

## ORDINANCE 18-03

AN ORDINANCE ADOPTING THE CITY'S STANDARDS 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 December 7, 2017 which meeting was preceded by notice by publication in the Salt Lake Tribune on November 23, 2017, <http://www.utah.gov/pmn/index.html> 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 adoption of the Standard Specifications and Details for Municipal Construction; 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 land use regulations; 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. Adoption. The Standard Specifications and Details for Municipal Construction are hereby approved and adopted as set forth in the Standard Specifications and Details for Municipal Construction on file with the office of the Sandy City Recorder and at the following URL <https://www.dropbox.com/sh/18t1eaybj33s9ig/AAAli0t9yjbMgZPj6u1IIQVqa?dl=0>.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Linda Martinez Saville, Chairman  
Sandy City Council

ATTEST:

\_\_\_\_\_  
City Recorder

PRESENTED to the Mayor of Sandy City for his approval this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Kurt Bradburn, Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

PUBLISHED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.