

Ordinance No. _____

Date: _____, 2024

**AN ORDINANCE OF THE EMIGRATION CANYON COUNCIL AMENDING
SUBDIVISION PROVISIONS AND PROCEDURES**

RECITALS

WHEREAS, Emigration Canyon is a municipality and has authority to regulate subdivisions in general pursuant to Utah Code Ann. Subsection 10-9a-601 et seq.; and

WHEREAS, revisions to the existing Subdivision Ordinance of Emigration Canyon are required to comply with Senate Bill 174 (2023); and

WHEREAS, revisions to the existing Subdivision Ordinance of Emigration Canyon are required to comply with House Bill 476 (2024); and

WHEREAS, Emigration Canyon has authority to adopt subdivision regulations and procedures pursuant to Utah Code Ann. § 10-9a-501 or identify other statute or ordinance that provides authority in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Chapter 9a, Utah Code, to establish an administrative land use authority for subdivisions and other provisions as necessary and appropriate to comply with Senate Bill 174 (2023) and House Bill 476 (2024); and

WHEREAS, the Council deems it necessary to amend its ordinances accordingly, and for the protection and preservation of the public health, safety, and general welfare.

BE IT ORDAINED BY THE EMIGRATION CANYON COUNCIL as follows:

1. Title 18 is repealed and replaced to read as shown on **Attachment A** to this Ordinance.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Direction. Staff are authorized and directed to make such non-substantive changes and take other actions required to finalize, post, and publish this Ordinance.
4. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

[execution on following page]

PASSED AND ADOPTED this ____ day of _____ 2024.

EMIGRATION CANYON COUNCIL

By: Joe Smolka, Mayor

ATTEST

Nicole Smedley, Clerk/Recorder

Voting:

Mayor Smolka	voting ____
Council Member Pinon	voting ____
Council Member Harris	voting ____
Council Member Hawkes	voting ____
Council Member Brems	voting ____

(Complete as Applicable)

Date ordinance summary was published in accordance with Utah Code §10-3-711:

Effective date of ordinance: _____

SUMMARY OF
EMIGRATION CANYON
ORDINANCE NO. 2024-

On September __, 2024, the Emigration Canyon Council enacted Ordinance No. __, amending its subdivision provisions procedures as set forth in Title 18 of the Emigration Canyon Code.

EMIGRATION CANYON COUNCIL

By: Joe Smolka, Mayor

ATTEST

APPROVED AS TO FORM:

EMIGRATION CANYON ATTORNEY

Nicole Smedley, Clerk/Recorder

Voting:

Mayor Smolka	voting ____
Council Member Pinon	voting ____
Council Member Harris	voting ____
Council Member Hawkes	voting ____
Council Member Brems	voting ____

A complete copy of Ordinance No. _____ is available in the office of the Emigration Canyon Clerk, 2001 South State Street, N2-700, Salt Lake City, Utah.

ATTACHMENT A