

## **Chapter 2.60**

# **RECOGNIZED COMMUNITY ORGANIZATIONS**

### **(Draft Language)**

#### **2.60.010: PURPOSE**

It is the policy of Salt Lake City to create a framework by which the people of the City may effectively organize into community organizations representing a geographic area or field of interest, and use this as one way to participate in civic affairs and improve the livability and character of the City and its neighborhoods. Salt Lake City values the benefits these organizations bring to the community and holds each in equal regard.

This Chapter sets out the basis for City recognition of such community organizations and the associated responsibilities and benefits.

#### **2.60.020: DEFINITION**

Community Organization: A voluntary group of individuals organized around a particular community interest (e.g., community council, small business, ethnic group, religious organization, environmental advocate, etc.) for the purpose of collectively addressing issues and interests common to that group. A community organization is not a subsidiary of Salt Lake City government.

#### **2.60.030: MINIMUM REQUIREMENTS**

All community organizations seeking recognition pursuant to this chapter must comply with the following:

1. Properly register as a non profit corporation in good standing with the State of Utah;
2. Adopt bylaws which include the following provisions:
  - a. A clear definition of membership;
  - b. A policy of open participation of all persons who are members of the organization;
  - c. A policy against discrimination;
  - d. Attendance to meetings is open to the general public;
  - e. Meetings will provide an opportunity for public input.
3. Organizations must hold at least one meeting of their membership each year.

#### **2.60.040: REGISTRATION**

- A. The Recorder's Office shall maintain an official registration of community organizations recognized under this ordinance (Chapter 2.60). Any community organization meeting the requirements of Section 2.60.030 may register by filing with the Recorder's office the following:
  1. Official name;
  2. Boundaries where applicable;
  3. The names, mailing addresses, telephone numbers and email addresses of its current officers;
  4. The name, mailing address, email address and telephone number to serve as the recipient for official communications from the City;

5. Methods used to communicate with membership;
6. A copy of the organization's articles of incorporation and bylaws;
7. Time and place of regular meetings; and
8. Schedule for electing officers

The Recorder's Office shall make this information available to the public on the City website.

- B. It shall be the responsibility of the community organization to provide updated information and any changes to the items in Section A above to the Recorder's Office in a timely manner.
- C. Annual renewal of registration of community organization is required. By January 31 of each year, each registered community organization must submit a request for renewal of registration with current information required in Section A above. Failure to submit such a request by January 31 will result in removal of the community organization from the official Registration.

#### **2.60.050: RESPONSIBILITIES OF CITY**

- A. The City shall adequately educate the public on City policy, procedures, and actions.
- B. Each City Department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.
- C. The City Departments shall develop policies and procedures to show how they will provide notice and early participation opportunities for pending major city actions. These include but are not limited to public meetings, development projects, planning activities, grant and funding opportunities, which may have a significant impact on the membership of a registered community organization. Notice shall be given to affected community based organizations in a timely manner, including information on the timeframe for a response.
- D. The Recorder's Office shall notify each registered community organization of pending requirement for re-registration by December 31 of each year.
- E. In an effort to notify the public about the existence of community based organizations and encourage participation in these organizations, at least once a year the City shall make a reasonable attempt to provide a list of all community based organizations and their contact information to all residents, property owners, business owners, schools and non-profit agencies in Salt Lake City

#### **2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS**

- A. Renew registration with the Recorder's Office on an annual basis.
- B. Establish orderly and democratic means for forming representative public input through civil and respectful dialogue.
- C. Establish and follow a clear method for reporting to the City actions which accurately reflect their position. Include the means by which a recommendation or decision was reached, how many members were involved and what the outcome was.

- D. By interaction with its members, residents, and the City, foster open and respectful communication between the community organization and representatives of City Departments on plans, proposals and activities affecting the interests of the community organization.

## **2.60.070: VOLUNTEER STATUS AND PARTIAL INDEMNIFICATION**

Recognized community organization members shall be considered volunteers and not employees, officials or officers of Salt Lake City. Recognized community organizations and their officers, trustees and directors shall be indemnified by the City pursuant to the Utah governmental immunities act in any civil action which may arise from determinations and recommendations made within the scope of performance of their duties under this chapter. This defense and indemnification obligation on behalf of the City shall be limited to only those determinations and recommendations and shall not extend to any physical activities of the community organization or its members. These provisions shall not be deemed a waiver of any claim for immunity from suit on behalf of the volunteer.

### **Amendments to Zoning Chapter of the Salt Lake City Code**

#### **21A.10.020: PUBLIC HEARING NOTICE REQUIREMENTS:**

Providing all of the information necessary for notice of all public hearings required under this title shall be the responsibility of the applicant and shall be in the form established by the zoning administrator and subject to the approval of the zoning administrator pursuant to the standards of this section.

2. Notification To Recognized ~~and Registered~~ Organizations: The city shall give e-mail notification, or other form of notification chosen by the planning director, a minimum of twelve (12) calendar days in advance of the public hearing to any organization which is entitled to receive notice pursuant to [title 2, chapter 2.62](#) ~~0~~ of this code

#### **21A.10.010: GENERAL APPLICATION PROCEDURES:**

All applications required by the provisions of this title shall be processed in accordance with the following procedures:

A. Determination Of Completeness Of Application: After receipt of an application, the zoning administrator shall determine whether the application is complete. If the zoning administrator determines that the application is not complete, the zoning administrator shall notify the applicant in writing, specifying the deficiencies of the application, including any additional information which must be supplied and advising the applicant that no further action will be taken by the city on the application until the deficiencies are corrected.

~~B. Consultation With Neighborhood Organizations: In order for an application to be determined complete, the applicant must include, when required by [title 2, chapter 2.62](#) of this code, a signed statement from the appropriate neighborhood organization that the applicant has met with that organization and explained the development proposal for which approval is being sought. The signed statement shall be on a form provided by the zoning administrator.~~

C. ~~B.~~ Remedy Of Deficiencies: If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval shall be deemed withdrawn and will be returned to the applicant. Application fees shall not be refunded.

~~D. C.~~ Extensions Of Time: The zoning administrator, upon written request, may, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant or permittee by this title. An extension of time may also be granted by any body acting pursuant to this title unless this title expressly provides otherwise. The total period of time granted by such extension or extensions shall not exceed twice the length of the original period.

E. ~~D.~~ Fees: The application shall be accompanied by all the fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section [21A.10.020](#) of this chapter, in accordance with the fee schedule, including costs of mailing, preparation of mailing labels and all other costs relating to notification. (Ord. 24-11, 2011)

### **21A.10.020: PUBLIC HEARING NOTICE REQUIREMENTS:**

B. Special Noticing Requirements for Administrative Approvals:

1. Conditional Building and Site Design Review: The planning commission shall consider requests for conditional building and site design review at a public hearing if there is an expression of interest after providing notice as follows:

a. Notification: The City shall provide written notice by first class mail a minimum of twelve (12) calendar days in advance of the requested action to all owners of the land and tenants subject to the application, as shown on the Salt Lake City geographic information system records, adjacent to and contiguous with the land subject to the application. Recognized ~~and registered~~ organizations are also entitled to receive notice pursuant to [title 2, chapter 2.62 0](#) of this code by e-mail or other form chosen by the planning director

### **21A.16.030: PROCEDURE:**

Appeals of administrative decisions to the appeals hearing officer shall be taken in accordance with the following procedures:

D. Notice and Hearing: Upon receipt of an appeal, the appeals hearing officer shall give notice and hold a hearing on the appeal. Notice shall be given as follows:

3. The City shall give e-mail notification, or other form of notification chosen by the appeals hearing officer, a minimum of twelve (12) calendar days in advance of the hearing to any organization entitled to receive notice pursuant to [title 2, chapter 2.62 0](#) of this code

### **21A.54.060: PROCEDURES:**

~~A.8. A signed statement that the applicant has met with and explained the proposed conditional use to the appropriate neighborhood organization entitled to receive notice pursuant to [title 2, chapter 2.62](#) of this code;~~

**The following two chapters are to be removed and replaced with the proposed language above.**

## **Chapter 2.60**

### **~~SLACC AND NEIGHBORHOOD BASED ORGANIZATION RECOGNITION~~**

#### **2.60.010: PURPOSE:**

It is the policy of Salt Lake City to recognize neighborhood based community organizations for the purpose of providing citizen input and information to various city planning and administrative services. This chapter provides a process for such recognition. (Ord. 63-90 § 1, 1990)

#### **2.60.020: RECOGNITION OF SLACC AND NEIGHBORHOOD BASED ORGANIZATIONS:**

A. All organizations recognized pursuant to this chapter shall comply with the following conditions:

1. Only properly registered not for profit corporations in good standing with the state of Utah may be recognized;
2. To obtain recognition any community based organization shall submit to the city recorder the following information:
  - a. The articles of incorporation and bylaws of the community based organization.
    - (1) The bylaws shall contain a provision against discrimination and encouraging representation and participation from all qualified members.
  - b. A list of officers, directors or trustees of the organization together with their addresses and the address to which any notice to the organization should be sent.
  - c. No later than January 31 of each year any recognized organization seeking continuing recognition shall submit to the city recorder any changes in the information specified in subsections A2a and A2b of this section and a list of each meeting held by the organization in the preceding year and a description of the election procedure for officers, directors or trustees of the organization.

B. The Salt Lake Association of Community Councils (SLACC), or its legal successor, is recognized as the citywide organization in which community councils, neighborhood councils and neighborhood associations participate by sending representation in accordance with SLACC bylaws.

C. Neighborhood and community organizations representing the neighborhoods and communities defined on the list and map attached as exhibit A to the ordinance codified herein and maintained on file with the city recorder are hereby recognized. Membership in any neighborhood or community based organization must

be open to anyone residing within or owning property within the boundaries of the organization. The number, name or boundaries of any community or neighborhood organization may be amended by the city council upon petition from a city council member, or any neighborhood or community organization recognized under this chapter. All neighborhood or community organizations affected by such a petition shall hold a public hearing on the amendment request not less than fifteen (15) nor more than forty five (45) days after written notice of the request is received. Within thirty (30) days after the hearings before the affected community or neighborhood organization the city council shall hold a public hearing on the amendment request. The council shall act on the amendment petition by majority vote.

D. All organizations recognized pursuant to this chapter shall comply with the provisions of the open meeting laws of the state of Utah and Salt Lake City. (Ord. 63-90 § 1, 1990)

### **2.60.030: PARTICIPATION:**

Recognized organizations are encouraged to make recommendations to the city on all matters affecting the city or the organizations' particular community or neighborhood. Recognized organizations shall be part of the city's notification process provided by [chapter 2.62](#) of this title. (Ord. 63-90 § 1, 1990)

### **2.60.040: OPEN PARTICIPATION:**

This chapter shall not preclude the participation in any public hearing by individuals or entities on their own behalf. All citizens of Salt Lake City affected by a decision to be considered by the city council or the mayor are encouraged and invited to participate whether through their recognized organization or individually. (Ord. 63-90 § 1, 1990)

### **2.60.050: VOLUNTEER STATUS AND PARTIAL INDEMNIFICATION:**

Recognized organization members shall be considered volunteers and not employees, officials or officers of Salt Lake City. Recognized organizations and their officers, trustees and directors shall be indemnified by the city pursuant to the Utah governmental immunity act in any civil action which may arise from determinations and recommendations made within the scope of performance of their duties under this chapter or under [chapter 2.62](#) of this title. This defense and indemnification obligation on behalf of the city shall be limited to only those determinations and recommendations and shall not extend to any physical activities of the recognized organizations or their members such as driving, inspecting property or other similar activities. This provision shall not be deemed a waiver of any claim for immunity from suit on behalf of the volunteer. (Ord. 63-90 § 1, 1990)

## **Chapter 2.62**

# **RECOGNIZED OR REGISTERED ORGANIZATION NOTIFICATION PROCEDURES**

### **2.62.010: PURPOSE:**

### **2.62.020: ORGANIZATIONS ENTITLED TO NOTICE:**

### **2.62.030: REQUIRED NOTICES:**

### **2.62.040: PARTICIPATION IN PLANNING PROCESS:**

## **2.62.050: OPEN PARTICIPATION:**

### **2.62.010: PURPOSE:**

It is the policy of Salt Lake City to notify recognized or registered organizations of activities concerning the organizations and obtain input from these organizations concerning various city planning and administrative services. This chapter provides a process for such notification and obtaining such input. (Ord. 64-90 § 1, 1990)

### **~~2.62.020: ORGANIZATIONS ENTITLED TO NOTICE:~~**

A. ~~Recognized Organizations:~~ Organizations recognized pursuant to [chapter 2.60](#) of this title shall receive the notices and may participate in the processes established pursuant to this chapter.

B. ~~Registered Organizations:~~ Any other entity, organization or person may register on an annual basis with the department of community and economic development to receive the notices specified in this chapter. (Ord. 38-08, 2008; Ord. 6-04 § 4, 2004; Ord. 64-90 § 1, 1990)

### **2.62.030: REQUIRED NOTICES:**

A. ~~The planning and zoning division shall submit to each recognized or registered organization copies of the planning commission public meeting agendas and shall also submit to neighborhood and community organizations recognized pursuant to subsection [2.60.020C](#) of this title, or its successor subsection, applications for changes to zoning ordinances, planned developments or conditional use applications pertaining to territory located within, or within six hundred feet (600') of the border of such recognized organizations.~~

B. ~~Appeals hearing officer agendas shall be sent to all organizations recognized pursuant to subsection [2.60.020C](#) of this title or its successor.~~

C. ~~Other city administrative departments shall take reasonable steps to notify affected recognized organizations of any significant activities pertaining specifically to the recognized organization's geographic area.~~

D. ~~The failure to give any notice under this section shall not affect the validity of any act or decision and shall not give rise to any private right of action for such lack of notice. (Ord. 8-12, 2012; Ord. 23-10 § 23, 2010; Ord. 64-90 § 1, 1990)~~

### **~~2.62.040: PARTICIPATION IN PLANNING PROCESS:~~**

~~A. Recognized and registered organizations are encouraged to make recommendations concerning matters of which they are given notice pursuant to this chapter. In making such recommendations the spokesperson for the organization shall specify the following:~~

- ~~1. The nature of the meeting at which the organization's recommendation was obtained (i.e., executive committee, board, general membership, or otherwise);~~
- ~~2. The notice procedure for the meeting at which such recommendation was made;~~
- ~~3. The vote on such recommendation;~~
- ~~4. Any dissenting reports.~~

~~B. The Salt Lake City planning division staff shall encourage all zoning petition, planned development and/or conditional use applicants to meet with affected recognized organizations to discuss and receive input on the petition or application proposal prior to scheduling the matter for consideration by the planning commission. A report of the discussions with the affected recognized organizations and the applicant shall be contained in the planning commission staff report.~~

~~C. The mayor may, by executive order, establish certain classes of applications which can be delayed for additional consideration by organizations recognized pursuant to subsection [2.60.020C](#) of this title or its successor. Upon request of the chairperson or authorized designee of such organization given in writing, prior to the meeting at which the application is to be considered, the city body considering the application shall continue the application for a period not to exceed four (4) weeks from the first meeting such application is heard to allow the recognized organization to consider the application at its own meeting. The mayor or the mayor's designee may notify the considering body that immediate action is necessary for the best interests of the city, in which case a request for delay shall not be granted. (Ord. 23-10 § 24, 2010; Ord. 64-90 § 1, 1990)~~

#### **2.62.050: OPEN PARTICIPATION:**

The notification and participation process specified in this chapter is not intended to preclude the participation in any public hearing by individuals or entities on their own behalf. All citizens of Salt Lake City affected by the decision to be considered at a public hearing are invited and encouraged to participate, whether through their recognized organization or individually. (Ord. 64-90 § 1, 1990)