

ORDINANCE NO. 22-11

AN ORDINANCE AMENDING WASATCH COUNTY CODE CHAPTER 16.27.12 TO MODIFY THE SIGNATURES REQUIRED ON A FINAL PLAT.

RECITALS

WHEREAS, Chapter 16.27.12 of the Wasatch County Code outlines the requirements for Final Subdivision Plats submitted to the County; and

WHEREAS, Wasatch County has a Development Review Committee (DRC); and

WHEREAS, the DRC reviews projects prior to authorizing a final mylar plat be circulated for signatures; and

WHEREAS, the current regulations require the same reviewing departments to sign the final mylar plat; and

WHEREAS, requiring the signature of all departments currently required is redundant when considering the DRC review process; and

WHEREAS, Utah Code 17-27a-502 requires Wasatch County to give notice of public hearing as provided in Utah Code 17-27a-205(1)(a), and to hold a public hearing; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required, and the planning commission held a public hearing as required; and

NOW THEREFORE, the County Legislative Body of Wasatch County ordains that the Wasatch County Zoning Map and Land Use and Development Code be amended as follows:

See Exhibit A

SECTION I: Enactment. The following amendments, additions, and deletions to Title 16, the Land Use and Development Code, are hereby enacted: See attached exhibit.

SECTION II: Repealer. If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.

SECTION III: Amendment of Conflicting Ordinances. To the extent that any ordinances, resolutions, or policies of Wasatch County partially conflict with this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: Effective Date. This Ordinance shall become effective immediately upon execution by the Chair of the County Council and the completion of public notice requirements imposed by state statute.

SECTION V: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

1 **16.27.12: FINAL PLAT REQUIREMENTS**

2 ...

3 L. A form of certification for the following:

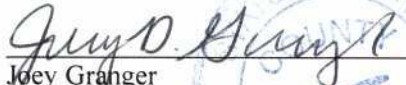
- 4 1. Owner's dedications which shall contain the following elements, if applicable:
- 5 a. The owner shall dedicate and convey to the owners of the lots in all phases of the
- 6 development all open space, common areas, private trails, private roads, and any
- 7 other property labeled on the plat as common;
- 8 b. The owner shall dedicate all property labelled on the plat as public to the public,
- 9 and all utility easements to the public for use of utility companies as allowed by
- 10 Wasatch County;
- 11 c. The owner shall dedicate to Wasatch County, or such other entity as has been
- 12 approved by the County Council, an open easement in all open space, which shall
- 13 typically contain the following elements: the owner hereby grants Wasatch
- 14 County an open space easement in all property shown on this plat as open space.
- 15 No structure or other development shall be permitted on the open space except as
- 16 approved by the Wasatch County legislative body.
- 17 2. Lienholder's consent, if applicable;
- 18 3. Owner's surveyor's certificate of accuracy of survey;
- 19 4. County surveyor's approval;
- 20 5. Planning commission approval, if applicable;
- 21 6. Special service district approval, if applicable;
- 22 7. County manager's approval of the plat and the acceptance of dedications of public lands,
- 23 streets and easements;
- 24 8. County fire marshal's approval;
- 25 9. County attorney's approval as to form;
- 26 10. Health department approval;
- 27 ~~11. Weed board approval;~~
- 28 ~~12. Recreation district approval;~~
- 29 ~~13.11. _____~~ Public works approval;
- 30 ~~14.12. _____~~ County planning office approval;
- 31 ~~15. Sheriff's office approval;~~
- 32 ~~16.13. _____~~ Wasatch County water board;
- 33 ~~17.14. _____~~ Engineering department approval;
- 34 ~~18. Solid Waste department approval;~~
- 35 ~~19.15. _____~~ Notary public's acknowledgement for each owner's dedication.
- 36 ~~20.16. _____~~ A two-inch by three-inch (2" x 3") space at the bottom right hand corner for the
- 37 Wasatch County Recorder.

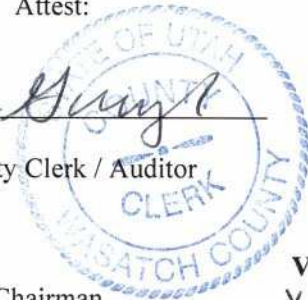
SECTION VI: **Public Notice.** The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:

- a. Enter at length this ordinance in the ordinance book;
- b. Deposit a copy of this ordinance in the office of the County Clerk;
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

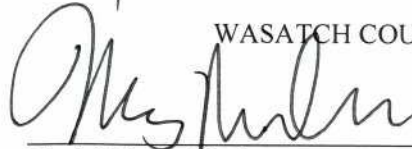
APPROVED and **PASSED** this 18 day of May, 2022.

Attest:


 Joey Granger
 Wasatch County Clerk / Auditor



WASATCH COUNTY COUNCIL:


 Mark Nelson, Chair
 Wasatch County Council

Mark Nelson, Chairman
 Spencer Park, Vice-Chair
 Marilyn Crittenden
 Jeff Wade
 Kendall Crittenden
 Steve Farrell
 Danny Goode

VOTE

Y
Y
Y
Y
Y
Y
Y

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)
): ss.
COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [x] (a) Causing this ordinance to be entered at length in the ordinance book;
[x] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
[x] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in The Wasatch Wave, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this 18 day of May, 2022.

Joy D. Granger
Joy Granger
Wasatch County Clerk / Auditor



SUBSCRIBED AND SWORN to me, a Notary Public, this 18 day of May, 2022.

Wendy McKnight
Notary Public

Residing in: Wasatch
My commission expires: 09/10/2022

