

**RICHMOND CITY CORPORATION
ORDINANCE 2023-05**

WHEREAS, the City Council of Richmond has the responsibility for the general welfare of the City; and

WHEREAS, such responsibility includes but is not limited to, establishment of best management practices;
and

WHEREAS, management practices may evolve over the passage of time:

NOW THEREFORE, the City Council of Richmond City, County of Cache, State of Utah, hereby adopts,
passes and publishes the following:

**AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 12-000
“LAND USE, DEVELOPMENT AND MANAGEMENT (LUDMO)”, CHAPTER 12-2000
“SUBDIVISION REGULATIONS”, PART 12-2004-5 “ESCROW FOR CHIP-SEALING”.**

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

1. Sections shall be amended such that the highlighted areas below shall be added and the ~~strikeout~~ areas shall be deleted.

12-2004-5 ESCROW FOR CHIP-SEALING
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- A. All streets and roads constructed as part of a development within Richmond City will be so accomplished in keeping with the provisions of the latest edition of the Richmond City Manual of Construction and Design Standards.
- B. In keeping with best management practices, any street or road constructed utilizing asphalt will then be chip-sealed the following warm season after completion, or at a mutually agreeable point not to exceed eighteen (18) ~~to twenty-four (24)~~ months following completion.
 1. The alternate time period will be determined by the ~~Richmond City Council~~ **City Administrator** based upon the research and advice of the City Engineer or other competent road construction/maintenance authority.
- C. Chip-sealing will be accomplished using current oil and gravel specifications approved and utilized by the Utah Department of Transportation.
- D. The developer will be required, ~~following the completion of the roads/streets involved with the development,~~ **before the final plat is signed** to deposit with Richmond City a certificate of escrow in the amount of the estimated total cost to chip-seal the roads/streets established by the developer at that time ~~plus twenty five (25) percent~~ **as determined by the City Engineer and City Administrator.**
 1. ~~Said certificate of escrow will be immediately surrendered to the developer upon satisfactory completion of the chip sealing during the forthcoming season.~~
 2. ~~The Engineer for Richmond City, or a designated representative authorized by the Richmond City Council, will be the deciding authority relative to the term “satisfactory completion” utilizing current Utah Department of Transportation standards.~~
 3. ~~Application dates of the chip sealing will be coordinated with, and approved by, the Richmond City Council.~~
 4. ~~Should the chip sealing not be completed within the time limits established above, or jointly modified by the City of Richmond and the developer, said certificate of escrow will be forfeit to the City of Richmond.~~
- E. **Richmond City will schedule, oversee and pay for the chip-seal for the roads in which escrow was collected and apply the escrow funds on hand to the cost of the project.**

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 Richmond City Municipal Code above referred to.

ADOPTED AND PASSED by the Richmond City Council on this 27th day of April, 2023.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder