

ORDINANCE 23-38

**AMENDING NCC 21 AND NCC 19.12.040, 19.46 AND NCC 19.32;
SUBDIVISION APPROVAL PROCESS**

WHEREAS, Nibley City regulates land use within Nibley City boundaries; and

WHEREAS, SB 174, passed during the Utah State Legislative Session requires that Cities abide by a standard subdivision approval process; and

WHEREAS, it is in the best interest of Nibley City to apply the standard process to various facets of Nibley City Code in relation to subdivision approval and provide other clarifying provision to the subdivision ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The attached amendments to Nibley City Code 21, 19.12.040, 19.32 and 19.46 be adopted.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS 14 DAY OF December, 2023.

ATTEST:

Cheryl Bodily
Cheryl Bodily, City Recorder



Larry Jacobsen
Larry Jacobsen, Mayor