

ORDINANCE NO. 09-02-2019

AN ORDINANCE AMENDING SANTAQUIN CITY CODE RELATED TO ACCESS TO AND FROM SUBDIVISIONS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

WHEREAS, the City Council desires to amend Santaquin City Code Title 11 Chapter 6 Section 2M regarding access requirements to and from subdivisions; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on August 13, 2019, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City, and which notice of public hearing was published in a newspaper in accordance with Section 10-9a-205 of the Utah State Code; and

WHEREAS, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I. Amendments

Title 11 Chapter 6 Section 2M is amended as follows: (underlined text is added, stricken text is deleted)

M. Access To And From Subdivisions: All subdivisions, or plats thereof, ~~containing a combined total of ten (10) or more lots~~ with an access in excess of five-hundred feet (500 feet) shall provide two (2) or more accesses onto other approved and dedicated City streets. All such accesses shall be dedicated to the City as fully improved streets as a part of the required subdivision improvements, ~~and~~ shall be accessible from every lot within the subdivision or plat(s). An access in excess of one-hundred fifty feet (150 feet) shall be provided with turnaround provisions in accordance with the following table:-
(Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

| <u>LENGTH</u> | <u>TURNAROUNDS REQUIRED</u> |
|----------------------------|---|
| <u>0 feet – 150 feet</u> | <u>None required</u> |
| <u>151 feet – 500 feet</u> | <u>In accordance with Santaquin City's adopted standard street cross sections</u> |
| <u>Over 500 feet</u> | <u>Special approval required from the City Council</u> |

Criteria used to consider special approval for the length of a single access includes, but is not limited to, the following:

1. The Fire Chief, Public Works Director, and City Engineer have reviewed and unanimously recommended approval.
2. Water quality is not negatively impacted (i.e. water lines are looped, extra fire hydrants are provided, etc.).
3. A snow storage area is provided at the end of the single access.
4. A traffic analysis is provided, by the applicant for the extension of the access, and shows that there will be no significant impacts to the neighborhood on the single access.
5. The single access does not exceed seven hundred and fifty feet (750').
6. Other applicable requirements in the Santaquin City Code can be sufficiently met.

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section IV. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section V. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, September 18, 2019. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 17th day of September 2019.


Kirk Hunsaker, Mayor

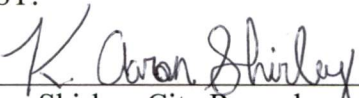
Councilmember Elizabeth Montoya

Voted Aye

Councilmember Lynn Mecham
Councilmember Keith Broadhead
Councilmember Nick Miller
Councilmember Chelsea Rowley

Voted Aye
Voted Absent
Voted Aye
Voted Aye

ATTEST:



K. Aaron Shirley, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 17th day of September, 2019, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE RELATED TO ACCESS TO AND FROM SUBDIVISIONS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 17th day of September, 2019.



(SEAL)

K. Aaron Shirley

K. AARON SHIRLEY
Santaquin City Recorder

AFFIDAVIT OF POSTING

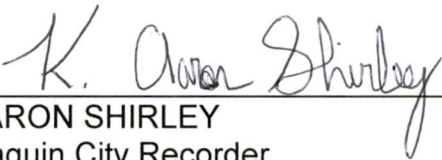
STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance, which is attached hereto on the 17th day of September, 2019.

The three places are as follows:

- 1. Zions Bank
- 2. Post Office
- 3. City Office

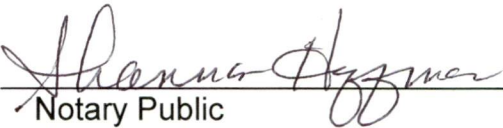
I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.



 K. AARON SHIRLEY
 Santaquin City Recorder

The foregoing instrument was acknowledged before me this 18 day of September, 2019, by K. AARON SHIRLEY.

My Commission Expires: 11/22/21



 Notary Public

Residing at: Utah County



Santaquin City Resolution 09-04-2019

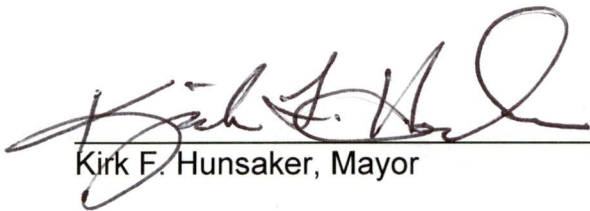
A RESOLUTION MODIFYING THE SANTAQUIN CITY COUNCIL PROTOCOLS


WHEREAS, the City of Santaquin has Santaquin City Council Protocols address the order, manner, and conduct of City Council Meetings and the authority of its members; and

WHEREAS, the City of Santaquin has determined that it desirable to review and update these protocols from time to time to comply with Federal, State and local laws and ordinances;

NOW, THEREFORE, BE IT RESOLVED, by the Santaquin City Council that the 2019 version of the Santaquin City Council Protocols shall be amended as shown on Attachment (A), which amendments shall be effective immediately.

Approved and adopted by the Santaquin City Council this 17th day of September, 2019.


Kirk F. Hunsaker, Mayor

Attest: 
K. Aaron Shirley, City Recorder