

ORDINANCE 2-2016

AN ORDINANCE TO ENACT A MORATORIUM ON THE ACCEPTANCE OF DEVELOPMENT APPLICATIONS

WHEREAS, RIVER HEIGHTS City (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City finds that UC §10-9a-101 et. seq. and related sections provide that the City Council may enact zoning ordinances establishing regulations for land use and development within the City; and,

WHEREAS, the City finds that the continued receipt of applications for development plans, or approval of, such is not in the best interest of the City nor its residents and would be harmful to the public interest until the City’s impact fees can be more fully assessed and the impact fee schedule reviewed and amended if and as necessary; and,

WHEREAS the City finds that a certain amount of time will be required to complete the impact fee analysis and amendment of the impact fee schedule; and,

WHEREAS the City finds that UC §10-9a-504 provides, in part, that the City Council may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation (“moratorium”) for any part or all of the area within the municipality; and,

WHEREAS the City finds that there is an urgency to this matter and that such a moratorium should be effective immediately; and,

WHEREAS the City finds that adequate public notice should be given before adopting or undertaking the steps to correct the impact fee schedule cited; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare requires that the procedures and policies related to management of planning, zoning and development administration be fully evaluated as contemplated; now,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RIVER HEIGHTS CITY, UTAH

1. There is imposed an immediate moratorium on the receipt and processing of applications for developments;

2. This moratorium shall last one hundred and twenty (120) days from June 28, 2016, or until the analysis and policy decisions have been completed, whichever is earlier;
3. This moratorium may be lifted prior to 120 days upon a joint finding by the City Council, that it would be in the best interest of the City so to do.

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and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

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

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 River Heights City.

This Ordinance shall be effective on the 28 day of June, 2016, and after publication or posting as required by law.

RIVER HEIGHTS CITY

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James Brackner, Mayor

ATTEST

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Sheila Lind, Recorder