

**ORDINANCE NO. 16-06**

**AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING AND READOPTING TITLE 10, WITH A REVISED CHAPTER 23 OF THE CITY CODE ADOPTING NEW WATER EFFICIENT LANDSCAPE PROVISIONS; MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.**

**Section 1 - Recitals:**

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

WHEREAS, the City Council finds that in conformance with Utah Code (“UC”) §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and,

WHEREAS, the City Council finds that in conformance with UC §10-3-717, and UC §10-3-701, the governing body of the city has previously adopted a City Code which deals with Landscape Regulations within certain zones for the city and related issues; and,

WHEREAS, the City Council finds that South Ogden City Code, at Title 10, Chapter 23, deals with certain Landscape Regulations and other development issues within certain zones of the city and that certain changes should be made thereto based on advice and recommendation of the city Planning Commission and in conformance with the authority granted to the City by UCA Title 10; and,

WHEREAS, the City Council finds that it is in the public interest to manage and regulate the procedures governing these Landscape Regulations in particular Water Efficient Landscape Processes and Techniques and related development issues; and,

WHEREAS, the City Council finds that the requirements provision herein should be effective upon passage of this Ordinance; and,

WHEREAS, the City Council finds that the public safety, health and welfare is at issue and requires action by the City as noted above;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH that**

**Title 10, CHAPTER 23, Landscape Regulations Is Amended And Readopted As Set Out In Attachment "A", Incorporated Fully Herein By This Reference.**

**Section 2 - Repealer of Conflicting Enactments:**

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and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

**Section 3 - Prior Ordinances and Resolutions:**

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

**Section 4 - Savings Clause:**

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 South Ogden City.

**Section 5 - Date of Effect**

This Ordinance shall be effective on the 16<sup>th</sup> day of February, 2016, and after publication or posting as required by law.

DATED this 16<sup>th</sup> day of February, 2016

SOUTH OGDEN, a municipal corporation

by: \_\_\_\_\_  
Mayor James F. Minster

Attested and recorded

\_\_\_\_\_  
Leesa Kapetanov  
City Recorder

# **ATTACHMENT "A"**

## **ORDINANCE NO. 16-06**

An Ordinance Of South Ogden City, Utah, Revising And Amending And Readopting Title 10, With A Revised Chapter 23 Of The City Code Adopting New Water Efficient Landscape Provisions; Making Necessary Language Changes To The City Code To Effect Those Changes; And Establishing An Effective Date For Those Changes.

16 Feb 16