

ORDINANCE NO. 23-16

AN ORDINANCE OF THE SOUTH OGDEN CITY COUNCIL ADJUSTING THE CURRENT BOUNDARIES OF OGDEN CITY AND SOUTH OGDEN CITY BY RELOCATING THEIR MUTUAL BOUNDARY

SECTION 1 - RECITALS

WHEREAS, South Ogden City ("City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, Ogden City ("Ogden") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, certain properties currently within the boundaries of South Ogden City can only be accessed by roads governed by Ogden City, which properties are shown in Exhibit A attached hereto and incorporated herein by reference (the "Properties"); and,

WHEREAS, access to the South Ogden properties cannot be granted based on the statutes of Ogden City; and,

WHEREAS, South Ogden City and Ogden City desire to take such measures as are required under the laws of the State of Utah to adjust their common boundary line so the South Ogden properties are governed by South Ogden statutes; and,

WHEREAS, the area gained by the boundary adjustment will be zoned 40th Street General;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, Utah, that the mutual boundary with Ogden City, in accordance with the provisions of § 10-2-419, Utah Code, is hereby adjusted as shown in Exhibit A.

SECTION II - REPEALER OF CONFLICTING ENACTMENTS:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which are in conflict with this Ordinance, are, to the extent of such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part repealed.

SECTION III - PRIOR ORDINANCES:

The body and substance of any and all prior Ordinances, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION IV - SAVINGS CLAUSE:

If any provision of this Ordinance shall be held or deemed or shall be invalid, inoperative or unenforceable such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

SECTION V - DATE OF EFFECT:

This Ordinance shall be effective on the 19th day of September, 2023, and after publication or posting as required by law.

PASSED AND ADOPTED AND ORDERED POSTED by the City Council of South Ogden City, Utah this 19th day of September, 2023.

SOUTH OGDEN CITY

Russell L. Porter, Mayor

ATTEST:

Leesa Kapetanov, City Recorder

EXHIBIT “A”

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19 Sep 23

