

ORDINANCE NO. 26-XX

AN ORDINANCE OF ELK RIDGE CITY, UTAH, AMENDING SECTION 10-15B-1 OF THE ELK RIDGE CITY CODE REGARDING REQUIRED STREET AND ROAD IMPROVEMENTS AND ASPHALT LAYER THICKNESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Elk Ridge City Council is authorized to enact ordinances governing land development and required public improvements within Elk Ridge City; and

WHEREAS, the City Council desires to update and clarify the City's requirements regarding asphalt thickness for streets constructed as part of new development; and

WHEREAS, the City Council finds that establishing a minimum asphalt thickness requirement will promote the construction of durable streets and protect the public infrastructure of Elk Ridge City; and

WHEREAS, the City Council has determined that the amendments set forth in Exhibit A, attached hereto and incorporated herein by this reference, are in the best interests of the health, safety, and welfare of Elk Ridge City and its residents; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS:

SECTION 1. AMENDMENT

Elk Ridge City Code Section 10-15B-1(A)(2), Asphalt Layer Thickness, is hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein by this reference.

The amendments contained in Exhibit A are hereby adopted as part of the Elk Ridge City Code.

SECTION 2. REPEAL OF CONFLICTING PROVISIONS

All ordinances, resolutions, policies, and provisions of the Elk Ridge City Code, or portions thereof, that conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY

If any section, subsection, clause, sentence, or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect upon passage and posting or publication as required by law.

PASSED AND ADOPTED by the City Council of Elk Ridge City, Utah, this ____ day of _____, 20 ____.

Approved by the Mayor:

Mayor – Robert Haddock

Councilmember Jared Peterson	Voted _____
Councilmember Tanya Willis	Voted _____
Councilmember Cory Thompson	Voted _____
Councilmember Melanie Paxton	Voted _____
Councilmember Charles Wixom	Voted _____

ATTEST

Spencer Foster - City Recorder

EXHIBIT A

10-15B-1: REQUIRED IMPROVEMENTS:

A. Streets And Roads:

2. Asphalt Layer Thickness: All streets shall be installed with a ~~two and one-half inch (2.5")~~ **three and one-half inch (3.5")** or as stated in city standards surface layer of asphalt at the time of initial development construction. At such a time that ninety percent (90%) or more of the lots have been permitted for site construction, or not more than two (2) years from the date of initial performance guarantee, the developer shall be responsible for any and all street repairs necessary and the installation of a ~~one inch (1")~~ **Type III** slurry seal on all parts of all roads in and associated with the subdivision. At no time shall a street in a subdivision be completed with a street surface asphalt layer being thinner than three and one-half inches (3.5") total thickness unless otherwise specified in code.