Council member shall be elected to 67 represent the Council District 2 which includes the following voting precincts in Provo 68 City, or the successor(s) thereof: 11, 26, 33, 36, 37, 39, 40, and 48, 8, 9, 11, 33, 34, and 69 36. The representative of this district shall, when filing as a candidate for office and at 70 the time of election and while in office, be a resident of Council District 2. 71 (c) COUNCIL DISTRICT 3: One (1) Council member shall be elected to 72 represent the Council District 3 which includes the following voting precincts in Provo 73 City, or the successor(s) thereof: 2, 3, 5, 9, 12, 17, 18, 35, 45, and 47, 1, 2, 3, 5, 12, 17, 44, 74 and 45. The representative of this district shall, when filing as a candidate for office and 75 at the time of election and while in office, be a resident of Council District 3. 76 (d) COUNCIL DISTRICT 4: One (1) Council member shall be elected to 77 represent the Council District 4 which includes the following voting precincts in Provo 78 City, or the successor(s) thereof: 10, 13, 19, 20, 23, 24, 25, 27, 28, 31, 38, and 4613, 18, 79 19, 20, 23, 24, 25, 27, 31, and 35. The representative of this district shall, when filing as 80 a candidate for office and at the time of election and while in office, be a resident of 81 Council District 4. 82 (e) COUNCIL DISTRICT 5: One (1) Council member shall be elected to 83 represent the Council District 5 which includes the following voting precincts in Provo 84 City, or the successor(s) thereof: 1, 4, 6, 7, 14, 15, 21, 22, 43, and 44, 4, 6, 7, 10, 14, 21, 85 22, and 43. The representative of this district shall, when filing as a candidate for office 86 and at the time of election and while in office, be a resident of Council District 5. 87 (f) CITY-WIDE DISTRICT I: One (1) Council member shall be elected to 88 represent City-wide District I which includes all of the voting precincts in Provo City. 89 90 The representative of this district shall, when filing as a candidate for office and at the time of election and while in office, be a resident of Provo City. 91 (g) CITY-WIDE DISTRICT II: One (1) Council member shall be elected to 92 represent City-wide District II which includes all of the voting precincts in Provo City. 93

Section 2.01.050 of the Provo City Code is hereby amended as follows as illustrated in

- The representative of this district shall, when filing as a candidate for office and at the
  time of election and while in office, be a resident of Provo City.
  (2) The districts described in Subsection (1) shall govern any election or mid-term
- 97 <u>vacancy occurring after July 17, 2012.</u>

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the attached Exhibit "A":

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99	PART III:
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101	A. If a provision of this Ordinance 2012-18 conflicts with a provision of a previously
102	adopted ordinance concerning the same title, chapter, and/or section number amended herein, the
103	provision in this ordinance shall prevail.
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105	B. This ordinance and its various sections, clauses and paragraphs are hereby declared to
106	be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid,
107	the remainder of the ordinance shall not be affected thereby.
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109	C. The Municipal Council hereby directs that the official copy of the Provo City Code be
110	updated to reflect the provisions enacted by this ordinance.
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112	D. This ordinance shall take effect immediately after being posted or published as
113	required by law.
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115	END OF ORDINANCE.