

**TOOELE COUNTY
ORDINANCE 2021-18**

AN ORDINANCE RENAMING AND AMENDING CHAPTER 3, COUNTY OFFICIALS – BOND, OF TITLE 1, GENERAL PROVISIONS, OF THE TOOELE COUNTY CODE

WHEREAS, Tooele County has historically been governed by a Board of County Commissioners under the county commission form of government; and

WHEREAS, a majority of Tooele County voters who voted in the 2018 general election voted to change the form of Tooele County government from the county commission form of government to the council-manager form of government; and

WHEREAS, the change to the council-manager form of government occurred on January 1, 2021; and

WHEREAS, certain provisions of existing Title 1, Chapter 3 became obsolete on that same date; and

WHEREAS, renamed and amended Title 1, Chapter 3 is expedient and necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I – CHAPTER RENAMED. Chapter 3, *County Officials – Bond*, of Title 1, *General Provisions*, of the Tooele County Code is hereby renamed as *County Officials – Bonds*.

SECTION II – CHAPTER AMENDED. Chapter 3, *County Officials – Bonds*, of Title 1, *General Provisions*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION III – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

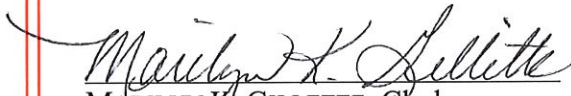
Tooele County
Ord. 2021-18


SECTION IV – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

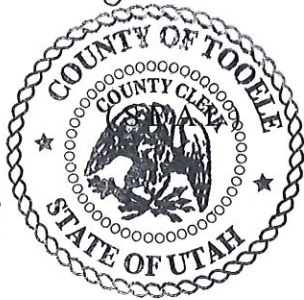
IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 16th day of March, 2021.

ATTEST:

TOOELE COUNTY COUNCIL:


Marilyn K. Gillette, Clerk


Tom Tripp, Chair



Council Member Hamner voted	<u>aye</u>
Council Member Hoffmann voted	<u>aye</u>
Council Member Thomas voted	<u>aye</u>
Council Member Tripp voted	<u>aye</u>
Council Member Wardle voted	<u>aye</u>

APPROVED AS TO FORM:


Colin R. Winchester
Deputy Tooele County Attorney

**TOOELE COUNTY CODE
TITLE 1
GENERAL PROVISIONS**

**CHAPTER 3
COUNTY OFFICIALS – BONDS**

Section

1-3-1. Generally.

1-3-2. Treasurer bond.

1-3-3. Approval and filing.

1-3-1. Generally.

(1) No fidelity bonds are required under this ordinance unless an individual bond is required under a contract entered into by the county or by state law. All other officers shall be covered by theft or crime insurance secured by the county.

(2) Before entering upon the discharge of their respective offices, the following officers shall be covered by theft or crime insurance with a per occurrence limit of not less than the following amounts or such higher amounts as may be required by state law:

Office	Penalty/Coverage
Council members	\$5,000
Manager	\$5,000
Clerk	\$5,000
Auditor	\$5,000
Sheriff	\$20,000
Attorney	\$5,000
Recorder	\$5,000
Assessor	\$20,000
Surveyor	\$5,000
Justice Court Judge	\$5,000
Constable	\$5,000
Treasurer	(As set by the State Money Management Council)
Deputies/Assistants	\$2,500

(3) If any of the listed offices are combined pursuant to Section 17-16-3 of the Utah Code, the combined office shall not require multiple policies of insurance and the coverage limit for theft or crime insurance for the combined office shall not be less than the highest requirement of the offices so combined.

(4) If any of the listed offices are held by an appointed officer under contract with the county, the limit of coverage for theft or crime insurance required shall be as agreed to under such contract.

(5) Theft or crime insurance covering county officials under this ordinance shall be provided by an admitted or surplus lines insurance carrier or an interlocal cooperative agency

acting as a public agency insurance mutual, or joint reserve fund. Any bonds required under contract shall be approved by the council and filed and kept in the office of the county clerk. Any theft or crime insurance secured for the purpose of complying with this ordinance shall be approved by the council.

(6) County officials and county personnel, except officials who may be required by state law to give an individual bond or who may be required to be covered by theft or crime insurance to qualify for office, may be covered by blanket theft or crime insurance coverage rather than separate individual policies or coverage. Said theft or crime insurance shall provide a minimum coverage limit of the maximum coverage required by state statute or county ordinance of any person covered by such blanket theft or crime insurance.

(7) The premium of any bond or theft or crime insurance referred to herein shall be paid from county funds.

1-3-2. Treasurer bond.

The treasurer shall execute an official bond in an amount prescribed by the Utah State Money Management Council.

1-3-3. Approval and filing.

The bonds and sureties of all county and precinct offices shall be approved by the council before the bonds are filed. All official bonds required by this chapter shall be filed and kept in the office of the county clerk. The official bond of the county clerk shall be filed and kept in the office of the county treasurer.

**TOOELE COUNTY CODE
TITLE 1
GENERAL PROVISIONS**

**CHAPTER 3
COUNTY OFFICIALS – BONDS**

Section

~~1-3-1. General fidelity bond or theft or crime insurance required, amounts, faithful performance blanket position bond allowed, and premiums paid. Generally.~~

1-3-2. Treasurer bond.

~~1-3-3. Repealed.~~

~~1-3-4. Repealed.~~

~~1-3-5. Bond premiums.~~

~~1-3-6. Approval of bond and filing.~~

~~1-3-7. Repealed.~~

~~1-3-1. General fidelity bond or theft or crime insurance required, amounts, faithful performance blanket position bond allowed, and premiums paid. Generally.~~

(1) No fidelity bonds are required under this ordinance, unless an individual bond is required under a contract entered into by the county or by state law. All other officers shall be covered by theft or crime insurance secured by the county.

(2) Before entering upon the discharge of their respective offices, the following officers shall be covered by theft or crime insurance with a per occurrence limit of not less than the following amounts or such higher amounts as may be required by State state law, ~~as follows:~~

Office	Penalty/Coverage
Commissioners Council members	\$5,000
<u>Manager</u>	<u>\$5,000</u>
Clerk	\$5,000
Auditor	\$5,000
Sheriff	\$20,000
Attorney	\$5,000
Recorder	\$5,000
Assessor	\$20,000
Surveyor	\$5,000
Justice Court Judge	\$5,000
Constable	\$5,000
Treasurer	(As set by the State Money Management Council)
Deputies/Assistants	\$2,500

(3) If any of the listed offices ~~listed~~ are combined ~~in accordance with pursuant to~~ Section 17-16-3 of the Utah Code, the combined office shall not require multiple policies of insurance and

the coverage limit for theft or crime insurance for the combined office shall not be less than the highest requirement of the offices so combined.

(4) If any of the listed offices ~~listed~~ are held by an appointed officer under contract with the county, the limit of coverage for theft or crime insurance required shall be as agreed to under such contract.

(5) Theft or crime insurance covering county officials under this ordinance shall be provided by an admitted or surplus lines insurance carrier or an interlocal cooperative agency acting as a public agency insurance mutual, or joint reserve fund. Any bonds required under contract shall be approved by the ~~County Legislative Body, recorded by the county recorder,~~ council and filed and kept in the office of the county clerk. Any theft or crime insurance secured for the purpose of complying with this ordinance shall be approved by the ~~County Legislative Body~~ council.

(6) County officials and county personnel ~~of the county~~, except ~~any~~ officials who may be required by state ~~statutes law~~ to give an individual bond or ~~who may be required to~~ be covered by theft or crime insurance to qualify for office, may be covered by blanket theft or crime insurance coverage rather than separate individual policies or coverage. Said theft or crime insurance shall provide a minimum coverage limit of the maximum coverage required by state statute or county ordinance of any person covered by such blanket theft or crime insurance.

(7) ~~As required by Section 17-16-11 of the Utah Code, the~~ The premium of any bond or theft or crime insurance referred to herein, shall be paid from county funds. (Ord. 2018-16, 11/30/18; Ord. 95-19, 9/12/95; Ord. 92-5, 9/1/92)

1-3-2. Treasurer bond.

The ~~County Treasurer~~ treasurer shall execute an official bond in an amount prescribed by the Utah State Money Management Council. (Ord. 95-19, 9/12/95; Ord. 92-5, 9/1/92)

1-3-3. ~~Repealed.~~ (Ord. 2018-16, 11/30/18; Ord. 95-19, 9/12/95; Ord. 92-5, 9/1/92)

1-3-4. ~~Repealed.~~ (Ord. 2018-16, 11/30/18; Ord. 95-19, 9/12/95; Ord. 92-5, 9/1/92)

1-3-5. ~~Bond premiums.~~

~~If Surety Company Bonds are taken to comply with the foregoing provisions, the premium for each such bond shall be paid out of County funds. (Ord. 95-19, 9/12/95; Ord. 92-5, 9/1/92)~~

1-3-6. ~~Approval of bond and filing.~~

The bonds and sureties of all ~~County~~ county and precinct offices shall be approved by the ~~Board of County Commissioners~~ council before the bonds are filed ~~and recorded~~. All official bonds required by ~~Sec. 1-3-1, Sec. 1-3-2, and Sec. 1-3-3 above~~ this chapter shall be ~~recorded in the office of the County Recorder and then~~ filed and kept in the office of the ~~County Clerk~~ county clerk. The official bond of the ~~County Clerk, after being recorded,~~ county clerk shall be filed and kept in the office of the ~~County Treasurer~~ county treasurer. (Ord. 95-19, 9/12/95; Ord. 92-5, 9/1/92)

1-3-7. ~~Repealed.~~ (Ord. 2003-22, 12/16/03)