

TOQUERVILLE CITY
Ordinance #ORD.2008.09, July 17th, 2008

AN ORDINANCE OF THE TOQUERVILLE CITY, STATE OF UTAH (“CITY”), ESTABLISHING, ADOPTING AND ENABLING THE **CITY TRANSPORTATION AND CULINARY WATER MASTER PLANS** AS A BINDING AND ENFORCEABLE ORDINANCE AND A GUIDE FOR THE PRESENT AND FUTURE GROWTH OF THE CITY

RECITALS

WHEREAS, In order to provide for the health, safety and general welfare of the citizens of the City, the Toquerville City Council and its Planning Commission has commissioned certain studies, surveys and planning in an effort to incorporate information derived there from into various “Master Plans” to be used as supplement and reference to the City’s General Plan; and

WHEREAS, the City desires to adopt a plan regarding future transportation and culinary water needs of the City to be known as the “Toquerville City Transportation and Culinary Water Master Plans”; and

WHEREAS, the Toquerville City Council is authorized to adopt the Toquerville City Transportation and Culinary Water Master Plans pursuant to Chapters 8 and 9a of Title 10 of the Utah Code; and

WHEREAS, the City and Sunrise Engineering has previously held publicly noticed meetings to discuss the provisions and content of the Toquerville City Transportation and Culinary Water Master Plans; and

WHEREAS, the Toquerville City Council has received a recommendation for or against the adoption of the Toquerville City Transportation and Culinary Water Master Plans from its Planning Commission after due review and consideration; and

WHEREAS, the Toquerville City Council has themselves held a duly advertised and noticed public hearing, for the purpose of receiving public comment, regarding the content of the Toquerville City Transportation and Culinary Water Master Plans on July 17th, 2008.

ORDINANCE

NOW, THEREFORE, BE IT HEREBY ADOPTED AND ORDAINED by the Toquerville City Council that:

1. Establishment of Toquerville City Transportation Master Plan, and the Toquerville City Culinary Water Master Plan are hereby established and ordained as official plans and guides for the City regarding the Transportation Plan, and the Culinary Water Plan and shall be supplements to, but not part of the City’s General Plan as amended from time to time.

#ORD.2008.09, Transportation & Culinary Water MP's, 7-11-08 (Cont.)

2. Survival. If any section, subsection, paragraph, item, provision, regulation, sentence, clause or phrase of this Ordinance, or the Toquerville City Transportation and Culinary Water Master Plans are declared by a court of competent jurisdiction to be invalid, such findings shall not affect the validity of this Ordinance or the Toquerville City Transportation and Culinary Water Master Plans as a whole or any part thereof, other than the part found invalid. Likewise, if any specific provision of this Ordinance or the Toquerville City Transportation and Culinary Water Master Plans are found to contradict a more general provision of the City's Municipal Code or its Land Management Code or the other Ordinances of the City, the more specific provision shall control, and all provisions shall be interpreted and construed in such a manner so as to provide meaning to as many provisions as possible.

3. Effective Date. This Ordinance shall become effective immediately upon adoption by the Toquerville City Council.

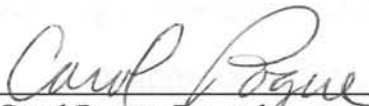
PASSED AND ORDAINED this 17th day of July, 2008, unanimously by all Members of the Toquerville City Council.

TOQUERVILLE CITY
a Utah municipal corporation



Ken Powell, Mayor

ATTEST:



Carol Pogue, Recorder

