

Ordinance No 2025-02



**AN ORDINANCE ADOPTING THE
TENTATIVE FINAL BUDGET FOR FISCAL
YEAR 2025-2026 PURSUANT TO SECTION
10-5-109 OF THE UTAH CODE SUBJECT TO
FURTHER ACTION AS REQUIRED BY
SECTION 59-2-919 OF THE UTAH CODE.**

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2025-2026 PURSUANT TO SECTION 10-5-109 OF THE UTAH CODE SUBJECT TO
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PREAMBLE

Section 10-5-107 of the Utah Code requires the Mayor of the Town of Dutch John ("Town"), to prepare, on or before the first regularly scheduled meeting of the Town Council in May, a tentative budget for each fund for which a budget is required, make the tentative budget available for public inspection and submit the tentative budget to the Town Council. The Town Mayor (Mayor) and the Town Treasurer (also referred to as the Budget Officer) prepared a tentative budget for fiscal year 2025-2026 consistent with sections 10-5-106 and 10-5-107 of the Utah Code.

Section 10-5-107 of the Utah Code states that the Town Council shall review, consider, and tentatively adopt the tentative budget in any regular or special meeting called for that purpose and establish the time and place of the public hearing required under section 10-5-108 of the Utah Code.

In a duly noticed meeting on May 14, 2025, the Town Council reviewed, considered and tentatively adopted the tentative budget for fiscal year 2025-2026 as submitted by the Mayor and the Budget Officer. In the meeting on May 14, 2025, the Town Council set a public hearing date on the tentative budget for June 11, 2025, prior to adoption of the tentative final budget.

The tentative budget includes additional budgeted revenues from property taxes of \$100,000. Inasmuch as the Town has not previously levied a property tax, the increase in budgeted revenues from property taxes requires further action under section 59-2-919 of the Utah Code including a duly noticed truth-in-taxation hearing. On May 14, 2025, the Town Council passed a resolution of intent to levy a property tax for additional property tax revenue. In the Resolution of Intent, the Town Council set the truth-in-taxation hearing for August 13, 2025, understanding that the Daggett County (County) Auditor may need to resolve a conflict of overlapping public hearing dates and times under section 59-2-919 (8)(d) of the Utah Code and require a different date and time. The Mayor provided notice to the County Auditor and the Utah State Tax Commission prior to June 1, 2025, of the date, time and place of the hearing on the tentative budget and the truth-in-taxation hearing set for August 13, 2025, as required by section 59-2-919 (8)(a)(i) of the Utah Code.

The tentative budget for fiscal year 2025-2026 has been available for public inspection on the Town website and at the office of the Mayor and Town Treasurer, Dutch John Community Center, 530 South Boulevard, Dutch John, Utah since May 14, 2025. The Town Council has made changes to the tentative budget as they deem necessary.

Section 10-5-109 of the Utah Code states, “before June 30 of each year, or September 1 in the case of a property tax increase under Sections 59-2-919 through 59-2-923, the council shall by resolution or ordinance adopt a budget for the ensuing fiscal year for each fund for which a budget is required under this chapter”. The Town Council wants to adopt a tentative final budget so expenditures and encumbrances can be incurred from budget appropriations beginning July 1, 2025.

The Town Council wants to adopt a tentative final budget with budgeted revenue from property taxes of \$100,000. Since its incorporation, the County has provided police, fire and Emergency Medical Services (EMS) to the residents and businesses of the Town. Although the Town is grateful for the police, fire and EMS services the County has provided, the Town has determined it is best for the Town residents and businesses if the Town now manages and provides police, fire and EMS services to its residents and businesses. The Town determines that with more localized control, police, fire services and EMS services will be more efficient and effective. If the Town controls police, fire and EMS services for its residents and businesses, policies and programs for such services can be tailored to the unique circumstances of the Town rather than a broader County-wide approach. Police, fires and EMS services under Town control will more effectively and efficiently respond to the specific needs and concerns of the Town community because those managing the services will be more attuned to Town issues. Residents and businesses of the Town can more easily engage with its local decision makers if they have issues about police, fire and EMS services. The Town is growing and now is the time to make the transition of providing these essential municipal-type services from the County to the Town.

The increased budgeted property tax revenue of \$100,000 is needed to fund the costs of necessary police, fire and EMS personnel including police officers and firefighters, police cars and fire trucks, police, fire and EMS equipment and other operating and administrative expenditures.

Section 10-5-112 of the Utah Code states that “. . . not later than June 22 of each year, or September 1 in case of a property tax increase. . .the council shall by ordinance or resolution set the real and personal property tax levy for town purposes.” The Town Council will, by separate ordinance, adopt a property tax levy pursuant to section 10-5-112 of the Utah Code, understanding that further action is required under section 59-2-919 of the Utah Code.

If the tax levy is adopted by the Town, the County should, to avoid double taxation, reduce its property tax levy on real and personal property of Town residents and businesses equal to revenue the County budgeted to fund police, fire and EMS services it will no longer provide to the Town.

Section 10-5-108 of the Utah Code states that, prior to adoption of a budget, the Town Council shall hold a public hearing to receive public comment. The Town Council held a duly noticed public hearing on June 11, 2025, at the Dutch John Community Center, 530 South Boulevard, beginning at 7:00 p.m., pursuant to section 10-5-108 of the Utah Code, and provided an

opportunity for the public to comment on the tentative budget. After considering public comments made during the hearing on June 11, 2025, and all other information available to them, the Town Council wants to adopt the tentative final budget for fiscal year 2025-2026 understanding that further action is required under section 59-2-919 of the Utah Code.

NOW THEREFORE, be it ordained by the Town Council of the Town of Dutch John:

SECTION 1. PURPOSE. The purpose of this Ordinance is to adopt the Tentative Final Budget for the Town of Dutch John for fiscal year beginning July 1, 2025, and ending June 30, 2026, understanding that further action is required under section 59-2-919 of the Utah Code.

SECTION 2. ADOPTION OF THE TENTATIVE FINAL BUDGET. The Tentative Final Budget, attached as Appendix "A" and incorporated into this Ordinance, shall be, and the same hereby is adopted as the Tentative Final Budget for the Town of Dutch John for fiscal year beginning July 1, 2025, and ending June 30, 2026, subject to further action under section 59-2-919 of the Utah Code.

SECTION 3. FURTHER ACTION REQUIRED. As required by section 10-5-112 of the Utah Code, the Town Council shall adopt, by a separate ordinance, a tax levy based on increased budgeted revenues of \$100,000. The increase in budgeted revenues from property taxes requires further action under section 59-2-919 of the Utah Code including holding a duly noticed truth-in-taxation hearing on August 13, 2025, or such other date as determined by the Daggett County Auditor.

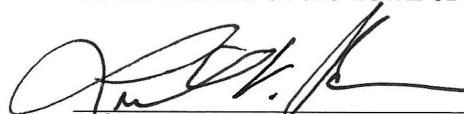
SECTION 4. FILING OF THE TENTATIVE FINAL BUDGET. The Mayor and Budget Officer are directed to certify and file copies of the Tentative Final Budget with the Utah State Auditor as required by section 10-5-105 of the Utah Code within 30 days from the effective date of this Ordinance.

SECTION 5. AVAILABLE FOR PUBLIC INSPECTION. The Mayor and Budget Officer are directed to certify and file copies of the Tentative Final Budget in the office of the Town Treasurer and Town Recorder located at the Dutch John Community Center, 530 South Boulevard, Dutch John, Utah. The Tentative Final Budget shall be available for public inspection during regular business hours as required by section 10-5-110 of the Utah Code.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be deemed effective on July 1, 2025.

Passed by the Town Council of the Town of Dutch John, this 11th day of June 2025.

Town Council of the Town of Dutch John

A handwritten signature in black ink, appearing to read "Lester V. Johns", is written over a horizontal line.

Lester V. Johns, Mayor

ATTEST:

Amy McDonald
Amy McDonald, Town Recorder

Seal

