

**HARRISVILLE CITY
ORDINANCE 543**

STORM WATER ENFORCEMENT RESPONSE PLAN

AN ORDINANCE OF HARRISVILLE CITY, UTAH, REPEALING AND RE-ENACTING SECTION 10.11.140; HARRISVILLE STORM WATER ENFORCEMENT RESPONSE PLAN; MAKING TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Harrisville City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 and §10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Utah Code Annotated §10-8-13 allows municipalities to regulate conduits, drains, and the like;

WHEREAS, Utah Code Annotated §10-8-38 empowers municipalities to construct, reconstruct, maintain, operate, control, and charge for the use of culverts, drains, catch basins, and all systems and facilities necessary for proper drainage;

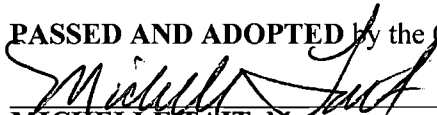
WHEREAS, the City is adopting a Storm Water Enforcement Response Plan relating to the operation and maintenance of such infrastructure;

WHEREAS, the City deems it to be in the best interest of public health, safety, and welfare to update and impose certain enforcement and penalties to meet the challenge of providing sustainable services for the same as set forth in this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

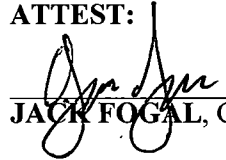
- Section 1:** **Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.
- Section 2:** **Reenact.** Section 10.11.140 of the *Harrisville Municipal Code* is hereby re-enacted to read as follows in the *Harrisville Storm Water Enforcement Response Plan* included as Exhibit “A”:
- Section 3:** **Severability.** If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.
- Section 4:** **Effective date.** This Ordinance shall be effective immediately upon posting after final passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this 12th day of September, 2023.


MICHELLE TATT, Mayor
Harrisville City



ATTEST:

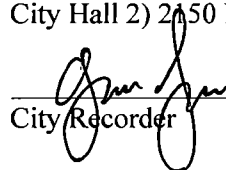

JACK FOGAL, City Recorder

RECORDED this 25 day of September, 2023.

PUBLISHED OR POSTED this 25 day of September, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) 2150 North and 3) Harrisville Cabin on the above referenced dates.


City Recorder

DATE: 9/25/23