

ORDINANCE NO. 26-48

AN ORDINANCE AMENDING CHAPTER 4-4 AND ADDING CHAPTER 4-8 OF THE SANDY CITY MUNICIPAL CODE CODIFYING THE DIVISION OF COMMUNICATIONS AND DEFINING THE FUNCTIONS AND DUTIES OF THE DIVISION

WHEREAS, Utah Code 10-3b-203(1)(a)(ii) imposes upon the City Council the responsibility to “review municipal administration,” and the reporting and accountability provisions established by this Ordinance are integral to the Council’s ability to meaningfully discharge that statutory responsibility; and

WHEREAS, Utah Code 10-3b-203 authorizes the City Council to adopt an ordinance creating, consolidating, or abolishing departments, divisions and bureaus; and

WHEREAS, Utah Code 10-3b-203 further authorizes the City Council to adopt an ordinance defining or altering the functions and duties of each department, division, and bureau; and

WHEREAS, the City Council has consistently exercised its legislative authority, both historically and through successive enactments of the Administrative Code, to create, amend, and refine the structure, functions, and duties of City departments and divisions in response to the evolving operational and governance needs of the City; and

WHEREAS, such enactments have established a continuous legislative practice of codifying departmental organization and clarifying the respective roles of departments and divisions to promote accountability, transparency, and effective governance; and

WHEREAS, the City Council retains, and has at all times exercised, its sole statutory authority to create, consolidate, abolish, and define the functions and duties of each city department and division; and

WHEREAS, the City Council finds it necessary and prudent to codify and more fully define the functions and duties of the Division of Communications, including its legislative and public information functions, in order to ensure coordinated, transparent, and accountable municipal communications while preserving appropriate legislative oversight consistent with established Council practice; and

WHEREAS, the City Council has previously exercised its authority to define the functions and duties of a Division operating within a Department, and to require the advice and consent of the Council for the Director of such a Division, as reflected in Section 4-5-6 of this Code governing the Human Resources Division within the Department of Administrative Services; and

WHEREAS, the Director of Communications serves as the City’s principal spokesperson, supports communications functions across all City departments, and supports the

official communications functions of both the executive and legislative branches of City government, and the broad institutional reach of this position provides a sound basis for advice and consent consistent with the City’s existing standards for positions of comparable reach; and

WHEREAS, the Utah Supreme Court in *State v. Hutchinson*, 624 P.2d 1116 (Utah 1980), expressly abandoned the rule of strict construction of municipal powers in Utah, recognizing that local governments possess broad authority to legislate on matters reasonably related to granted authority, and subsequent decisions, including *Salt Lake City v. Newman*, 148 P.3d 931 (Utah 2006), have confirmed that local ordinances do not conflict with state statute unless the provisions cannot coexist.

NOW, THEREFORE, the Sandy City Council ordains as follows:

Section 1. Adoption. In accordance with its statutory authority, and consistent with its established legislative practice, the City Council hereby amends Chapter 4-4 of the Sandy City Municipal Code and enacts a new Chapter 4-8 to codify and more fully define the functions and duties of the Division of Communications.

Section 2. Amendments. The Sandy City Municipal Code Chapter 4-4 and Chapter 4-8 shall be amended as prescribed in the attached Exhibits A through D.

Section 3. Construction. This Ordinance shall be construed in a manner that gives full effect to the City Council’s statutory authority to define the structure, functions, and duties of City departments and divisions. Nothing in this Ordinance shall be interpreted to alter or diminish the administrative authority of the Mayor except as expressly provided by applicable law and this Code.

Section 4. Severable. The provisions of this ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this ordinance, or the application in a different circumstance.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its passage and approval.

PASSED AND APPROVED by the Sandy City Council on _____, 2026.

Cyndi Sharkey, Chair
Sandy City Council

PRESENTED to the Mayor this _____ day of _____, 2026.

APPROVED by the Mayor this _____ day of _____, 2026.

Monica Zoltanski, Mayor
Sandy City

ATTEST:

Wendy Downs, City Recorder
Sandy City

RECORDED this _____ day of _____, 2026.

SUMMARY PUBLISHED this _____ day of _____, 2026.

EXHIBIT A

CHAPTER 4-4 AMENDMENTS REDLINE

CHAPTER 4-4. DEPARTMENTAL ORGANIZATION

Sec. 4-4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Department* means the designation within the organizational structure of the administrative branch of City government which groups a broad classification of similar functions, services and duties.
- (2) *Division* means a designation within the organizational structure of a department which groups similar functions, services and duties.

(Revised Ords. 1978, § 6-4-1; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-2. Principles of Departmental Organization.

- (a) Notwithstanding their inclusion as part of this Code, ~~departments, divisions,~~ services, or offices may be added, modified or removed at the discretion of the Mayor, subject to budgetary authority of the City Council, to allow for administrative flexibility and to provide for the changing needs of the City.
- (b) A designation of any ~~department, division,~~ service or office shall not ensure staffing for any such portion of the administrative organization, but all staffing of the positions created by the sections of this title and by the Mayor as an exercise of the power granted to ~~him~~ them by this title shall be subject to the limitations and requirements of applicable budget and fiscal appropriations.
- (c) ~~The Council retains the sole authority to create, consolidate, or abolish departments and divisions and to define or alter the functions and duties of each.~~

(Revised Ords. 1978, § 6-4-2; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-3. Designation of Departments and Department Heads.

- (a) ~~Subject to the discretion of the Mayor set forth in Section 4-4-2, the~~ The following shall be departments within the executive branch of City government and the appointed officials as herein designated shall act as department heads and be responsible for the administrative direction of the respective departments:
 - (1) The Department of Finance and Information Technology shall be headed by the Director of Finance.
 - (2) The Legal Department shall be headed by the City Attorney.
 - (3) The Police Department shall be headed by the Chief of Police.
 - (4) The Fire Department shall be headed by the Fire Chief.
 - (5) The Department of Public Works shall be headed by the Director of Public Works.
 - (6) The Department of Parks and Recreation shall be headed by the Director of Parks and Recreation.
 - (7) The Department of Community Development shall be headed by the Director of Community Development.

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- (8) The Department of Public Utilities shall be headed by the Director of Public Utilities.
- (b) A department head may assume the direction of assistants and employees of the department, subject to the limitations and requirements of the budget, appropriations, and applicable statutes and ordinances.

(Revised Ords. 1978, § 6-4-3; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-4. Organizational Chart.

The organization of the executive branch shall be graphically displayed in the annual budget.

(Revised Ords. 1978, § 6-4-4; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-5. Departmental Functions and Duties of Appointed Officers.

(a) *Department of Finance and Information Technology.*

(1) *Functions.* The Department of Finance and Information Technology shall be responsible for operations which shall include, but not be limited to, the following:

- a. Budget preparation and control, purchasing, utility billing, accounts receivable and payable, general ledger accounting and payroll, long-term financial planning, financial management and reporting,
- b. Information technology—the application of computers and telecommunications equipment and systems, Geographic Information System ("GIS"), data processing, research, special management reports and data center.

(2) *Duties of Director of Finance.* There is hereby established for Sandy City the position of Director of Finance. The position of Director of Finance shall serve as the Finance and Information Technology Director. The Director of Finance shall not, at any time, assume the duties of City Treasurer or of the Mayor's statutory duties as the Financial Officer. The Director of Finance shall:

- a. Perform financial duties as provided in the Uniform Fiscal Procedures Act for Utah Cities; and
- b. Perform such other duties as may be required by the Mayor or City Administrator and at all times remain consistent with City ordinance and state statute.

(3) *Duties of the City Treasurer.* There is hereby established for Sandy City the position of City Treasurer, which position shall be assigned to the Department of Finance and Information Technology and shall be under the direction of that Department. The City Treasurer shall:

- a. Perform financial duties as provided in the Uniform Fiscal Procedures Act for Utah Cities;
- b. Follow the procedures and requirements of the State Money Management Act; and
- c. Perform such other duties as may be required by the Department of Finance and Information Technology consistent with City ordinance and state statute.

(b) *Legal Department.*

(1) The City Attorney shall be the chief legal officer of the City and shall be responsible to the Mayor and City Administrator for the proper administration of the legal affairs of the City. Said attorney, or his designated assistants, shall have the following functions and duties:

- a. Prosecute all charges of violation of municipal ordinances and regulations in the courts or administrative tribunals and prosecute and defend, or supervise the prosecution and defense of,

all actions and appeals involving the City in all courts and before all boards, commissions and administrative agencies;

- b. Attend all City Council meetings, unless specifically excused therefrom;
 - c. Furnish legal advice, counsel and assistance to the Mayor, City Council and all other City officers, boards, commissions and agencies, in relation to their duties and the business of the City;
 - d. Control and direct all legal services performed by special counsel for the City, who may be retained from time to time to assist the City Attorney in providing legal services for the City; provided, however, that the City Attorney shall not be responsible in any way for counsel who:
 - 1. Has not been specifically retained by the City Attorney;
 - 2. Is not paid from funds controlled by the City Attorney; or
 - 3. Is not under the actual direction of the City Attorney's Office;
 - e. Prepare or review all proposed ordinances and resolutions presented to the Mayor or City Council;
 - f. Approve the form of all contracts entered into by the City; and
 - g. Prepare the necessary affidavits and verification on behalf of the City in any and all proceedings.
- (2) The foregoing notwithstanding, the City Attorney shall not act, either personally or through his staff, as both a prosecutor or advocate before, and as an advisor to, any administrative department, board, commission, agency, official, or employee of the City. In cases where such a conflict shall arise, special counsel may be funded and appointed by the affected department, board, commission or agency. Any such special counsel shall not be subject to the control or direction of the City Attorney in such matter, and shall provide the legal service to the affected entity or person which cannot be provided by the City Attorney.

(c) *Police Department.*

- (1) *Functions.* The Police Department, by and through its sworn officers, shall pursue the following objectives:
- a. Preserving the public peace by planning for enforcement of the laws of the City;
 - b. Preventing crime;
 - c. Detecting and arresting criminal offenders;
 - d. Protecting the rights of persons and property;
 - e. Regulating and controlling motorized, bicycle and pedestrian traffic;
 - f. Training of sworn personnel;
 - g. Providing and maintaining police records and communication systems; and
 - h. Supervising all functions of animal services as required by City ordinance.
- (2) *Powers and Duties.* The Chief of Police, acting by himself, or by and through the sworn officers of the Police Department, shall:
- a. Execute and return all writs and processes as directed by a court of competent authority, and in criminal cases, quasi-criminal cases, or cases in violation of City ordinances, he may serve the same in any part of Salt Lake County;

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- b. Suppress all riots, disturbances and breaches of the peace, apprehend all disorderly persons in the City, and pursue and arrest any person fleeing from justice in any part of the State;
 - c. Apprehend any persons in the act of committing any offense against the laws of the state or ordinances of the City and bring such persons before a court or other authority of competent jurisdiction for examination and trial consistent with law;
 - d. Promote the prevention of accidents, crime and other incidents prohibited by statute or ordinances;
 - e. Promote the protection of life and property, all pursuant to and as provided by statute and ordinance; and
 - f. Have like powers as sheriffs or constables in similar cases.

(d) *Fire Department.*

(1) The Fire Department shall:

- a. Develop and administer public education and fire prevention programs;
- b. Inspect buildings, vacant fields, fire hydrants and proposed building plans;
- c. Develop, administer, and enforce all applicable state and City laws, ordinances, codes and regulations pertaining to:
 - 1. The inspection of fire hydrants and proposed building plans;
 - 2. The prevention and extinguishing of fires;
 - 3. The storage and use of explosives and flammables;
 - 4. The maintenance and regulation of fire escapes and fire extinguishing apparatus; and
 - 5. The means and adequacy of building exits;
- d. Investigate the causes, origins and circumstances of fires;
- e. Develop and operate emergency fire alarm and communications systems;
- f. Provide fire rescue and emergency services;
- g. Provide an emergency medical program; and
- h. Protect life and property.

(e) *Department of Public Works.*

(1) *Functions.* The Department of Public Works shall have charge and be responsible for the:

- a. Supervision of the design, construction, operation and maintenance of the public works of the City, including streets, parkways, sidewalks, surface drainage ways, traffic control devices, solid waste services, and similar public ways and facilities.
- b. Functions performed by virtue of ordinance and statute by the City Engineer and for the engineering records, which shall include certified copies of field notes, maps, plats, drawings, deeds, dedications, final estimates, specifications, streets, sidewalks, and other engineering work.
- c. Acquisition and maintenance of the City vehicle fleet.
- d. Design and construction of capital improvements projects constructed within Sandy City.

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- e. Promotion of the efficient and safe usage and the future development of the City's transportation network through transportation engineering techniques in accordance with the Master Plan of the City.
- (2) *City Engineer.* The position of City Engineer shall be under the direction of the Director of the Department of Public Works. The City Engineer shall be a registered professional engineer within the State of Utah and shall have graduated, as a minimum requirement, with a B.S. or M.S. degree from an accredited four year college. The City Engineer shall be responsible for the:
- a. Review, supervision and acceptance of all engineering, design, and construction work required by or for the City, except as otherwise assigned to other departments or officers of the City.
 - b. Coordination and supervision of all construction work done within the public rights-of-way of the City.
 - c. Maintenance of records of public improvements as prescribed by state statute, including, but not limited to, maps, plans, plats, profiles, drawings, final estimates, specifications and contracts.
- (f) *Department of Public Utilities.*
- (1) *Functions.* The Department of Public Utilities shall have charge and be responsible for:
- a. Supervision of the design, construction (in cooperation with the City Engineer), and operation and maintenance of utilities of the City, including, but not limited to, culinary water, irrigation water, storm drains, flood control systems, streetlight systems, and other public utilities;
 - b. Promotion of efficient, safe and usable municipal utilities, and the future development of the City's utilities through proper management and operational techniques, and through the proper education of the City's residents;
 - c. Development and acquisition of utility rights, properties, shares, interests, etc., which currently exist, or which may have reason to exist for the benefit of the City's residents; and
 - d. Coordination of all aspects of utilities within the City, including, but not limited to, master planning, conjunctive management with other utilities, both public and private, site selection, design, construction, maintenance, and operation.
- (2) *Utility Engineering.* Under the direction of the City Engineer, the Department of Public Utilities engineering section shall be responsible to:
- a. Review, supervise and accept all engineering and architectural design, and construct utility facilities required by or for the City;
 - b. Coordinate and supervise all utility construction work within the public rights-of-way of the City; and
 - c. Maintain records of utility improvements as prescribed by state statute, including, but not limited to, maps, plans, plats, profiles, drawings, final estimates, specifications, and contracts.
- (g) *Department of Parks and Recreation.*
- (1) The Department of Parks and Recreation shall:
- a. Construct, operate, schedule and maintain all landscaped areas and park facilities owned or managed by the City, including parks, buildings and structures within the park system, golf course, cemetery, public trails, and public grounds;
 - b. Set up, take down, and assist in the operation of City events;
 - c. Organize, direct and provide recreational programs for City residents; and

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- d. Construct, operate, schedule, or maintain any other parks or recreation facilities as designated by contract or interlocal agreement.
- (h) *Department of Community Development.*
- (1) *Functions.* The Department of Community Development shall have charge of and be responsible for:
 - a. Providing the assistance necessary to the Administration, City Council and Planning Commission in the development, adoption, and implementation of the City's General Land Use Plan and Public Facility Plan;
 - b. The development, administration and enforcement of all attendant laws, codes, ordinances and relevant regulations, including, but not limited to, future land use plans, zoning ordinances, subdivision regulations, business license regulations, property maintenance, and building and housing codes intended to serve the implementation of said plans;
 - c. Administration of their functions and duties in such a manner as to assist the Administration, City Council and Planning Commission to implement and enforce the Development Code; and
 - d. Direction of business licensing, the Division of Building and Safety, and Division of Planning.
 - (2) *Boards and Commissions.* The following boards and commissions are hereby established for Sandy City and their organization, duties and powers are outlined elsewhere within this Code. These boards and commissions shall, where appropriate, serve as the Land Use Authority and coordinate with the executive branch of City government through the Director of Community Development, the Mayor and the City Administrator.
 - a. Planning and Zoning Commission;
 - b. Board of Adjustment.

(Revised Ords. 1978, § 6-4-5; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-6. Economic Development.

- (a) The Economic Development Director and staff shall report to the City Administrator and are responsible to plan, promote, coordinate and implement all activities affecting economic development, including the following:
 - (1) Representing on behalf of the City economic development issues in the community over which the City has jurisdiction or advisory responsibility;
 - (2) Review the work of staff and make final recommendations on economic development;
 - (3) Coordinate economic development activities with City departments;
 - (4) Develop the economic/redevelopment portion of the City General Plan with the assistance of the Community Development Department;
 - (5) Valuate economic impact and feasibility of potential development projects;
 - (6) Market and promote the City;
 - (7) Assist and provide services to improve the business climate for local businesses;
 - (8) Aid existing and new businesses in finding adequate locations or relocations in the City;
 - (9) Aid in the preparation of the City Capital Improvement Program and Plan; and
 - (10) Provide assistance in the purchase and disposition of real estate.

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- (b) The Economic Development Director also serves as the Redevelopment Director of the Redevelopment Agency of Sandy City "RDA" as outlined in RDA bylaws and shall:
- (1) Manage the Redevelopment Agency budgets subject to the limitations and requirements of applicable budget and fiscal appropriations by the RDA Board;
 - (2) Perform all related duties and others as may be imposed by statute, the RDA Executive Director, the RDA Board, or City Administrator;
 - (3) Conduct planning, qualification, and development of redevelopment project areas and the activities of the RDA; and
 - (4) Evaluate land, services and programs to provide recommendations for financial aid or incentives to make projects economically feasible and competitive.

(Revised Ords. 1978, § 6-4-6; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-7. Support Services.

The Chief Administrative Officer may delegate to one or more Assistant Chief Administrative Officers or Department Head's supervision of divisions, functions, services, and personnel of the City, including, but not limited to, the following:

- (1) Human resources, including such functions and duties as outlined in Chapter 4-5;
- (2) Risk management;
- (3) Emergency management;
- (4) Facilities;
- (5) The Division of Communications, including such functions and duties as outlined in Chapter 4-8;
- (6) Community events;
- (7) City Recorder's Office, including such functions and duties as outlined in U.C.A. 1953, § 10-6-137 and otherwise assigned;

(Revised Ords. 1978, § 6-4-7; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-8. Emergency Interim Succession of City Officers.

By July 1 of each year, each individual holding an office identified in this title shall designate at least three emergency interim successors, specify their order of succession, and provide a list of those designated successors to the Division of Emergency Management, as provided in U.C.A. 1953, § 53-2a-807.

(Revised Ords. 1978, § 6-4-8; Ord. No. 17-06, 2-7-2017)

EXHIBIT B

CHAPTER 4-4 AMENDMENTS

FINAL CLEAN

CHAPTER 4-4. DEPARTMENTAL ORGANIZATION

Sec. 4-4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Department* means the designation within the organizational structure of the administrative branch of City government which groups a broad classification of similar functions, services and duties.
- (2) *Division* means a designation within the organizational structure of a department which groups similar functions, services and duties.

(Revised Ords. 1978, § 6-4-1; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-2. Principles of Departmental Organization.

- (a) Notwithstanding their inclusion as part of this Code, services or offices may be added, modified or removed at the discretion of the Mayor, subject to budgetary authority of the City Council, to allow for administrative flexibility and to provide for the changing needs of the City.
- (b) A designation of any, service or office shall not ensure staffing for any such portion of the administrative organization, but all staffing of the positions created by the sections of this title and by the Mayor as an exercise of the power granted to them by this title shall be subject to the limitations and requirements of applicable budget and fiscal appropriations.
- (c) The Council retains the sole authority to create, consolidate, or abolish departments and divisions and to define or alter the functions and duties of each.

(Revised Ords. 1978, § 6-4-2; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-3. Designation of Departments and Department Heads.

- (a) The following shall be departments within the executive branch of City government and the appointed officials as herein designated shall act as department heads and be responsible for the administrative direction of the respective departments:
 - (1) The Department of Finance and Information Technology shall be headed by the Director of Finance.
 - (2) The Legal Department shall be headed by the City Attorney.
 - (3) The Police Department shall be headed by the Chief of Police.
 - (4) The Fire Department shall be headed by the Fire Chief.
 - (5) The Department of Public Works shall be headed by the Director of Public Works.
 - (6) The Department of Parks and Recreation shall be headed by the Director of Parks and Recreation.
 - (7) The Department of Community Development shall be headed by the Director of Community Development.

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- (8) The Department of Public Utilities shall be headed by the Director of Public Utilities.
- (b) A department head may assume the direction of assistants and employees of the department, subject to the limitations and requirements of the budget, appropriations, and applicable statutes and ordinances.

(Revised Ords. 1978, § 6-4-3; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-4. Organizational Chart.

The organization of the executive branch shall be graphically displayed in the annual budget.

(Revised Ords. 1978, § 6-4-4; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-5. Departmental Functions and Duties of Appointed Officers.

(a) *Department of Finance and Information Technology.*

- (1) *Functions.* The Department of Finance and Information Technology shall be responsible for operations which shall include, but not be limited to, the following:
- a. Budget preparation and control, purchasing, utility billing, accounts receivable and payable, general ledger accounting and payroll, long-term financial planning, financial management and reporting,
 - b. Information technology—the application of computers and telecommunications equipment and systems, Geographic Information System ("GIS"), data processing, research, special management reports and data center.
- (2) *Duties of Director of Finance.* There is hereby established for Sandy City the position of Director of Finance. The position of Director of Finance shall serve as the Finance and Information Technology Director. The Director of Finance shall not, at any time, assume the duties of City Treasurer or of the Mayor's statutory duties as the Financial Officer. The Director of Finance shall:
- a. Perform financial duties as provided in the Uniform Fiscal Procedures Act for Utah Cities; and
 - b. Perform such other duties as may be required by the Mayor or City Administrator and at all times remain consistent with City ordinance and state statute.
- (3) *Duties of the City Treasurer.* There is hereby established for Sandy City the position of City Treasurer, which position shall be assigned to the Department of Finance and Information Technology and shall be under the direction of that Department. The City Treasurer shall:
- a. Perform financial duties as provided in the Uniform Fiscal Procedures Act for Utah Cities;
 - b. Follow the procedures and requirements of the State Money Management Act; and
 - c. Perform such other duties as may be required by the Department of Finance and Information Technology consistent with City ordinance and state statute.

(b) *Legal Department.*

- (1) The City Attorney shall be the chief legal officer of the City and shall be responsible to the Mayor and City Administrator for the proper administration of the legal affairs of the City. Said attorney, or his designated assistants, shall have the following functions and duties:
- a. Prosecute all charges of violation of municipal ordinances and regulations in the courts or administrative tribunals and prosecute and defend, or supervise the prosecution and defense of,

all actions and appeals involving the City in all courts and before all boards, commissions and administrative agencies;

- b. Attend all City Council meetings, unless specifically excused therefrom;
 - c. Furnish legal advice, counsel and assistance to the Mayor, City Council and all other City officers, boards, commissions and agencies, in relation to their duties and the business of the City;
 - d. Control and direct all legal services performed by special counsel for the City, who may be retained from time to time to assist the City Attorney in providing legal services for the City; provided, however, that the City Attorney shall not be responsible in any way for counsel who:
 - 1. Has not been specifically retained by the City Attorney;
 - 2. Is not paid from funds controlled by the City Attorney; or
 - 3. Is not under the actual direction of the City Attorney's Office;
 - e. Prepare or review all proposed ordinances and resolutions presented to the Mayor or City Council;
 - f. Approve the form of all contracts entered into by the City; and
 - g. Prepare the necessary affidavits and verification on behalf of the City in any and all proceedings.
- (2) The foregoing notwithstanding, the City Attorney shall not act, either personally or through his staff, as both a prosecutor or advocate before, and as an advisor to, any administrative department, board, commission, agency, official, or employee of the City. In cases where such a conflict shall arise, special counsel may be funded and appointed by the affected department, board, commission or agency. Any such special counsel shall not be subject to the control or direction of the City Attorney in such matter, and shall provide the legal service to the affected entity or person which cannot be provided by the City Attorney.

(c) *Police Department.*

- (1) *Functions.* The Police Department, by and through its sworn officers, shall pursue the following objectives:
- a. Preserving the public peace by planning for enforcement of the laws of the City;
 - b. Preventing crime;
 - c. Detecting and arresting criminal offenders;
 - d. Protecting the rights of persons and property;
 - e. Regulating and controlling motorized, bicycle and pedestrian traffic;
 - f. Training of sworn personnel;
 - g. Providing and maintaining police records and communication systems; and
 - h. Supervising all functions of animal services as required by City ordinance.
- (2) *Powers and Duties.* The Chief of Police, acting by himself, or by and through the sworn officers of the Police Department, shall:
- a. Execute and return all writs and processes as directed by a court of competent authority, and in criminal cases, quasi-criminal cases, or cases in violation of City ordinances, he may serve the same in any part of Salt Lake County;

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- b. Suppress all riots, disturbances and breaches of the peace, apprehend all disorderly persons in the City, and pursue and arrest any person fleeing from justice in any part of the State;
 - c. Apprehend any persons in the act of committing any offense against the laws of the state or ordinances of the City and bring such persons before a court or other authority of competent jurisdiction for examination and trial consistent with law;
 - d. Promote the prevention of accidents, crime and other incidents prohibited by statute or ordinances;
 - e. Promote the protection of life and property, all pursuant to and as provided by statute and ordinance; and
 - f. Have like powers as sheriffs or constables in similar cases.

(d) *Fire Department.*

(1) The Fire Department shall:

- a. Develop and administer public education and fire prevention programs;
- b. Inspect buildings, vacant fields, fire hydrants and proposed building plans;
- c. Develop, administer, and enforce all applicable state and City laws, ordinances, codes and regulations pertaining to:
 - 1. The inspection of fire hydrants and proposed building plans;
 - 2. The prevention and extinguishing of fires;
 - 3. The storage and use of explosives and flammables;
 - 4. The maintenance and regulation of fire escapes and fire extinguishing apparatus; and
 - 5. The means and adequacy of building exits;
- d. Investigate the causes, origins and circumstances of fires;
- e. Develop and operate emergency fire alarm and communications systems;
- f. Provide fire rescue and emergency services;
- g. Provide an emergency medical program; and
- h. Protect life and property.

(e) *Department of Public Works.*

(1) *Functions.* The Department of Public Works shall have charge and be responsible for the:

- a. Supervision of the design, construction, operation and maintenance of the public works of the City, including streets, parkways, sidewalks, surface drainage ways, traffic control devices, solid waste services, and similar public ways and facilities.
- b. Functions performed by virtue of ordinance and statute by the City Engineer and for the engineering records, which shall include certified copies of field notes, maps, plats, drawings, deeds, dedications, final estimates, specifications, streets, sidewalks, and other engineering work.
- c. Acquisition and maintenance of the City vehicle fleet.
- d. Design and construction of capital improvements projects constructed within Sandy City.

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- e. Promotion of the efficient and safe usage and the future development of the City's transportation network through transportation engineering techniques in accordance with the Master Plan of the City.
- (2) *City Engineer.* The position of City Engineer shall be under the direction of the Director of the Department of Public Works. The City Engineer shall be a registered professional engineer within the State of Utah and shall have graduated, as a minimum requirement, with a B.S. or M.S. degree from an accredited four year college. The City Engineer shall be responsible for the:
- a. Review, supervision and acceptance of all engineering, design, and construction work required by or for the City, except as otherwise assigned to other departments or officers of the City.
 - b. Coordination and supervision of all construction work done within the public rights-of-way of the City.
 - c. Maintenance of records of public improvements as prescribed by state statute, including, but not limited to, maps, plans, plats, profiles, drawings, final estimates, specifications and contracts.
- (f) *Department of Public Utilities.*
- (1) *Functions.* The Department of Public Utilities shall have charge and be responsible for:
- a. Supervision of the design, construction (in cooperation with the City Engineer), and operation and maintenance of utilities of the City, including, but not limited to, culinary water, irrigation water, storm drains, flood control systems, streetlight systems, and other public utilities;
 - b. Promotion of efficient, safe and usable municipal utilities, and the future development of the City's utilities through proper management and operational techniques, and through the proper education of the City's residents;
 - c. Development and acquisition of utility rights, properties, shares, interests, etc., which currently exist, or which may have reason to exist for the benefit of the City's residents; and
 - d. Coordination of all aspects of utilities within the City, including, but not limited to, master planning, conjunctive management with other utilities, both public and private, site selection, design, construction, maintenance, and operation.
- (2) *Utility Engineering.* Under the direction of the City Engineer, the Department of Public Utilities engineering section shall be responsible to:
- a. Review, supervise and accept all engineering and architectural design, and construct utility facilities required by or for the City;
 - b. Coordinate and supervise all utility construction work within the public rights-of-way of the City; and
 - c. Maintain records of utility improvements as prescribed by state statute, including, but not limited to, maps, plans, plats, profiles, drawings, final estimates, specifications, and contracts.
- (g) *Department of Parks and Recreation.*
- (1) The Department of Parks and Recreation shall:
- a. Construct, operate, schedule and maintain all landscaped areas and park facilities owned or managed by the City, including parks, buildings and structures within the park system, golf course, cemetery, public trails, and public grounds;
 - b. Set up, take down, and assist in the operation of City events;
 - c. Organize, direct and provide recreational programs for City residents; and

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- d. Construct, operate, schedule, or maintain any other parks or recreation facilities as designated by contract or interlocal agreement.
- (h) *Department of Community Development.*
- (1) *Functions.* The Department of Community Development shall have charge of and be responsible for:
 - a. Providing the assistance necessary to the Administration, City Council and Planning Commission in the development, adoption, and implementation of the City's General Land Use Plan and Public Facility Plan;
 - b. The development, administration and enforcement of all attendant laws, codes, ordinances and relevant regulations, including, but not limited to, future land use plans, zoning ordinances, subdivision regulations, business license regulations, property maintenance, and building and housing codes intended to serve the implementation of said plans;
 - c. Administration of their functions and duties in such a manner as to assist the Administration, City Council and Planning Commission to implement and enforce the Development Code; and
 - d. Direction of business licensing, the Division of Building and Safety, and Division of Planning.
 - (2) *Boards and Commissions.* The following boards and commissions are hereby established for Sandy City and their organization, duties and powers are outlined elsewhere within this Code. These boards and commissions shall, where appropriate, serve as the Land Use Authority and coordinate with the executive branch of City government through the Director of Community Development, the Mayor and the City Administrator.
 - a. Planning and Zoning Commission;
 - b. Board of Adjustment.

(Revised Ords. 1978, § 6-4-5; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-6. Economic Development.

- (a) The Economic Development Director and staff shall report to the City Administrator and are responsible to plan, promote, coordinate and implement all activities affecting economic development, including the following:
 - (1) Representing on behalf of the City economic development issues in the community over which the City has jurisdiction or advisory responsibility;
 - (2) Review the work of staff and make final recommendations on economic development;
 - (3) Coordinate economic development activities with City departments;
 - (4) Develop the economic/redevelopment portion of the City General Plan with the assistance of the Community Development Department;
 - (5) Valuate economic impact and feasibility of potential development projects;
 - (6) Market and promote the City;
 - (7) Assist and provide services to improve the business climate for local businesses;
 - (8) Aid existing and new businesses in finding adequate locations or relocations in the City;
 - (9) Aid in the preparation of the City Capital Improvement Program and Plan; and
 - (10) Provide assistance in the purchase and disposition of real estate.

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- (b) The Economic Development Director also serves as the Redevelopment Director of the Redevelopment Agency of Sandy City "RDA" as outlined in RDA bylaws and shall:
- (1) Manage the Redevelopment Agency budgets subject to the limitations and requirements of applicable budget and fiscal appropriations by the RDA Board;
 - (2) Perform all related duties and others as may be imposed by statute, the RDA Executive Director, the RDA Board, or City Administrator;
 - (3) Conduct planning, qualification, and development of redevelopment project areas and the activities of the RDA; and
 - (4) Evaluate land, services and programs to provide recommendations for financial aid or incentives to make projects economically feasible and competitive.

(Revised Ords. 1978, § 6-4-6; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-7. Support Services.

The Chief Administrative Officer may delegate to one or more Assistant Chief Administrative Officers or Department Head's supervision of divisions, functions, services, and personnel of the City, including, but not limited to, the following:

- (1) Human resources, including such functions and duties as outlined in Chapter 4-5;
- (2) Risk management;
- (3) Emergency management;
- (4) Facilities;
- (5) The Division of Communications, including such functions and duties as outlined in Chapter 4-8;
- (6) Community events;
- (7) City Recorder's Office, including such functions and duties as outlined in U.C.A. 1953, § 10-6-137 and otherwise assigned;

(Revised Ords. 1978, § 6-4-7; Ord. No. 17-06, 2-7-2017)

Sec. 4-4-8. Emergency Interim Succession of City Officers.

By July 1 of each year, each individual holding an office identified in this title shall designate at least three emergency interim successors, specify their order of succession, and provide a list of those designated successors to the Division of Emergency Management, as provided in U.C.A. 1953, § 53-2a-807.

(Revised Ords. 1978, § 6-4-8; Ord. No. 17-06, 2-7-2017)

EXHIBIT C

CHAPTER 4-8 AMENDMENTS

REDLINE

[New Section]

CHAPTER 4-8. Division of Communications

Sec. 4-8-1. Scope.

This chapter shall establish and define the functions and duties of the Division of Communications

Sec. 4-8-2. Functions and Duties

The Division of Communications shall have charge of and be responsible for:

- (a) *Public Information and Media Relations.*
- (b) *Digital Media and Content Management, including the City website.*
- (c) *Crisis Communications and-Emergency Communications.*
- (d) *Coordination of Official City Communication Channels.*
 - (1) The Division shall coordinate content disseminated through, or in coordination with, official City communication channels whenever reasonably practicable. For purposes of this subsection, “official City communication channels” means City-branded websites, social media accounts, newsletters, official press releases, and other publication platforms managed by the Division or by City departments in their official capacity, and does not include channels managed independently by the City Council, the Council Office, or individual elected officials.
 - (2) The purpose of such coordination is to promote accuracy, professionalism, consistency, and compliance with adopted City policies, including applicable privacy policies, records retention, terms of use and public communication standards established by the City.
 - (3) Coordination under this subsection shall consist of standards-setting and policy consistency review and shall not include pre-publication editorial approval of communications originating from the City Council, the Council Office, or individual elected officials acting in their official capacity.
 - (4) This subsection does not apply to:
 - i. Personal speech of any City employee or elected official;
 - ii. Campaign communications; or
 - iii. Personal social media accounts or other personal communication platforms of elected officials, provided such accounts are clearly identified as personal and are not represented as official City communication channels.
- (e) *Community Engagement and Branding.*
- (f) *Inter-Departmental Support.* Provide strategic communication consulting and creative services to the mayor’s office, city council, and to all Executive City departments to support specific projects, infrastructure updates, or public programs.
- (g) *City Legislative Support.* The Division shall provide strategic communication consulting and creative services to the City Council. Such support shall include, but not be limited to, communications strategy development,

media relations, Council webpage management, the production of multimedia content, the promotion of Council-sponsored events, the publication of Council newsletters, and assistance with Council-specific communications initiatives. The Division shall respond to Council communication requests with timeliness and quality comparable to its response to executive division requests of similar scope.

- (h) *City Administration Support.* The Division shall provide strategic communication consulting and creative services to the City Administration. Such support shall include, but not be limited to, communications strategy development, city webpage management, the production of multimedia content, the promotion of Administration-sponsored events, the publication of City newsletters, and assistance with Administration-specific communications initiatives. The Division shall respond to Administration communication requests with timeliness and quality comparable to its response to legislative branch requests of similar scope.
- (i) *Public Information Officers (PIO).* Police, Fire, City Council and Administration may select and train their own PIO's to handle media requests and inquiries.
- (j) *Development and Execution of the Annual Strategic Communications Plan.* Annually the Communications Division shall create or update the Annual Strategic Communications Plan for the City. At minimum, the plan shall include the following elements, which the Division may organize and present in the manner it determines most effective:
 - (1) *Situation Analysis.* An Assessment of the current communication environment, including an audit of existing digital platform performance.
 - (2) *Data-Driven Objectives.* Specific, measurable communications goals for the year, justified by the previous year's performance outcomes or identified community needs.
 - (3) *Audience Segmentation.* An analysis of city demographics and a description of the specific communication channels proven to most effectively reach those segments.
 - (4) *Resource Allocation.* A budget proposal that aligns expenditures with the high-priority goals identified in the *Data-Driven Objectives*.
 - (5) *Evidence of Efficacy.* For any new major initiative or significant shift in strategy, the Division shall provide supporting evidence, such as industry best practices, pilot program data, or resident survey results, to justify the proposed approach.
- (k) *Reporting to the City Council*
 - (1) The Division shall present the Annual Strategic Communications Plan to the City Council at a public meeting at least once per calendar year. The annual presentation shall include a comprehensive performance summary addressing the full year's results against the Plan's objectives and resource allocation.
 - (2) The Division shall provide quarterly written briefings to the City Council. Each quarterly briefing shall include, at minimum:
 - i. A summary of major media inquiries during the quarter and the resulting coverage;
 - ii. Progress and benchmarking metrics and objectives established within the Annual Strategic Communications Plan; and
 - iii. An estimation of the Division's allocation of time and energy across all departments. For the first two quarterly briefings following the effective date of this Chapter, the Division may use professional time estimation rather than precise tracking.
- (l) *Notification to the City Council Regarding Media Actions.*
 - (1) When the Division provides notification to the Mayor's Office regarding the impending distribution of a press release, official statement, scheduling of a press conference, or media briefing, the Division shall

simultaneously provide equivalent notification to the City Council through means appropriate to the urgency of the matter.

- (2) This requirement applies to all official City press releases, statements, press conferences, and media briefings, regardless of timing or subject matter.

Sec. 4-8-3. Director of Communications.

- (a) *Purpose and Legislative Intent.* The advice and consent requirement set forth herein reflects the broad institutional reach of the Director of Communications, who serves as the City's principal spokesperson, supports communications functions across all City departments, and supports the official communications functions of both the executive and legislative branches of City government. This requirement is consistent with advice and consent standards already applied within City government to other positions of comparable institutional reach, including the Human Resources Director under Section 4-5-6 of this Code and the City Recorder under applicable provisions of state law.
- (b) *Appointment.* The Director of Communications shall be appointed by the Mayor upon the recommendation of the City Administrator, with the advice and consent of the City Council made after the effective date of this Chapter and does not require re-confirmation of any individual serving in the position prior to that date.

EXHIBIT D

CHAPTER 4-8 AMENDMENTS

FINAL CLEAN

[New Section]

CHAPTER 4-8. Division of Communications

Sec. 4-8-1. Scope.

This chapter shall establish and define the functions and duties of the Division of Communications

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 - (2) The purpose of such coordination is to promote accuracy, professionalism, consistency, and compliance with adopted City policies, including applicable privacy policies, records retention, terms of use and public communication standards established by the City.
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