

Ordinance 2017-44

SHORT TITLE:

An ordinance amending Provo City Code to adopt Public Works Standards by reference, as required by State Code. (17-0017OA)

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	DAVID SEWELL	✓		
CW 2	GEORGE STEWART	✓		
CD 1	GARY WINTERTON			Excused
CD 2	KIM SANTIAGO	✓		
CD 3	DAVID KNECHT	✓		
CD 4	KAY VAN BUREN	✓		
CD 5	DAVID HARDING	✓		
TOTALS		6	0	

This ordinance was passed by the Municipal Council of Provo City, on the 19th day of September 2017, on a roll call vote as described above. Signed this 4th October 2017.

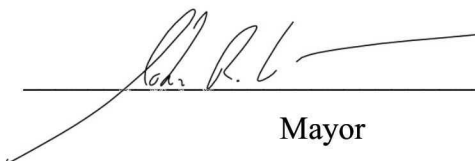


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 12 October 2017.



Mayor

Ordinance 2017-44

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 12th day of October 2017, with a short summary being published on the 23rd day of September 2017, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2017-44.





City Recorder

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

ORDINANCE 2017-44.

AN ORDINANCE AMENDING PROVO CITY CODE TO ADOPT PUBLIC WORKS STANDARDS BY REFERENCE, AS REQUIRED BY STATE CODE. CITY-WIDE IMPACT. (17-00170A)

WHEREAS, it is proposed that the Provo Municipal Council amend Provo City Code Section 15.03.020 (General Developments Standards) in order to adopt Public Works Standards by reference, as required by Utah Code 10-9a-501; and

WHEREAS, this amendment adds language to adopt standards by reference and lists those standards; and

WHEREAS, on August 23, 2017, the Planning Commission held a duly noticed public hearing to consider this proposal, and after such hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 5:0; and

WHEREAS, on September 19, 2017 the Municipal Council held duly noticed public meetings to ascertain the facts regarding this matter, which facts are found in the meeting records; and

WHEREAS, after considering the Planning Commission recommendation and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section 15.03.020 should be amended as set forth below, and (ii) this action reasonably furthers the health, safety, and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Provo City Code Section 15.03.020 is hereby amended as shown below:

15.03.020 General Development Standards

(1) All proposed developments will be reviewed for compliance with the adopted General Plan and the policies found therein. This is to ensure that the land use policy will provide strict development controls in areas with limited local services. For each proposed project, it will need to be determined whether there are adequate public facilities available and whether the project changes or exceeds the “acceptable levels of service” for such things as roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and EMT response times, etc.

(2) The design of developments and subdivisions shall preserve, insofar as it is possible, the natural terrain, natural drainage, existing topsoil, trees and vegetation. Land which is subject to hazardous conditions such as land slides, mud flows, rock falls, snow avalanches, ground

47 subsidence, shallow water table, open quarries, floods, wetlands and polluted water supply shall
48 not be subdivided until the hazards have been eliminated or evidence submitted that the said
49 hazards will be eliminated or mitigated by the development and construction plans.
50

51 (3) Provo City adopts and incorporates by reference into this section:

52 (a) the following nationally recognized, industry standards:

53 (i) Manual of Standard Specifications, 2017, American Public Works Association;

54 (ii) Manual of Standard Plans, 2017, American Public Works Association;

55 (iii) Manual on Uniform Traffic Control Devices for Streets and Highways (the
56 “MUTCD”), 2009 Edition, Federal Highway Administration;

57 (iv) A Policy on Geometric Design of Highways and Streets, 6th Edition,

58 American Association of State Highway and Transportation Officials;

59 (v) Trip Generation Manual, 10th Edition, Institute of Transportation Engineers;

60 and

61 (b) the following local standards, which supersede those standards adopted by subsection

62 (a) to the extent there is any conflict:

63 (i) Provo Standard Drawing Details, 2017; and

64 (ii) Provo City Public Works Department Development Guidelines and Design
65 Standards, 2017.

66

67

68 PART II:

69

70 If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this
71 ordinance shall prevail.

72

73 A. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
74 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
75 invalid, the remainder of the ordinance shall not be affected thereby.

76

77 B. The Municipal Council hereby directs that the official copy of the Provo City Code be
78 updated to reflect the provisions enacted by this ordinance.

79

80 C. This ordinance shall take effect immediately after it has been posted or published in
81 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
82 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

83

84 END OF ORDINANCE.