

# ORDINANCE NO. 05-98

## ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	<i>(absent)</i>	
LILLIAN J. SHEPHERD <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Swenson

I SECOND the foregoing motion: Councilmember Shaw

## ORDINANCE 05-98

### AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF PETITION TO THE CENTRAL UTAH WATER CONSERVANCY DISTRICT FOR ALLOTMENT OF WATER FOR MUNICIPAL AND INDUSTRIAL USE

WHEREAS, Spanish Fork City (the "City"), a member Municipality of the South Utah Valley Municipal Water Association ("Association"), desires to Petition the Central Utah Water Conservancy District ("District"), individually and collectively through the Association, for an Allotment of Water for Municipal and Industrial Use to provide a needed water supply for the inhabitants of the City, in accordance with U.C.A. §17A-2-1424 of the Utah Water Conservancy District Act, as amended; and

WHEREAS, the City Council (“Council”) has determined that it is necessary, desirable and in the best interests of the City to authorize the execution and delivery of the Petition by the City and the Association and the taking of other necessary actions in connection therewith;

NOW, THEREFORE, BE IT ORDAINED by the Council of City as follows:

Section 1. Execution, Delivery and Filing of Petition. The Petition, in substantially the form attached hereto, is hereby authorized and approved and the Mayor is hereby authorized, empowered and directed to execute and deliver the Petition on behalf of the City, and that the Association is hereby expressly authorized to execute the Petition on behalf of the Association and its Member Municipalities. The City Recorder is hereby authorized, empowered and directed to countersign and affix the corporate seal of the City to the Petition and to attest such seal, the execution thereof to constitute conclusive evidence of such approval. Promptly upon its execution, the Petition shall be filed in the official records of the City as required by Section 11-13-10, Utah Code Annotated 1953, as amended and shall be published and posted as required by law.

Section II. Miscellaneous: Effective Date.

- (a) All previous acts and ordinances in conflict with this ordinance or any part hereof are hereby repealed to the extent of such conflict.
- (b) In case any provision in this ordinance shall be invalid, illegal or unenforceable, the validity, legality and enforceability if the remaining provisions shall not in any way be affected or impaired thereby.
- (c) This ordinance shall take effect immediately upon its adoption, approval, publication and posting.
- (d) This ordinance shall not become part of the Spanish Fork City Municipal Code.

