

ORDINANCE 18-01

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008, BY ADDING A NEW SECTION TO CHAPTER 02, "GENERAL PROVISIONS" TO CODIFY THE CITY'S STANDARDS SPECIFICATIONS AND DETAILS; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend Title 15A of the Revised Ordinances of Sandy City (the Land Development Code), 2008, by adding a new section to Chapter 11, "General Provisions" to codify the City's Standards Specifications and Details; and

WHEREAS, the Planning Commission held a public hearing on December 7, 2017 which meeting was preceded by notice by publication in the Salt Lake Tribune on November 23, 2017, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on November 15, 2017; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on January 23, 2018 to consider adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune, on January 9, 2018, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, on December 28, 2017; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt a zoning plan, including an ordinance and map which divide the municipality into districts or zones, and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; 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 foregoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and procedures have been established by the Land Development Code and Utah Code Ann. whereby appeals can be heard and decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

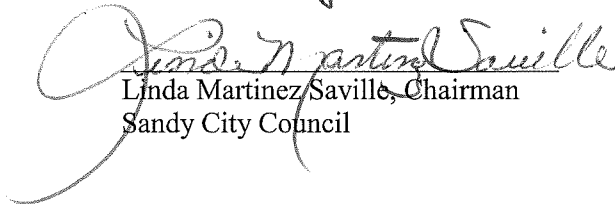
NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, as follows:

Section 1. Amendment. Title 15A is amended as shown on **Exhibit "A"**, which is attached hereto and by this reference made a part hereof.

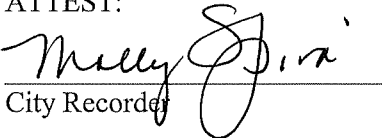
Section 2. Severable. If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined in 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 3. Effective. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED this 23rd day of January, 2018.


Linda Martinez Saville, Chairman
Sandy City Council

ATTEST:

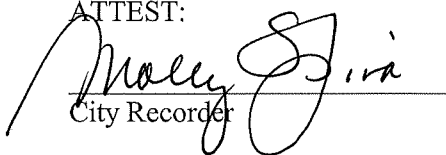

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 1st day of February, 2018.

APPROVED this 1st day of February, 2018.


Kurt Bradburn, Mayor

ATTEST:


City Recorder

PUBLISHED this 4th day of February, 2018.

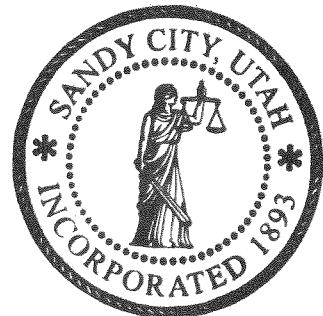


Exhibit "A"

15A-02-24 Sandy City Standard Specifications and Details for Municipal Construction

- A. **Adoption of Standard Specifications and Details.** The City Council, after receiving a recommendation from the Planning Commission, shall adopt, by ordinance, Standard Specifications and Details for Municipal Construction not inconsistent with the provisions of this Title. The Standard Specifications and Details for Municipal Construction may be temporarily changed, altered or amended from time to time by the City Engineer as necessary; provided that such change, alteration or amendment does not materially:
1. increase a land use applicant's cost of development compared to the existing specifications;
or
 2. impact a land use applicant's use of land.
- B. **Adoption of Temporary Specifications.** The City Engineer shall present temporary changes, alterations and amendments of the Standard Specifications and Details for Municipal Construction to the Planning Commission and City Council for review, consideration and adoption on an annual basis. Adoption of such amendments shall comply with the requirements set forth in this section.
- C. **Notice and Hearing.** Notice and hearing requirements shall be the same as required for proposed land use regulations in accordance with the Development Code of Sandy City and applicable State laws.
- D. **Compliance with the Standard Specifications and Details for Municipal Construction.** Compliance with the Standard Specifications and Details for Municipal Construction, as amended, shall be required as a condition of development approval, issuance of a building permit, and issuance of related permits and approvals.

City Council Closed Meeting – Discussing an Individual

(Discuss the character, professional competence, or physical or mental health of an individual)

To Close a Meeting

- Quorum: A quorum of the City Council must be present
- Required Vote:
 - ▶ Vote in open meeting for which notice has been given that a closed meeting will be held
 - ▶ 2/3 of the members of the public body present at the meeting vote to approve closure:
5 of 7 4 of 6 4 of 5 3 of 4
- Suggested Motion to close the meeting:

“I move that we move into a closed meeting for the purpose of discussing character, professional competence, or physical or mental health of an individual”
- Publicly announce and enter on the minutes of the meeting at which the closed meeting was approved the following:
 - ▶ The reason or reasons for holding the closed meeting;
 - ▶ The location where the closed meeting will be held; and
 - ▶ The vote by name, of each member of the public body, either for or against the motion to hold the closed meeting
- Chair adjourns the open meeting to move into the closed meeting

Procedure in the Closed Meeting

- Chair states the following at the beginning of the closed meeting:
 - ▶ The City Council has the option to record the meeting and/or to keep detailed written minutes that disclose the content of the closed portion of the meeting (consult legal counsel on decision)
 - ▶ The minutes of a closed meeting shall include:
 - the date, time, and place of the meeting;
 - the names of members present and absent; and
 - the names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of the closed meeting.
 - ▶ The meeting is closed to discuss the character, professional competence, or physical or mental health of an individual and that is the only matter that can be discussed.
 - ▶ No ordinance, resolution, rule, regulation, contract, or appointment may be approved at the closed meeting.
- Meeting proceeds with Chair conducting as in an open meeting
- When discussion is completed:
 - ▶ Chair calls for a motion to adjourn the closed meeting
 - ▶ Suggestion motion:

“I move that we adjourn the closed meeting.”