

## ORDINANCE 20-07

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 DELETING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 1 “GENERAL PROVISIONS”, SECTION 1.12.040 “PLANNING COMMISSION REVIEW”**

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

1. The following sections shall be amended as indicated. Those portions which are struck out shall be deleted and those that are highlighted in yellow shall be added.

#### **~~1.12.040 PLANNING COMMISSION REVIEW~~**

~~Following acceptance of a petition for annexation, but prior to final action on the annexation by the city council, applications for annexation including the petition, an accurate recordable map prepared by a licensed land surveyor of the area proposed for annexation, and any support documentation required shall be submitted for review to the planning commission. The planning commission shall review the annexation request for compliance with the adopted annexation policy plan and general plan. Following their review the planning commission shall recommend to the city council to either approve, disapprove, or approve the application with conditions. Consideration of an annexation request by the planning commission shall not require a public hearing.~~

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 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and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.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 hearing and upon its posting as required by law.

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

Approved and signed this 26th day of February, 2020

**SMITHFIELD CITY CORPORATION**

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Mayor Jeffrey H. Barnes

**ATTEST:**

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Justin B. Lewis, City Recorder