

CERTIFICATE OF PASSAGE AND POSTING

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

CITY OF BLUFFDALE

I, Teddie K. Bell, the duly chosen, qualified and acting Recorder of Bluffdale City, County of Salt Lake, State of Utah, do hereby certify as follows:

1. On the 25th day of October, 2005, the Bluffdale City Council adopted Ordinance No. 2005-20
2. On the 25th day of October, 2005, I caused to be posted in three (3) public and conspicuous places within said City, certified copies of Ordinance No. 2005-20 of said City entitled:

AN ORDINANCE ESTABLISHING WATER AS A RESOURCE NECESSARY FOR DEVELOPMENT WITHIN THE CITY OF BLUFFDALE AND SPECIFYING THE AMOUNT OF WATER TO BE SECURED BY PARTIES RECEIVING APPROVAL TO DEVELOP.

The places in said City where such certified copies of Ordinance No. 2005-20 were posted are as follows:

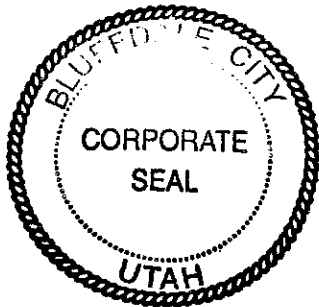
One at Bluffdale City Fire Station – 14350 South 2200 West;

One at Bluffdale City Hall -- 14175 South Redwood Road;

One at The Bluffs Apartments -- 14035 S. Marketview Drive and;

3. Attached hereto is a full, true and correct copy of Ordinance No. 2005-20 so posted.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed the seal of the City of Bluffdale, Utah, Salt Lake County, this 31st day of October, 2005.



Teddie K. Bell

Teddie K. Bell, City Recorder

THE CITY OF BLUFFDALE, UTAH
A Municipal Corporation
ORDINANCE NO. 2005-20

AN ORDINANCE ESTABLISHING WATER AS A RESOURCE NECESSARY FOR DEVELOPMENT WITHIN THE CITY OF BLUFFDALE AND SPECIFYING THE AMOUNT OF WATER TO BE SECURED BY PARTIES RECEIVING APPROVAL TO DEVELOP.

WHEREAS, Water is a limited resource with limited availability; and

WHEREAS, growth and development increase the demand for water; and

WHEREAS, the health, safety, and welfare of the community is dependant on an adequate supply of water, and

WHEREAS, the Bluffdale City Council has determined that it is unreasonable and not in the public interest for existing development to bear the burden and responsibility of securing and assuring that water is available to developing properties; and

WHEREAS, the State Departments of Environmental Quality and Natural Resources have provided information on the amount of water required for indoor and outdoor use; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUFFDALE AS FOLLOWS:

Section 1. Water Required. Anyone applying to develop or redevelop real property within Bluffdale City ("Applicant") must show that adequate water has been secured in the name of Bluffdale City for use on the real property. Adequate water for the purposes of this ordinance is a minimum of three (3) acre-feet per gross acre of real property developed.

Section 2. Water Sources. Without limiting the requirement for water in Section 1 above, the City may in its discretion and subject to availability, allow for the allocation of water already procured by the City to new real estate development providing that the Applicant pays the City the costs associated with acquiring the allocation. In the event that a secondary water source is not readily or reasonably available, the use of culinary water, at culinary water pricing, may be used in a secondary water system, with the approval of the City Engineer, until a secondary supply is acquired for the development.

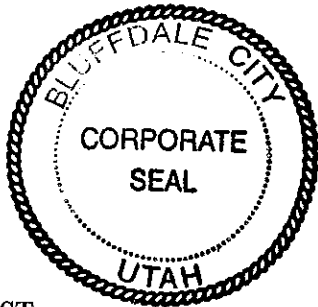
Section 3. Liberal Construction. The provisions of the Ordinance shall be liberally construed to effectively carry out its purposes in the interests of furthering, promoting, and protecting the public health, safety, and welfare.

Section 4. Severability. Should any sentence, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid

Section 5. Repeal of Previous or Conflicting Ordinances or Resolutions. Any City Ordinance or Resolution or provision thereof that is inconsistent with the provisions of this ordinance is hereby repealed. In particular, Resolution No. 6-11-96-1 is repealed.

Section 6. Effective Date. This Ordinance shall take effect following its passage by the Bluffdale City Council.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF BLUFFDALE CITY THIS 25 DAY OF OCTOBER, 2005.



Wayne Mortimer

Mayor Wayne Mortimer

ATTEST:

Jeddie K. Bee

City Recorder

Voting by the City Council:

“AYE” “NAY”

Councilmember Briggs	<u> x </u>	_____
Councilmember Clark	<u> x </u>	_____
Councilmember Kelley	<u> x </u>	_____
Councilmember Maxfield	<u> x </u>	_____
Councilmember Speed	<u> x </u>	_____