

ORDINANCE 2025-O-06

Ordinance No. 2025-O-06

Date: August 26th, 2025

AN ORDINANCE OF THE EMIGRATION CANYON COUNCIL REPEALING CHAPTERS 19.08 F-1 FORESTRY ZONE, 19.44 R-M RESIDENTIAL ZONE, AND 19.56 C-1 COMMERCIAL ZONE FROM TITLE 19 ZONING

RECITALS

WHEREAS, Emigration Canyon is a municipality and has authority to adopt land use regulations, pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to eliminate zones that are not used on Emigration Canyons adopted zoning map;

WHEREAS, the Emigration Canyon Planning Commission held a public hearing on July 10, 2025 to consider repealing Chapters 19.08 F-1 Forestry Zone, 19.44 R-M Residential Zone, and 19.56 C-1 Commercial Zone, from Title 19 Zoning (the “Proposed Action”) in accordance with Utah Code §§ 10-9a-205 and 10-9a-502; and

WHEREAS, the Planning Commission has recommended that the Council repeal Chapters 19.08 F-1 Forestry Zone, 19.44 R-M Residential Zone, and 19.56 C-1 Commercial Zone from Title 19 Zoning to eliminate unused zones and chapters and for the protection and preservation of the public health, safety and general welfare.

BE IT ORDAINED BY THE EMIGRATION CANYON CITY COUNCIL as follows:

1. Chapter 19.08 F-1 Forestry Zone is hereby repealed.
2. Chapter 19.44 R-M Residential Zone is hereby repealed.
3. Chapter 19.56 C-1 Commercial Zone is hereby repealed.
4. 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.
5. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.

6. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

PASSED AND ADOPTED this 26th day of August 2025.

EMIGRATION CANYON CITY COUNCIL


By: Joe Smolka, Mayor

ATTEST


Diana Baun, Recorder

Voting:

Mayor Smolka	voting	<u>aye</u>
Council Member Hawkes	voting	<u>aye</u>
Council Member Brems	voting	<u>aye</u>
Council Member Harris	voting	<u>aye</u>
Council Member Pinon	voting	<u>aye</u>

(Complete as Applicable)

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: August 29, 2025

Effective date of ordinance: August 29, 2025

SUMMARY OF
EMIGRATION CANYON CITY
ORDINANCE NO. 2025-O-06

On August 26th, 2025, the Emigration Canyon Council enacted Ordinance No. 2025-O-06, repealing Chapters 19.08, 19.44, 19.56, ~~and 19.84~~ of Title 19 Zoning.


By: Joe Smolka, Mayor

ATTEST


Diana Baun, Recorder


Voting:

Mayor Smolka	voting <u>aye</u>
Council Member Hawkes	voting <u>aye</u>
Council Member Brems	voting <u>aye</u>
Council Member Harris	voting <u>aye</u>
Council Member Pinon	voting <u>aye</u>

A complete copy of Ordinance No. 2025-O-06 is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.

SUMMARY OF
EMIGRATION CANYON CITY
ORDINANCE NO. 2025-O-06

On August 26th, 2025, the Emigration Canyon Council enacted Ordinance No. 2025-O-06, repealing Chapters 19.08, 19.44, 19.56, ~~unimposed~~ of Title 19 Zoning.


By: Joe Smolka, Mayor

ATTEST


Diana Baum, Recorder

Voting:

Mayor Smolka	voting <u>aye</u>
Council Member Hawkes	voting <u>aye</u>
Council Member Brems	voting <u>aye</u>
Council Member Harris	voting <u>aye</u>
Council Member Pinon	voting <u>aye</u>

A complete copy of Ordinance No. 2025-O-06 is available in the office of the Emigration Canyon Recorder, 860 Levoy Drive, Suite 300 Taylorsville, UT 84123.