

ORDINANCE NO. 19-03

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY SUBDIVISION REGULATIONS, TITLE 16 IN PARTICULAR CHAPTER 16.06 “MINOR SUBDIVISIONS”

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The following shall be DELETED in its entirety:

16.06.070: REQUIRED IMPROVEMENTS:

~~C. In developments of three (3) lots or less, the city council may, at its sole discretion, delay the construction of individual lot improvements until such time as a request for a building permit has been made; if bond is secured.~~

~~D. Upon recommendation of the planning commission, the city council may, at its discretion, waive the requirement for curb, gutter, and sidewalk in agricultural and residential agricultural zones on 400 West and west of 400 West.~~

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the ordinance as a whole, or any other part thereof.

3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.

4. This ordinance shall become effective after the required public hearings and upon the posting of three (3) copies at three (3) public places within the corporate limits of Smithfield or by notice on the Smithfield City official website as a substitute for physical posting of notice at three physical locations.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 8th day of May, 2019.

SMITHFIELD CITY CORPORATION

Mayor Jeffrey H. Barnes

ATTEST:

Justin B. Lewis, City Recorder