

## Ordinance 5-04-2015

### **AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE SANTAQUIN CITY CODE PERTAINING TO LAND USE APPLICATION REVIEW PROCEDURES, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has been given specific authority in Utah Code Annotated, Title 10, Chapter 9a. to adopt land use and subdivision ordinances to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land, which are reasonably and appropriately related to the objectives of providing for the public safety, health, morals, and welfare; and

**WHEREAS**, Santaquin City has adopted land use regulations and land use application review procedures in accordance with Utah State Code, Annotated 1953, as amended, Section 10-9a; and

**WHEREAS**, a request has been made to amend Santaquin City Code, Title 10 of the Revised Ordinances of Santaquin City (the Land Development Code) by amending Section 10-19-3, Reviewing Bodies; and

**WHEREAS**, the Santaquin City Planning Commission discussed the proposal at a public meeting held on March 12, 2015 and conducted a public hearing on the amendment on April 9, 2015, after which they forwarded the amendment with a positive recommendation to the City Council; and

**WHEREAS**, the aforementioned public 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 the Payson Chronicle Newspaper on March 18, 2015 in accordance with Section 10-9a-205 of the Utah State Code.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SANTAQUIN, UTAH, AS FOLLOWS:**

#### **Section I.**

Santaquin City Code, Title 10-19-3 Reviewing Bodies: is hereby amended as follows:  
*(underlined text is added, stricken text is to be deleted)*

#### **10-19-3: REVIEWING BODIES:**

In accordance with the Utah state code public meetings laws, the Santaquin City council, planning commission and development review committee shall review all land use applications, as provided in this section and this code. The development review committee shall be composed of city staff, including representatives from each city department, elected officials, and others, as determined by the city council.

No project shall receive any preliminary or final approval from a review body listed above, except as explicitly outlined in the processes established by this section. No land use application shall be reviewed within ~~six (6)~~ five (5) days of receiving approval or recommendation from any separate review body.


**Section II.** 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 III.** 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. Sections of the ordinance may be re-numbered or re-lettered. 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 IV.** Severability. If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section V.** Posting and Effective Date. Prior to 5:00 p.m. on, the City Recorder shall: (a) deposit a copy of this ordinance in the official records of the City; and (b) post a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on May 7, 2015

ADOPTED by the Santaquin City Council on the 6<sup>th</sup> day of May, 2015.

  
\_\_\_\_\_  
Mayor Kirk Hunsaker

Attest:

  
\_\_\_\_\_  
Susan B. Farnsworth  
Santaquin City Recorder

Council Member Keith Broadhead  
Council Member Matt Carr  
Council Member David Hathaway  
Council Member Amanda Jeffs  
Council Member Nick Miller


STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, SUSAN B. FARNSWORTH, 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 6<sup>th</sup> day of May, 2015, entitled

**“AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE SANTAQUIN CITY CODE PERTAINING TO LAND USE APPLICATION REVIEW PROCEDURES”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 6<sup>th</sup> day of May, 2015.

Susan B. Farnsworth  
SUSAN B. FARNSWORTH  
Santaquin City Recorder

(SEAL)



AFFIDAVIT OF POSTING

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, SUSAN B. FARNSWORTH, 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 7<sup>th</sup> day of May, 2015.

The three places are as follows:

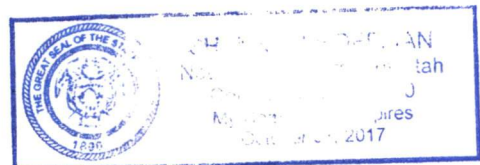
1.     Zions Bank
2.     Post Office
3.     City Office

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

*Susan B. Farnsworth*  
SUSAN B. FARNSWORTH  
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of May, 2015, by SUSAN B. FARNSWORTH.

My Commission Expires: 10/1/17  
*Shannon Hoffman*  
Notary Public



Residing at:               Utah County

