

RESOLUTION NO. 04-06

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
MATTHEW D. BARBER <i>Councilmember</i>		X
PAUL M. CHRISTENSEN <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	
SETH V. SORENSEN <i>Councilmember</i>	X	
CHRIS C. WADSWORTH <i>Councilmember</i>	X	

I MOVE this resolution be adopted: Councilmember Kelepolo

I SECOND the foregoing motion: Councilmember Sorensen

RESOLUTION 04-06

A RESOLUTION GIVING NOTICE THAT SPANISH FORK CITY WILL NOT ACCEPT PRELIMINARY PLAT APPLICATIONS EFFECTIVE UPON REACHING SEWER CAPACITY

WHEREAS, Spanish Fork City is experiencing extremely rapid growth; and

WHEREAS, an analysis conducted by the City has revealed that, with the number of lots already submitted for plat approval, the Spanish Fork City publicly owned treatment works (sewer treatment plant, or POTW) is nearing capacity; and

WHEREAS, the Spanish Fork City improvement and design standards for subdivisions prohibit approval of plats unless adequate public facilities, including the sanitary sewer system, are available; and

WHEREAS, in the interests of fairness to property owners and potential developers, notice should be given that these public facilities are nearing capacity, thus soon precluding the approval of additional subdivision plats; and

WHEREAS, wastewater flows in excess of the POTW capacity are a threat to the health, safety, and welfare of the residents of the City; and

WHEREAS, the interlocal agreement with Mapleton City concerning the POTW imposes severe penalties for exceeding capacity; and

WHEREAS, City staff is capable of tracking capacity and ensuring it is not exceeded;

NOW THEREFORE, pursuant to the provisions of the Spanish Fork City Municipal Code Section 16.20.010, it is hereby resolved by the Spanish Fork City Council as follows:

1. Spanish Fork City will no longer accept preliminary residential subdivision plat applications for review and approval, effective upon reaching POTW capacity.
2. In order to avoid penalties and public health hazards, no building permits for new residential construction will be issued, other than for those lots which are calculated in the capacity numbers for the POTW, effective upon reaching capacity.
3. City staff is hereby directed to track POTW capacity and to refuse to accept additional plats or issue building permits, once that capacity has been reached. Any plat filed prior to reaching capacity, but which would exceed capacity, may only have sufficient lots accepted to reach capacity.
4. This action will remain in place until adequate public facilities are available in

accordance with Spanish Fork City Municipal Code Section 16.20.020.

SECTION II

This resolution adopted this 20th day of April, 2004, by the City Council of Spanish Fork City, Utah.

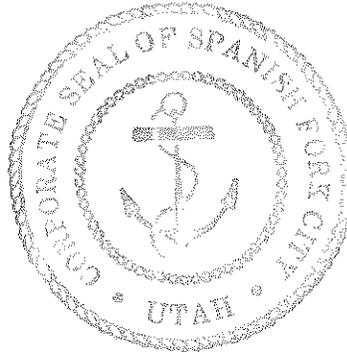


DALE R. BARNEY, Mayor

ATTEST:



KENT R. CLARK, City Recorder



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