

ORDINANCE # 24-22

HERZBERG ANNEXATION

AN ORDINANCE ANNEXING TERRITORY LOCATED AT 10479 SOUTH DIMPLE DELL ROAD IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 0.49 ACRES INTO THE MUNICIPALITY OF SANDY CITY; ESTABLISHING ZONING FOR THE ANNEXED PROPERTY; ALSO PROVIDING A SEVERANCE AND EFFECTIVE DATE FOR THE ANNEXATION.

The Sandy City Council finds:

1. Section 10-2-418, Utah Code Annotated, authorizes the City to annex contiguous areas within unincorporated county islands without a petition if it satisfies certain statutory requirements.
2. The City has complied with all statutory requirements, including without limitation: (1) the properties proposed to be annexed, located at 10479 South Dimple Dell Road in Salt Lake County, comprising approximately 0.49 acres (“**Area**”), are contiguous areas and are contiguous to the City; (2) the areas proposed to be annexed are within the City’s adopted expansion area; and (3) the annexation meets the requirements of Section 10-2-418.
3. On October 8, 2024, the City adopted Resolution 24-42C, attached hereto as **Exhibit “A”**, describing the Area and indicating the City’s intent to annex the Area. The City determined that not annexing the entire island or peninsula was in its best interest.
4. The City Public Notice to hold a public hearing on the proposed annexation of the Area was posted in Sandy City Hall, Sandy Parks & Recreation, the Salt Lake County Library-Sandy, the Sandy City Website – <https://www.sandy.utah.gov>, and the Utah Public Notice Website – <https://www.utah.gov/pmn> on October 15, 2024. The required notices were posted in ten places.
5. The City sent written notice to the board of each special district whose boundaries contain some or all of the Area, and to the Salt Lake County legislative body. The Notice, a copy of which is attached hereto as **Exhibit “B”**, complied with all statutory requirements.
6. On or about November 12, 2024, the City Council held a public hearing on the proposed annexation.
7. The annexation of the Area is completed and takes effect on the date of the lieutenant governor’s issuance of a certificate of annexation as per Section 10-2-425(4), Utah Code Annotated.

NOW, THEREFORE, BE IT ORDAINED by the City Council that it does hereby:

1. Adopt an ordinance annexing the Area as shown in **Exhibit “A”** and on the plat filed in the office of the Sandy City Recorder.
2. Annex these properties with the Zone of R-1-20 for the subject area.

- 3. Determine that not annexing the entire island or peninsula is in the City’s best interest.
- 4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, this annexation is completed and takes effect upon the date of the lieutenant governor’s issuance of a certification of annexation.
- 5. Declare that all parts of this ordinance are severable and that if the annexation of the Area shall, for any reason, be held to be invalid or unenforceable, this shall not affect the validity of any associated or subsequent annexation.
- 6. Affirm that this ordinance shall become effective upon publication as provided by law.

PASSED AND APPROVED by vote of the Sandy City Council this _____ day of _____, 2024.

Zach Robinson, Sandy City Council Chair

ATTEST:

City Recorder

Monica Zoltanski, Mayor

PRESENTED to the Mayor of Sandy City this _____ day of _____, 2024.

APPROVED by the Mayor of Sandy City this _____ day of _____, 2024.