

ORDINANCE #2021– O –13

ORDINANCE ADOPTING TITLE 9 CHAPTER 07  
“SUFFICIENT INFRASTRUCTURE FOR PROPOSED DEVELOPMENT”

WHEREAS, the Town of Hideout is responsible to govern the responsible development within the town and ensure the health, safety and welfare of all residents;

WHEREAS, it is essential that adequate capacity for public facilities including water and sewer exist before any development activity occurs; and

WHEREAS, Utah Code §10-9a-604.5 requires that infrastructure be complete or bonded before development activity occurs or a plat is recorded; and

WHEREAS, Utah Code §10-9a-802 allows for an improvement completion assurance for landscaping or infrastructure improvements for the development for improvements which are not essential to meet the requirements for the issuance of a building permit or certificate of occupancy under the building code and fire code, and therefore allows for denial of such permits where those improvements are essential to meet the requirements for the issuance of a building permit or certificate of occupancy under the building code and fire code; and

WHEREAS, the Town of Hideout contains significant amounts of property containing hazardous environmental conditions which would be at risk if there was not adequate water for fire protection; and

WHEREAS, the Fire Code requires water supplies where buildings are constructed; and

WHEREAS, the area comprising the Town of Hideout has been designated by Wasatch County as Wildland-Urban Interface zone, which indicates a community that is adjacent to wildlands; and

WHEREAS, Wildland-Urban Interface zones are areas that are at increased risk of wild fires; and

WHEREAS, infrastructure for sewer, culinary water, storm drains, and roads are necessary for public health and safety; and

WHEREAS, utilities are necessary for public health and safety; and

WHEREAS, the Town has published notice, as required by law, of its intent to amend the provisions of the Town Code; and

WHEREAS, the Town Council finds good cause for amending the Town Code as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HIDEOUT TOWN COUNCIL OF, UTAH, THAT:

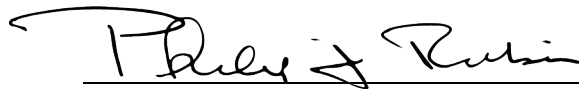
SECTION I: Title 9 Chapter 07 “SUFFICIENT INFRASTRUCTURE FOR PROPOSED DEVELOPMENT” is adopted as follows:

- A. No development shall be granted or approved unless the necessary public facilities in the applicable area have been determined to exist and have adequate capacity to accommodate the proposed development at the adopted level of service standard, and are available or are to be available when the development occurs. The applicable area includes all facilities that directly or indirectly deliver the services to or are impacted by the proposed development.
- B. No development, nor permit for development, including but not limited to building permits, shall be granted, approved or issued unless the infrastructure improvement which essential to meet the requirements for the issuance of a building permit or certificate of occupancy under the building code and fire codes are installed, tested, and operating at or above the minimum level of service (i.e., sanitary sewers, land drains, storm sewers, culinary water lines, fire flow and hydrant function, and roadways completed with compacted road base to final grade).
- C. A building permit or certificate of occupancy shall not be denied when the applicant has not completed an infrastructure improvement that is not essential to meet the requirements for the issuance of a building permit or certificate of occupancy under the building code and fire code; and for which the Town has accepted an improvement completion assurance for landscaping or infrastructure improvements for the development.
- D. Determination of the above is to be made by the town engineer, using the accepted methods and measurements of the profession

Section II: Effective Date. This ordinance shall be effective upon publication.

PASSED AND APPROVED by the Town of Hideout Town Council, Utah, this 12th day of August in the year 2021.

TOWN OF HIDEOUT

  
Philip Rubin, Mayor

ATTEST:

  
Alicia Fairbourne, Town Clerk

