

**ORDINANCE 22-17**

**AMENDING NCC 21.02.060, 21.06.040, 21.06.080, AND 21.08.010 REGARDING SUBDIVISION  
SUBMISSION REQUIREMENTS**

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

WHEREAS, the required list of materials and elements to be included with a Final Plat or Preliminary Plat submission should be reflective of engineering standards and best practices; and

WHEREAS, the timing of subdivision reviews should be reasonable and adequate to ensure compliance of Nibley City Code and Engineering Design Standards.

WHEREAS, UCA 10-9a-532 as modified by H.B. 409, provides that a municipality may not require a development agreement as the only option for developing land within the municipality.

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

1. The proposed amendments to NCC 21.02.060, 21.06.040, 21.06.080 and NCC 21.08.010 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 All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency.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 22 DAY OF SEPTEMBER, 2022.

ATTEST:

*Cheryl Bodily*  
Cheryl Bodily, City Recorder



*LARRY J. JACOBSEN*  
Larry Jacobsen, Mayor