

ORDINANCE 2014-11

AN ORDINANCE AMENDING SUBSECTION 13-9-1(2), FINANCIAL ASSURANCE – IMPROVEMENT INSTALLATION GUARANTEE, OF TITLE 13, SUBDIVISIONS, OF THE TOOELE COUNTY CODE

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I – PURPOSE. As the costs of infrastructure construction continue to increase, the County recognizes that the required bond amount, which is currently equal to the cost of required improvements, may not be sufficient should the County be required to complete a subdivision. Other jurisdictions require 110% to 125% of the improvements cost to cover administrative expenses and any inflation that may occur if the developer fails to complete the subdivision. The Tooele County Planning Commission held a public hearing on the issue and recommends passage of this ordinance.

SECTION II – SUBSECTION AMENDED. Subsection 13-9-1(2) of Section 13-9-1, *Improvement installation guarantee*, of Chapter 9, *Financial Assurance*, of Title 13, *Subdivisions*, of the Tooele County Code is hereby amended to read as follows:

(2) The guarantee shall be in an amount equal to 120% of the cost of required improvements as estimated by an engineer retained by the subdivider and approved by the county engineer, or in an amount estimated by the county engineer. The guarantee shall assure the actual construction of such improvements within one year, or at a date approved by the county engineer, immediately following the approval of the financial assurance by the county commission.

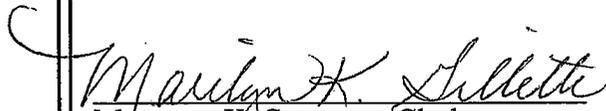
SECTION III - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV - EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

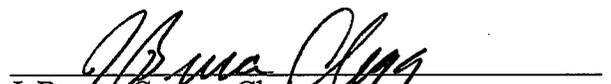
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 2nd day of September 2014.

ATTEST:

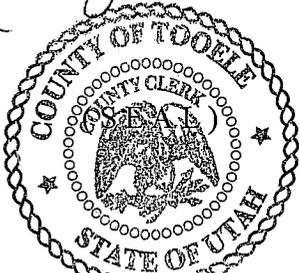
TOOELE COUNTY COMMISSION:



MARILYN K. GILLETTE, Clerk

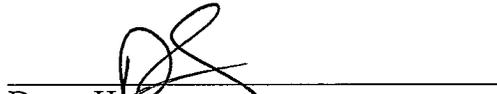


J. BRUCE CLEGG, Chairman



Commissioner Clegg voted aye
Commissioner Hurst voted aye
Commissioner Milne voted aye

APPROVED AS TO FORM:



DOUG HOGAN
Tooele County Attorney

TOOELE COUNTY CODE

TITLE 13 SUBDIVISIONS

13-9-1. Improvement installation guarantee.

...

(2) The guarantee shall be in an amount equal to 120% of the cost of required improvements as estimated by an engineer retained by the subdivider and approved by the county engineer, or in an amount estimated by the county engineer. The guarantee shall assure the actual construction of such improvements within one year, or at a date approved by the county engineer, immediately following the approval of the financial assurance by the county commission.

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