

Ordinance 2022-35

SHORT TITLE:

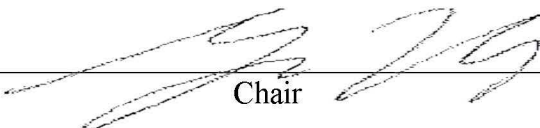
AN ORDINANCE AMENDING PROVO CITY CODE REGARDING THE PROCESS FOR MAKING APPOINTMENTS TO THE CIVIL SERVICE COMMISSION TO ALIGN WITH STATE CODE. (22-009)

I  
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL


DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		7	0	

This ordinance was passed by the Municipal Council of Provo City, on the 4<sup>th</sup> day of October 2022, on a roll call vote as described above. Signed this 19th day of October 2022.

  
Chair

II  
APPROVAL BY MAYOR

This ordinance is approved by me this 20th day of October 2022.

  
Mayor

Ordinance 2022-35

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 20th day of October 2022 and was published on the Utah Public Notice Website on the 6<sup>th</sup> day of October 2022. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2022-35.



*Deirdre Allman*

City Recorder

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ORDINANCE 2022-35

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING THE  
PROCESS FOR MAKING APPOINTMENTS TO THE CIVIL SERVICE  
COMMISSION TO ALIGN WITH STATE CODE. (22-009)

WHEREAS, it is proposed to amend Provo City Code Section 4.01.010 to reflect the process stipulated in State Code, Utah 10-3-1003; and

WHEREAS, the amendment to Provo City Code will designate the Municipal Council as the body which makes the appointments to the Civil Service Commission; and

WHEREAS, on November 1, 2022, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the facts presented to the Municipal Council, the Council finds (i) the amendment to Provo City Code Section 4.01.010, Classified Civil Service Established – Civil Service Commission – Hearings, Rules and Regulations Adopted, should be amended and enacted as set forth below, and (ii) this action reasonably furthers the health, safety, and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Provo City Code Section 4.01.010, Classified Civil Service Established – Civil Service Commission – Hearings, Rules and Regulations Adopted is hereby amended as set forth in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.

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44 D. This ordinance shall take effect immediately after it has been posted or published in  
45 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah  
46 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

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48 END OF ORDINANCE.

Exhibit A

**4.01.010**

**Classified Civil Service Established – Civil Service Commission – Hearings, Rules and Regulations Adopted.**

There shall be a classified civil service consisting of all full-time regularly employed EMTs, paramedics, firefighters, fire officers and all full-time regularly employed police officers (not to include “special function officers”).

(1) As provided in State law, [Utah Code 10-3-1003](#), there is hereby established a Civil Service Commission, consisting of three (3) members to be appointed by the ~~Mayor, with the advice and consent of the Municipal Council.~~ [Municipal Council](#). Their term of office shall be for six (6) years, to be appointed so that the term of office of one (1) member shall expire on the thirtieth of June of each even-numbered year. The incumbents in office shall serve the remainder of the terms for which they were appointed. If a vacancy occurs in the Civil Service Commission, it shall be filled by appointment by the ~~Mayor~~ [Municipal Council](#) for the unexpired portion of the term. The qualifications of commissioners, their salaries and removal, shall be as provided for in State law; and the commission shall exercise those powers as provided for in State law.