

ORDINANCE 2017-25

AN ORDINANCE ADOPTING A POLICY FOR THE ACQUISITION AND DISPOSAL OF INTERESTS IN REAL PROPERTY CONTROLLED BY NORTH OGDEN CITY

WHEREAS; North Ogden City owns and maintains several pieces of Real Property; and

WHEREAS; North Ogden City received via dedication additional pieces of Real Property during the normal development of vacant property as well as disposes or abandons utility easements during the plat approval process; and

WHEREAS; The State requires the City to establish what constitutes a significant piece of property; and

WHEREAS; The City wishes to establish a uniform policy on disposing and accepting interests in Real Property; and

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City amends "3-1-9 Disposal of City Property" and adopts "3-1-13 Acquisition of Real Property" as outlined below.

SECTION 1: The following provision shall be amended to read:

3-1-9: DISPOSAL OF CITY PROPERTY

- A. Petition: Department heads shall petition the city administrator and mayor to declare property surplus, obsolete or unusable.
- B. Advertise: Any property thus classified with resale value shall be advertised for sale by the city recorder.
- C. No Resale Value: Property not deemed to have any resale value shall be disposed of by the department head in the manner deemed to be in the best interest of the public and approved by the city administrator.
- D. List; Bid Refusal: The department head shall provide the finance director with a list of all such property disposed of so that it may be removed from the list of city assets. The city may refuse any or all bids on items offered for sale.
- E. Alternative Disposition: In accordance with the terms of Utah Code Annotated section 10-8-2, the city may make a finding that a use or disposition of certain city property provides for the safety, health, prosperity, moral well-being, peace, order, comfort or convenience of the inhabitants of the city, in which case the city council may authorize the purchase, receipt, holding, selling, leasing, conveying and other disposition of real and personal property for the benefit of the city, whether the property is within or without the city's corporate boundaries and under the terms of such a finding is not obligated to sell such property at bid but

may improve, protect, and do any other thing in relation to this property that an individual could do.

F. Real Property:

1. North Ogden City hereby determines that all real estate owned by the City constitutes a significant parcel of real property pursuant to Utah Code except as provided below.
 - a. Utility easements do not constitute a significant parcel of real property pursuant to Utah Code.
2. Before the disposition of a significant parcel of real property the City shall provide public notice on its website and in three physical locations throughout the City in compliance with Utah Code 10-8-2 (2017) and subsequent revisions.

SECTION 2: The following provision shall be created and adopted to read:

3-1-13: ACQUISITION OF REAL PROPERTY

A. Dedication by Plat:

1. All real property interests dedicated to the City on plats properly approved by the Planning Commission and Planning Department including real property, rights-of-way, and utility easements are only acquired upon the recordation of the subdivision plat at the Weber County Recorder's Office.

B. Acquisition by Agreement:

1. All real property which is not dedicated by plat will be officially acquired only upon written agreement authorized by the City Council. The City Council reserves the right to refuse any property proposed to be acquired by the City.

SECTION 3: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this 28th day of November, 2017.

North Ogden City:



Brent R. Taylor
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	
Council Member Satterthwaite:	___	___	(excused)
Council Member Stoker:	<u>X</u>	___	
Council Member Swanson:	<u>X</u>	___	
Council Member Turner:	<u>X</u>	___	
Council Member Urry:	<u>X</u>	___	
(In event of a tie vote of the Council):			
Mayor Taylor	___	___	

ATTEST:



S. Annette Spendlove
S. Annette Spendlove, MMC
City Recorder