

THE CITY OF WEST JORDAN, UTAH

**ORDINANCE NO. 24-15**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
SECTION 8-5-2 REGARDING COSTS FOR MAINTENANCE AND REPAIR OF  
SIDEWALK, CURB, AND GUTTER**

WHEREAS, the City of West Jordan (“**City**”) adopted West Jordan City Code (“**City Code**”) in 2009; and

WHEREAS, the City Council of the City (“**Council**” or “**City Council**”) desires to amend certain sections of the City Code, regarding and related to costs for maintenance and repair of sidewalk, curb, and gutter (“**proposed City Code amendments**”); and

WHEREAS, the City Council held a public meeting on May 8, 2024 regarding the proposed City Code amendments; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following proposed City Code amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:

**Section 1. Amendment of Code Provisions.** City Code Section 8-5-2 are amended to read as shown on Attachment 1 to this Ordinance.

**Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.



PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 8<sup>TH</sup> DAY OF MAY 2024.

CITY OF WEST JORDAN

By: 

Zach Jacob  
Council Chair

ATTEST:

Cindy M. Quick, MMC  
Council Office Clerk

*(continued on the next page)*

**Voting by the City Council**

Council Chair Zach Jacob  
 Council Vice-Chair Chad Lamb  
 Council Member Bob Bedore  
 Council Member Pamela Bloom  
 Council Member Kelvin Green  
 Council Member Kent Shelton  
 Council Member Kayleen Whitelock

"YES"	"NO"
~ absent ~	
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**PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON MAY 13, 2024.**

Mayor's Action:   X   Approve      Dirk Burton        Veto

By:   
Mayor Dirk Burton

  May 14, 2024    
Date

**ATTEST:**

Tangee Sloan, CMC  
City Recorder

**STATEMENT OF APPROVAL/PASSAGE (check one)**

  X   The Mayor approved and signed Ordinance No. 24-15.

       The Mayor vetoed Ordinance No. 24-15 on \_\_\_\_\_ and the City Council timely overrode the veto of the Mayor by a vote of \_\_\_ to \_\_\_.

       Ordinance No. 24-15 became effective by operation of law without the Mayor's approval or disapproval.

Tangee Sloan, CMC  
City Recorder

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## CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the 14th day of May 2024. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

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Tangee Sloan, CMC  
City Recorder

*(Attachment on the following page)*

## **Attachment 1**

### **[Attachment to ORDINANCE NO. 24-15**

#### **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE SECTION 8-5-2 REGARDING COSTS FOR MAINTENANCE AND REPAIR OF SIDEWALK, CURB, AND GUTTER]**

##### **8-5-2: MAINTENANCE OF SIDEWALKS:**

A. Repairs: Subject to available funds, the city will repair potentially hazardous curbs, gutters, and sidewalks, except:

1. Curbs, gutters, or sidewalks covered under a current improvement guarantee; or
2. As provided in Subsection B.

##### B. Costs:

1. City. The city will pay the materials and labor costs for the maintenance, repair, or replacement of sidewalks, curbs, and gutters.

2. Adjacent Property Owners.

a. The adjacent property owner will pay the materials and labor costs to repair or replace defective sidewalks, curbs, and gutters where the defect was the result of abuse or improper use by the adjacent property owner or its guests and invitees.

b. Notwithstanding the provisions of this subsection, the adjacent property owner will pay all material and labor costs for the repair or replacement of defective concrete within the property owner's driveway approach and park strip.

C. Nonliability of City: Nothing in this section, nor any maintenance, repair, or replacement of potentially defective sidewalks, curbs, or gutters, shall be construed as an admission by the city that any of its sidewalks, curbs, or gutters, or any other public improvement within the public right-of-way, is in a defective or unsafe condition. (2001 Code § 74-1-102; amd. Ord. 19-48, 12-11-2019, Effective at 12 noon on January 6, 2020)










# Ordinance No. 24-15 Amd Section 8-5-2 regarding costs for maintenance of sidewalk, curb, and gutter


Final Audit Report

2024-05-14

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## "Ordinance No. 24-15 Amd Section 8-5-2 regarding costs for maintenance of sidewalk, curb, and gutter" History

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 Agreement completed.

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