

Ordinance 2024-5

SHORT TITLE:

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING THE NEIGHBORHOOD DISTRICT PROGRAM. (24-013)

I
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		6		

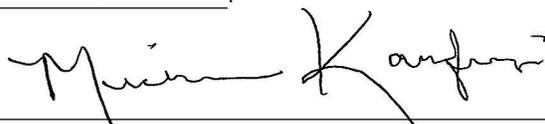
This ordinance was passed by the Municipal Council of Provo City, on the 23rd day of January 2024, on a roll call vote as described above. Signed this 15th day of February 2024.



Chair

II
APPROVAL BY MAYOR

This ordinance is approved by me this 15th day of February 2024.



Mayor

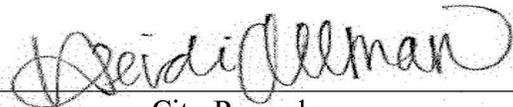
Ordinance 2024-5

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 29th day of February 2024 and was published on the Utah Public Notice Website on the 25th day of January 2024. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2024-5.





City Recorder

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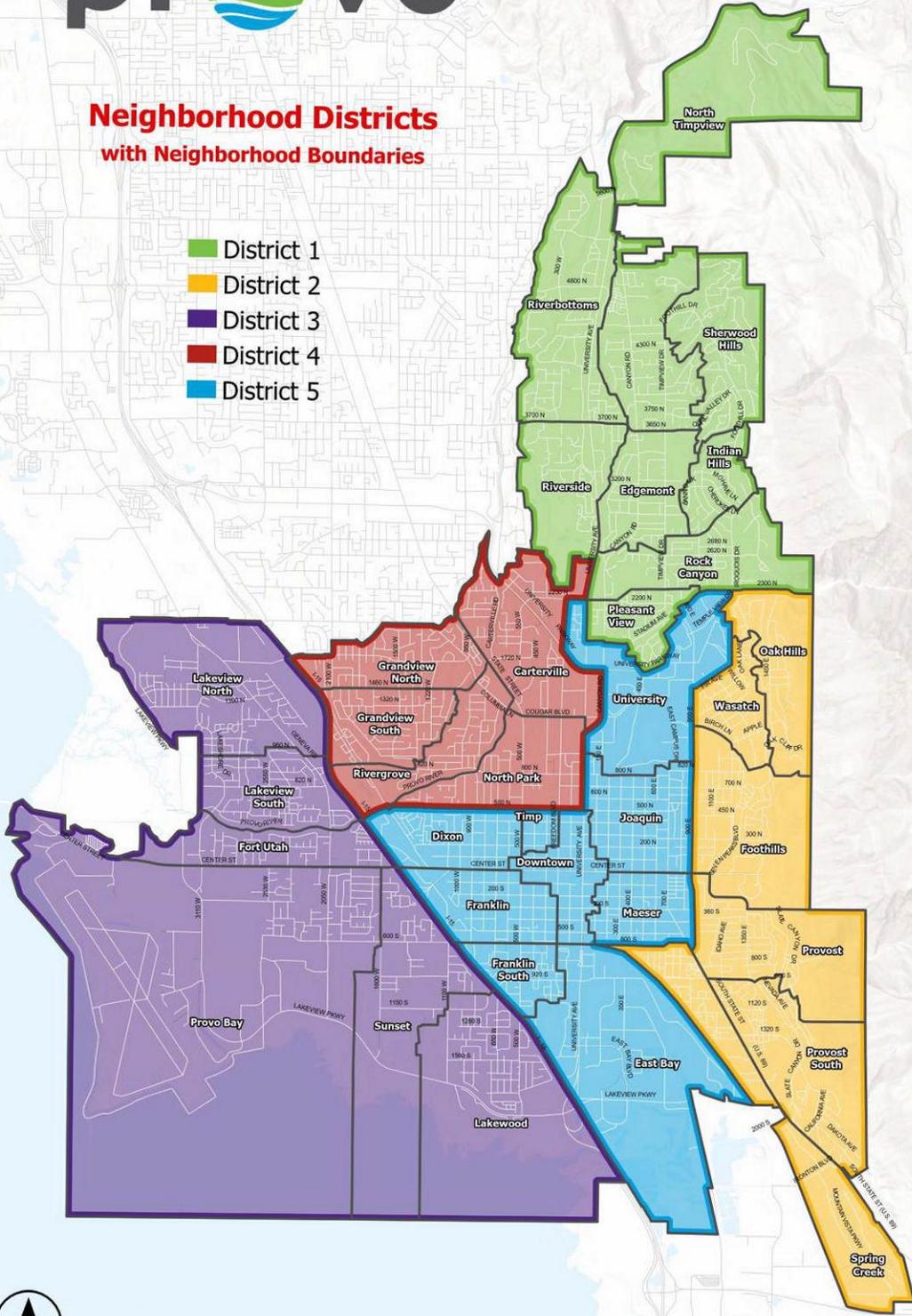
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance takes effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
- D. The Municipal Council directs that the official copy of Provo City Code be updated to reflect the provisions enacted by this ordinance.

Exhibit A



**Neighborhood Districts
with Neighborhood Boundaries**

- District 1
- District 2
- District 3
- District 4
- District 5



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Exhibit B

Chapter 2.29
NEIGHBORHOOD DISTRICT PROGRAM

Sections:

- 2.29.010** **Neighborhood District Program Created.**
- 2.29.020** **Purpose.**
- 2.29.030** **Voting Membership.**
- 2.29.040** **Executive Board.**
- 2.29.050** **Meetings.**
- 2.29.060** **Matching Grant Review Process.**
- 2.29.070** **Neighborhood District Fee Waivers.**

2.29.010
Neighborhood District Program Created.

(1) *Neighborhoods and Neighborhood Districts.* There are hereby established geographic areas within the City which shall be known as Neighborhoods and Neighborhood District Zones as shown on an Official Neighborhood Map adopted by the Municipal Council, which by this reference is made a part of this Chapter. Each "Neighborhood" is a geographically distinct portion of the City. Each "Neighborhood District" shall consist of geographically adjacent Neighborhoods. The boundaries of Neighborhoods and Neighborhood Districts shall be determined by the Municipal Council and shall appear on the Official Neighborhood Map.

(2) *Neighborhood Districts.* There shall be no more than five (5) total Neighborhood Districts. Each Neighborhood District shall will have an Executive Board comprised of residents from within the boundaries of the Neighborhood District. When possible, at least one (1) and no more than two (2) residents from each Neighborhood located within the boundaries of the Neighborhood District shall serve on the Executive Board.

(3) *Neighborhood District Program.* The Neighborhood Districts and their associated activities created by this Chapter shall be referred to as the Neighborhood District Program.

2.29.020
Purpose.

(1) The purpose of the Neighborhood District Program is to provide for public participation and involvement in City affairs and provide a mechanism for communication between the Municipal Council and the public.

85 (2) Each Neighborhood District Executive Board may provide suggestions and feedback to the
86 Municipal Council on governmental affairs and services affecting the area the Neighborhood District
87 represents.

88 (3) The Neighborhood District Executive Board shall work to:

89 (a) Identify and build on the strengths and assets of each Neighborhood in order to solve local
90 problems and meet local needs and desires;

91 (b) Bring Neighborhood residents and other local stakeholders (including Neighborhood
92 businesses and residential landlords) together to achieve the shared goals of the Neighborhood
93 District Program;

94 (c) Bring other nongovernmental organizations and local nonprofit organizations to help deliver
95 services that are needed by residents within their Neighborhood District;

96 (d) Create opportunities for community building among residents (i.e., service projects,
97 beautification efforts, social activities, etc.); and

98 (e) Organize yearly social activities for the individual Neighborhoods within their boundaries.

99 (4) The Neighborhood District Executive Board is not a legislative body. The Board members are
100 not elected officials and do not have any implied legislative or executive authority.

101 **2.29.030**

102 **Voting Membership.**

103 Voting at a Neighborhood District meeting is limited to persons eighteen (18) years of age or older
104 whose primary Provo domicile is within the identified boundaries of the corresponding Neighborhood
105 District. For purposes of this Chapter, "primary Provo domicile" means the Provo domicile where the
106 person physically resides more days in a calendar year than any other Provo domicile.

107 No person may be a member or resident, or vote at meetings, of more than one (1) Neighborhood
108 District. A person who physically resides at more than one (1) domicile in Provo, for purposes of this
109 Chapter, is a member and resident of the Neighborhood District where their primary Provo domicile
110 is located. Before a person may vote at a Neighborhood District meeting, they must sign a
111 Declaration of Residency declaring the address of their primary Provo domicile and that they are a
112 resident of the corresponding Neighborhood District.

113 **2.29.040**

114 **Executive Board.**

115 (1) *Members – Appointment – Vacancies – Removal.*

116 (a) A minimum of seven (7) members, ~~with a maximum of eleven (11) members, shall~~ will be
117 appointed by the Municipal Council to serve as the Executive Board for each Neighborhood
118 District.

119 (b) Only residents of the corresponding Neighborhood District may be considered for
120 appointment to the Executive Board, except as provided in Subsection (2) of this Section.

121 (c) Neighborhood input will be considered in making appointments to the Executive Boards.

122 (d) Before an applicant can be appointed, they are required to attend a Neighborhood District
123 Orientation session for that appointment cycle, provide evidence of attendance at an orientation
124 session in the past three (3) years, or have served as an Executive Board member in the past
125 two (2) years.

126 (e) Members of the Executive Board shall serve at the pleasure of the Municipal Council and
127 may be removed from office by a majority of the members of the Municipal Council.

128 (2) Notwithstanding the requirements of Subsection (1) of this Section:

129 (a) In the Neighborhood District containing the University Neighborhood, the Municipal Council
130 shall appoint one (1) member of the Executive Board from persons nominated by the President
131 of Brigham Young University;

132 (b) In the Neighborhood District containing the Downtown Neighborhood, the Municipal Council
133 shall appoint one (1) member of the Executive Board from persons nominated by Downtown
134 Provo, Inc.;

135 (c) In the Neighborhood District containing the Joaquin Neighborhood, the Municipal Council
136 shall appoint at least one (1) member of the Executive Board who is a property owner of student
137 housing located within the Joaquin Neighborhood so long as the following requirements are
138 met:

139 (i) The property owner has a valid and current rental dwelling license from Provo City; and

140 (ii) The property owner is not a member of another Neighborhood District Executive
141 Board.

142 (d) The Municipal Council may choose to appoint a maximum of one (1) business owner to an
143 Executive Board so long as the following requirements are met:

144 (i) The business has a physical location within the boundaries of the Neighborhood
145 District;

146 (ii) The business has a valid business license from Provo City and is in good standing; and

147 (iii) The owner is not a member of another Neighborhood District Executive Board.

148 (3) *Officers of the Executive Board.* The voting members of each Neighborhood District shall select
149 a chair, two (2) vice-chairs, and a secretary from the members of the Executive Board.

150 (4) *Terms of Office.*

151 (a) *Executive Board Member.*

152 (i) All Executive Board member terms shall be for forty-eight (48) months upon
153 appointment. At the launch of this program, one-half (1/2) of the appointments will be for
154 terms of twenty-four (24) months for the purposes of staggering.

155 ~~(ii) No individual may be appointed to serve on an Executive Board who has served on~~
156 ~~any Executive Board within the last twelve (12) months unless appointed under Subsection~~
157 ~~(2) of this Section or as otherwise provided in this Subsection (4)(a)(ii). If a position on the~~
158 ~~Executive Board has been vacant for more than three (3) months, this prohibition may be~~
159 ~~waived by the Municipal Council at their discretion.~~

160 (b) *Chair of the Executive Board.*

161 (i) No person may serve as Chair for more than twelve (12) consecutive months.

162 (ii) No person may be selected as Chair within twelve (12) months of having served as
163 Chair.

164 (5) *Communications.* Members of the Neighborhood District Executive Boards shall coordinate and
165 channel all official communications to the Municipal Council/Planning Commission through their
166 respective Executive Board's Chair and the Neighborhood Coordinator.

167 (6) *Official Representatives.* The Chair, or in their absence, a Vice-Chair or other duly appointed
168 representative, shall be the official representative of their Neighborhood District to the Municipal
169 Council or Planning Commission and shall represent positions taken by their Neighborhood District;
170 provided, that such representative has received the prior approval for such representation from a
171 majority of the Neighborhood District Executive Board members present at the Neighborhood District
172 meeting during which the item was discussed.

173 (7) *Meetings.*

174 (a) *Absences.* If a member of an Executive Board fails to attend three (3) or more consecutive
175 meetings, or fifty percent (50%) or more of the meetings in any eight (8) month period, without
176 the approval of the majority of the other Executive Board members, the seat of such member
177 shall be deemed immediately vacated.

178 (b) At least a majority of the currently serving Executive Board members must be present at
179 any meeting to conduct any business or take any official action.

180 (8) *Candidates for Public Offices.* If any member of an Executive Board files as a candidate for
181 election to a public office, they shall take a leave of absence from the Executive Board immediately
182 upon filing and until the election is over. If any member of an Executive Board is elected or
183 appointed to any public office, their seat as a member of the Executive Board shall become vacant
184 upon election or appointment to the public office.

185 **2.29.050**

186 **Meetings.**

187 (1) *Presiding Officer.* The Chair, or a Vice-Chair in the absence of the Chair, shall preside over
188 Neighborhood District meetings.

189 (2) *Secretaries.* Each Executive Board shall have a secretary to keep an accurate record of the
190 meetings and general actions and discussions of the Neighborhood District Executive Board,
191 including an accurate record of the Executive Board members in attendance.

192 (3) *Time and Place.* A meeting of the residents of each Neighborhood District shall be held at a
193 regularly scheduled designated time and place. The Neighborhood Coordinator in the Municipal
194 Council Office shall be responsible for the meeting schedule.

195 (4) *Open to the Public.* All Neighborhood District meetings shall be open to the public and duly
196 noticed, and agendas prepared and posted on the City website.

197 (5) *Official Business.* Official business of a Neighborhood District may only be conducted at duly
198 noticed meetings operating under established procedures.

199 (6) *Recommendations.* Official recommendations to the Municipal Council and/or Planning
200 Commission may be made by the residents of a Neighborhood District, by a Neighborhood District
201 Executive Board, or both. Recommendations of a Neighborhood District Executive Board must be
202 approved according to the rules governing its meetings set forth in this Chapter. Recommendations
203 of the residents of a Neighborhood District ~~must be made by means of motions adopted by a~~
204 ~~majority vote~~ may be taken by opinion polls of the residents present at the meeting. Executive Board
205 members may ~~vote on such motions but vote~~ participate in opinion polls simply as residents of the
206 Neighborhood District. All official recommendations from the residents of a Neighborhood District to

207 the Municipal Council and/or Planning Commission must show the number of residents that ~~voted~~
208 ~~polled~~ in favor of and in opposition to said recommendation, as well as the number of residents
209 present that abstained from ~~voting-polling~~.

210 (7) *Communications.*

211 (a) No Neighborhood District Executive Board member may use the title of Neighborhood
212 District Executive Board member on any form of communication except for (i) communications
213 directed to the Planning Commission and/or Municipal Council or (ii) communications directed to
214 the residents of the Neighborhood District. Communications of both types must be approved by
215 a majority of the Executive Board and channeled through the Neighborhood Coordinator.

216 (b) No Neighborhood District Executive Board member may use the title of Neighborhood
217 District Executive Board member for any ~~communication endorsement~~ involving political and/or
218 commercial activities.

219 (8) *Agendas.* The Neighborhood Coordinator shall establish the agenda for Neighborhood District
220 meetings. However, at any regular meeting of the residents of a Neighborhood District, any member
221 may request the inclusion of any specific agenda item that falls within the subject matter and
222 jurisdiction of the Neighborhood District for a specific future meeting. Upon concurrence of a majority
223 of the members of the Executive Board, such items will be placed on the agenda of the next meeting
224 as requested.

225 (9) *Supplemental Rules.* All meetings and activities of each Neighborhood District shall operate
226 under such further rules, not inconsistent with the provisions of this Chapter, as may be established
227 and adopted by the Municipal Council Executive Director. The Neighborhood Coordinator will create
228 and maintain an official handbook for the program.

229 (10) *Attendance by Municipal Council Members.* Members of the Municipal Council may attend
230 Neighborhood District meetings, as desired.

231 (11) *Services Provided by the City.* The City may provide the following services to Neighborhood
232 Districts:

233 (a) Neighborhood Coordinator and other reasonable staff support as necessary to render
234 assistance to the Neighborhood Districts and respective Executive Boards. Requests for
235 additional staff support shall be made to the Municipal Council Executive Director.

236 (b) The Municipal Council Office shall have a yearly budget of one thousand dollars
237 (\$1,000.00) for each Neighborhood District Executive Board to utilize for facilitating meetings of
238 the Executive Board or District members or social functions for the Neighborhood District.

239 (c) The Neighborhood Coordinator will coordinate with the Development Services Department
240 to arrange for staff representation on land use applications.

241 (d) The Neighborhood Coordinator will invite other City departments to participate in
242 Neighborhood District meetings to share useful information and speak with residents on relevant
243 issues.

244 **2.29.060**

245 **Matching Grant Review Process.**

246 (1) ~~Five thousand~~ **Seven thousand and five hundred** dollars ~~(\$5,000.00)~~ **(\$7,500.00)** shall be set
247 aside each year for use as a matching grant fund for use within each Neighborhood District.

248 (2) The Municipal Council Executive Director shall establish criteria for awarding matching grants
249 and shall establish procedures for evaluating and approving grant applications.

250 (3) The Neighborhood District Executive Board will review applications for completeness, request
251 additional information as needed, recommend approval or rejection of the application, and submit
252 complete applications with recommendations to the Neighborhood Coordinator or their designee.

253 (4) The Municipal Council Executive Director may accept or reject the Neighborhood District
254 Executive Board's recommendation regarding any matching grant application, subject to direction by
255 the Municipal Council Chair.

256 (5) If the grant is approved by the Municipal Council Executive Director, then the Secretary for the
257 Neighborhood District Executive Board will work with the Neighborhood Coordinator or their
258 designee to administer the grant.

259 (6) Any funds not spent will be returned to the Council Office.

260 **2.29.070**

261 **Neighborhood District Fee Waivers.**

262 (1) An Executive Board Chair may request a fee waiver before submitting an application on behalf
263 of their Neighborhood District to the Development Services Department for:

264 (a) A text amendment to the [General Plan](#) or Title [14](#) or [15](#), Provo City Code; or

265 (b) A map amendment to the General Plan Map or the Zone Map of Provo.

266 (2) An Executive Board Chair may only submit a fee waiver request if:

267 (a) Authorized by Municipal Council;

268 (b) Authorized by City Administration; or

269 (c) A duly noticed meeting of the Neighborhood District residents is held at which a majority of
270 the residents present vote in support of the proposed amendment.

271 (3) In all cases, the fee waiver request may not be granted if:

272 (a) The Chair is a developer, or an agent of a developer, of a project related to the proposed
273 amendment; or

274 (b) The Chair will receive an economic benefit for advancing the proposed amendment or for
275 any project related to the proposed amendment.

276 (4) The Development Services Director, or their designee, shall make the final determination on the
277 fee waiver request at the Director's, or designee's, discretion.