

ORDINANCE 20-20

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 MUNICIPAL CODE TITLE 16 “SUBDIVISION REGULATIONS”, SECTION 16.09.030 “PRELIMINARY PLAT REQUIRED INFORMATION”, SECTION 16.16.020 “LOT LAYOUT STANDARDS”, TITLE 12 “STREETS, SIDEWALKS AND PUBLIC PLACES”, SECTION 12.28.290 “PROTECT STRUCTURES” AND AMENDING THE CONSTRUCTION AND DESIGN STANDARDS PART I “DESIGN STANDARDS”, SECTION 5.0 “CULINARY WATER SYSTEM DESIGN”, SECTION 6.1 “GENERAL, SECTION 7.1 “SEWER MAINS” AND SECTION 8.1 “GENERAL”.

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.

16.09.030 PRELIMINARY PLAT REQUIRED INFORMATION

C. Proposed Plan: The preliminary plat shall show:

1. The layout of streets (designated by actual or proposed names and numbers), showing location, widths and other dimensions of proposed streets, alleys and easements which shall be in conformance to the adopted street master plan;
2. The layout, numbers and typical dimensions of lots;
3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision;
4. Building setback line, including showing dimensions;
5. ~~Easements~~ **Dedications** for water, sewers, drainage, utility lines and other purposes;
6. Typical street cross sections and street grades where required by the planning commission;
7. A plan or method by which the subdivider proposes to handle stormwater drainage for the subdivision. Any disposal of stormwater in an open waterway shall require approval of those responsible for the open waterway;
8. A plan for culinary water improvements and waste disposal improvements for all lots proposed within the subdivision;
9. An adequate traffic report prepared by a qualified traffic engineer when required by the City Engineer.

12.28.290 PROTECT STRUCTURES

In connection with the construction, maintenance, repair, upgrade or removal of the system, a provider shall, at its own cost and expense, protect any and all existing structures belonging to the city. A provider shall obtain the prior written consent of the city to alter any water main, power facility, ~~sewerage~~ **sewage** or drainage system, or any other municipal structure on, over or

under the rights of way of the city required because of the presence of the system. Any such alteration shall be made by the city or its designee on a reimbursable basis. A provider agrees that it shall be liable for the costs incurred by the city to replace or repair and restore to its prior condition in a manner as may be reasonably specified by the city, any municipal structure or any other rights of way of the city involved in the construction, repair, upgrade or removal of the system that may become disturbed or damaged as a result of any work thereon by or on behalf of a provider pursuant to the franchise.

16.16.020 LOT LAYOUT STANDARDS

- A. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for building, and be properly related to topography, to the character of surrounding development and to existing requirements. A subdivision should not create lots which would make improvement impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage ~~sewage~~, driveway grades or other physical conditions.

CONSTRUCTION & DESIGN STANDARDS

5.0 CULINARY WATER SYSTEM DESIGN

- F. All Culinary Water Main Lines that are to be maintained by or to become the responsibility of Smithfield City are to be designed in a right-of-way that is dedicated or will be dedicated to Smithfield City.

6.1 GENERAL

- H. All irrigation water conveyance systems that are the responsibility of the Smithfield Irrigation Company, Cache Highline Water Association, or Smithfield City are to be designed in a right-of-way that is dedicated or will be dedicated to Smithfield City.

7.1 SEWER MAINS

- ~~S. Easements If the installation of a sewer system requires easements to Smithfield City, the developer of such system shall convey such easements by deed for Smithfield City. If easements are necessary for the installation and maintenance of public sewer systems such easements shall be a minimum of 20 feet in width with the line centered within the easement. No buildings, utilities or structures shall be erected or constructed within such easements as to interfere with the activities necessary to properly access and maintain or replace such lines or structures.~~

- S. All sanitary sewer conveyance systems that are to be maintained by or to become the responsibility of Smithfield City are to be designed in a right-of-way that is dedicated or will be dedicated to Smithfield City.

8.1 GENERAL

- ~~L. If the installation of a storm water system requires easements to Smithfield City, the developer of such system shall convey such easements by deed for Smithfield City. If easements are necessary for the installation and maintenance of public storm water systems such easements shall be a minimum of 20 feet in width with the line centered within the easement. No buildings, utilities or structures shall be erected or constructed within such~~

~~easements as to interfere with the activities necessary to properly access and maintain or replace such lines or structures.~~

L. All storm water conveyance systems that are to be maintained or become the responsibility of Smithfield City are to be designed in a right-of-way that is dedicated or will be dedicated to Smithfield City.

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 August, 2020

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder