

HILDALE CITY ORDINANCE No. 2018-005

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HILDALE, UTAH,  
ADOPTING LAND USE REGULATIONS, AND REPEALING REDUNDANT OR  
INCONSISTENT PROVISIONS.**

**WHEREAS**, the City of Hildale is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah law and is authorized pursuant to the Municipal Land Use Development and Management Act, Utah Code Annotate, Title 10, Chapter 9a to enact land use regulations;

**WHEREAS**, on November 8, 2018, the Hildale City Planning Commission held a duly convened public hearing for the purpose of obtaining public input for the proposed land use regulations, and considered each written objection filed prior to the public hearing;

**WHEREAS**, the Planning Commission has prepared and recommended to the Hildale City Council a proposed land use regulation that represents the planning commission's recommendation for regulating the use and development of land within all the area of the City of Hildale, and has forwarded to the City Council all objections filed with it;

**WHEREAS**, the court appointed fair housing monitor has reviewed the proposed land use regulations and has indicated he is not opposed to their adoption;

**WHEREAS**, the City Council has given careful consideration to the recommendation of the Planning Commission as well as the many public comments, and has determined that it is in the best interest of the health, safety and welfare of the inhabitants of the City to adopt the proposed land use regulations, as revised by the City Council; and

**WHEREAS**, the land use regulations adopted by this Ordinance render certain portions of the City's codified ordinances redundant or inconsistent; specifically, Chapter 153, Subdivisions, Chapter 155, Flood Damage Prevention, and the following sections of Chapter 156, Development Standards: Sections 156-4 through 156-8 and Sections 156-34 through 156-37, and it is the City Council's express intention that the new land use regulations should supersede and replace the referenced portions.

**NOW, THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF HILDALE, UTAH:**

**Section 1.** That certain document known as "Proposed Planning and Zoning Ordinances for Hildale City," and associated Zoning map, a copy of which is on file and available for review in the office of the City Recorder, is hereby referred to, adopted and made part hereof as if fully set out in this Ordinance.

**Section 2.** The following portions of the Hildale City Code of Ordinances are hereby repealed in their entirety, and shall become without force or effect as of the effective date of this Ordinance:

Chapter 153, Subdivisions (Ord. No. 03-09-01)  
Chapter 155, Flood Damage Prevention (Ord. No. 2015-11-02)  
Sections 156-4 through 156-8 (Ord. No. 2017-10-01, § 1)  
Sections 156-34 through 156-37 (Ord. No. 2017-10-01, § 1)

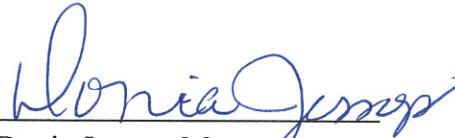
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**Section 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining, unaffected portions hereof.

**Section 4.** This ordinance shall become effective immediately after publication or posting as required by law.

**PASSED AND ADOPTED BY THE HILDALE CITY COUNCIL, STATE OF UTAH, ON THIS 20TH DAY OF NOVEMBER, 2018.**

		YES	NO	ABSTAIN	ABSENT
Lawrence Barlow	Council Member	X			
Stacy Seay	Council Member	X			
Jared Nicol	Council Member	X			
JVar Dutson	Council Member	X			
Maha Layton	Council Member	X			

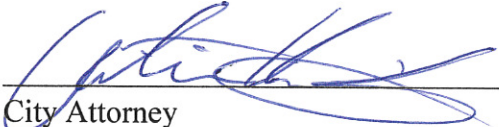
  
Donia Jessop, Mayor

Attest:

  
\_\_\_\_\_  
City Recorder (seal)



**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney