

WEST BOUNTIFUL CITY

ORDINANCE #406-18

AN ORDINANCE ADOPTING MODIFICATIONS TO WBMC TITLE 16 – PUBLIC IMPROVEMENTS REGARDING SECONDARY WATER IN SUBDIVISIONS

WHEREAS, Utah Code Annotated § 10-9a-101 et seq., also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning and Subdivision Ordinances; and,

WHEREAS, the City adopted Ordinance 401-18 on March 6, 2018 establishing temporary restrictions regarding land use applications in connection with secondary water issues; and

WHEREAS, the City been studying the impacts of this requirement on the public safety, health, and welfare; the cost of installing secondary water lines at various locations within the City limits, and the appropriate allocation of such costs; and any restrictions or requirements that may promote the public safety, health, and welfare with respect to the installation of secondary water lines to serve areas of potential residential development in the City; and

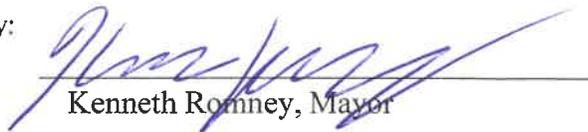
WHEREAS, the West Bountiful Planning Commission held a properly noticed Public Hearing on May 22, 2018, on the proposed changes, and unanimously voted to recommend the City Council adopt the language proposed in Exhibit A.

NOW, THEREFORE BE IT ORDAINED by the City Council of West Bountiful that Section 16.20.020 of the West Bountiful Municipal Code be amended as shown on the attached Exhibit A.

This ordinance will become effective upon signing and posting.

Adopted this 5th day of June 2018.

By:


Kenneth Romney, Mayor

Voting by the City Council:

- Councilmember Ahlstrom
- Councilmember Bruhn
- Councilmember Enquist
- Councilmember Preece
- Councilmember Williams

Aye

Nay



Attest:


Cathy Brightwell, City Recorder

16.20.020 Public Improvements

- A. Design Standards. The city engineer shall prepare standards and specifications for design, construction and on-site review of all public improvements including streets, curbs, gutters, sidewalks, water distribution systems, sewage disposal facilities and storm drainage and flood control facilities. Standards for fire hydrants shall meet the requirements of any federal, state and local governmental entities having jurisdiction over such hydrants.

All construction standards and specifications shall be approved by resolution of the city council before becoming effective. All public improvements shall be installed in accordance with the city's construction standards and specifications, the requirements of the city engineer and public works department, the subdivision improvements agreement between the subdivider and the city, and all other applicable city ordinances and regulations.

Secondary water for the purpose of irrigation shall be made available to each lot in all new subdivisions. Construction of a pressurized secondary water system, including the pipe size, pipe alignment, valving and size of service connections, is subject to the City and the appropriate secondary water district's approval. The subdivider will be required, at its own expense, to construct all required off-site facilities necessary to connect to existing secondary water facilities. The subdivider shall pay all applicable fees to the secondary water district prior to approval of the final plat.

The approval of all subdivisions, including minor or small subdivisions, will require the installation of all public improvements including asphalt, curb and gutter, sidewalk, street lights and utilities which are required to complete the standard street design included in the City's design standards regardless of whether the required improvements are on a new or existing street. The city council may waive, modify or delay the construction of all or part of the required public improvements upon making specific findings supporting its decision consistent with the following standards.

1. Curb, gutter and sidewalk improvements in the R-1-10, R-1-22, and A-1 zoning district are eligible for deferred construction under a deferred improvements agreement when the city council finds compelling reasons why the city's interests are better served by deferring the construction.
2. The city council may waive, modify, or defer the requirement to pipe an open ditch that has been previously designated by the city to remain open upon a finding that the waiver, modification, or deferral is in the public interest. All other open ditches in the subdivision are required to be piped according to the size requirements of the city drainage master plan as a condition of the subdivision approval.
3. The construction of any public improvements deferred under this section shall be subject to a deferred improvements agreement that allows the City to determine when, if ever, such construction will be required.

**CERTIFICATE OF PASSAGE
AND POSTING ORDINANCE**

*I, the duly appointed and acting recorder for the City of West Bountiful,
do hereby certify that the foregoing Ordinance No. 406-18
was duly passed and published, or posted at three public places within the
municipality on June 7, 2018, which public places are:*

- 1) West Bountiful City Hall,*
- 2) West Bountiful City Park Bowery, and*
- 3) Lakeside Golf Course.*

Cathy Brightwell
Cathy Brightwell, City Recorder

DATE: 6/7/18

