

**RESOLUTION NO. 19-65**

**A RESOLUTION OF THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH,  
AUTHORIZING THE MAYOR TO SIGN, AND THE CITY RECORDER TO ATTEST, ALL  
NECESSARY DOCUMENTS TO REQUEST AND EFFECT THE RECERTIFICATION  
PROCESS FOR THE CITY'S JUSTICE COURT; AND TO PROVIDE FOR AN  
EFFECTIVE DATE.**

**SECTION 1 - RECITALS**

WHEREAS, the City of South Ogden ("City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that U.C.A. §78-5-139(3) require that Justice Courts be recertified at the end of each four-year term; and WHEREAS, the term of the present Court shall expire on the 31<sup>st</sup> day of December, 2019; and,

WHEREAS, the City Council finds that the members of the South Ogden City Council have received an opinion letter from the City Attorney, which sets forth the requirements for operating a Justice Court and feasibility of continuing with Court operations; and,

WHEREAS, the City Council finds that and has determined that it is in the best interests of South Ogden City and its residents to continue to provide for a Justice Court; and,

WHEREAS, the City Council finds it should, and hereby affirms its willingness to, continue to meet the requirements set forth in by the Judicial Council for continued operation of the South Ogden City Justice Court for the next four-year term of court, except for any requirements waived by the Utah Judicial Council; and,

WHEREAS, the City Council finds that such agreements require the signature of an authorized official of the City; and,

WHEREAS the Mayor of South Ogden is the chief executive officer and representative of the City; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH OGDEN UTAH THAT:**

The City Council of South Ogden City, State of Utah, authorizes the Mayor to sign all contracts, agreement, or other documents to effect the re-certification process for the City's Justice Court and to accomplish such other public purposes as may be necessary to complete a Court continuation agreement between South Ogden City and the State of Utah; and,

The foregoing recitals are fully incorporated.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon its passage.

**SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:**

All orders, and resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

**SECTION 3 - PRIOR ORDINANCES AND RESOLUTIONS:**

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

**SECTION 4 - SAVINGS CLAUSE:**

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of South Ogden City.

**SECTION 5 - DATE OF EFFECT:**

This Resolution shall be effective on the 19<sup>th</sup> day of November, 2019, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY,  
STATE OF UTAH, on this 19<sup>th</sup> day of November, 2019.

SOUTH OGDEN CITY

\_\_\_\_\_  
Russell Porter  
Mayor

ATTEST:

\_\_\_\_\_  
Leesa Kapetanov, CMC  
City Recorder