

ORDINANCE 21-09

AN ORDINANCE ADOPTING REVISIONS AND AMENDMENTS TO THE CITY'S STANDARD SPECIFICATIONS AND DETAILS AS REQUIRED BY THE UTAH CODE; ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, Title 10, Chapter 9a, Utah Code Ann. requires land use regulations, including engineering standards such as Sandy City's Standard Specifications and Details for Municipal Construction, to be enacted by ordinance of the City Council; and

WHEREAS, the Planning Commission held a public hearing on February 18, 2021 which meeting was preceded by notice by publication in the Deseret News on February 5, 2021, and by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library – Sandy, on the Sandy City Website – <http://www.sandy.utah.gov>, and the Utah Public Notice Website – <http://pmn.utah.gov> on February 1, 2021; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended adoption of the Standard Specifications and Details for Municipal Construction; and

WHEREAS, a public meeting was held by the Sandy City Council on March 9, 2021 to consider the proposed adoption; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt land use regulations 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 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 reasonable and appropriate to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the forgoing 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. Adoption. The revisions to the Standard Specifications and Details for Municipal Construction are hereby approved and adopted as set forth in “**Exhibit E**”, which is attached to and incorporated in this ordinance.

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 judgement shall not affect, impair or invalidate the remainder of this ordinances 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 of 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 up on publication of a summary thereof.

PASSED AND APPROVED this ____ day of _____, 2021.

Cyndi Sharkey, Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this ____ day of _____, 2021.

APPROVED this ____ day of _____, 2021.

Kurt Bradburn, Mayor

ATTEST:

City Recorder

PUBLISHED this ____ day of _____, 2021.