

SALT LAKE COUNTY COUNCIL RESOLUTION

RESOLUTION NO. _____

DATE: _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE WITHDRAWAL OF AN AREA FROM THE WASATCH FRONT WASTE AND RECYCLING DISTRICT

BACKGROUND

1. On January 19, 1977, the Salt Lake County Commission of Salt Lake County established a special service district known as the Salt Lake County Special Service District No. 1 (“Sanitation District”) for the provision of garbage collection services in the unincorporated area of Salt Lake County;

2. On November 20, 2012, the Salt Lake County Council updated, incorporated and superseded all previous resolutions regarding the creation, powers, and functions of the Sanitation District and recreated the Sanitation District into the Wasatch Front Waste and Recycling District (the “District”);

3. On that date, the Salt Lake County Council approved Resolution Number 4670, recreating the District as independent of Salt Lake County pursuant to the provisions of the Utah Special Service District Act codified at Title 17D, Chapter 1 of the Utah Code and Article XI, Section 7 of the Utah Constitution;

4. The District is a special service district, which is subject to applicable provisions of Title 17D of the Utah Code;

5. The property that is subject to this Resolution (the “Subject Property”) is located in Salt Lake County, Utah, and is described more particularly in the attached Exhibit A;

6. Utah Code Ann. § 17D-1-601(1) authorizes the Salt Lake County Council, as the legislative body of Salt Lake County, to approve the withdrawal of an area from a special service district if the body determines that the special service district should not or cannot provide the service provided by the special service district;

7. There are no outstanding and unpaid bonds, notes, or other obligations of the District and there are no existing contractual obligations of the District to provide service, and thus the limitations on the adoption of a withdrawal Resolution set forth in Utah Code Ann. § 17D-1-602 do not apply here;

8. The Salt Lake County Council has determined that the District should not provide garbage collection and disposal services to the Subject Property as the Subject Property has been

annexed by a municipality, which is providing garbage collection and disposal services to the Subject Property; and

9. The Salt Lake County Council has satisfied all legal requirements applicable to the withdrawal.

NOW THEREFORE the Salt Lake County Council resolves that:

1. This Resolution is adopted by the Salt Lake County Council for the purpose of fulfilling and complying with the requirements of Utah Code Ann. § 17D-1-601 *et seq.* relating to the withdrawal of the Subject Property from the District;

2. The withdrawal of the Subject Property from the District is hereby approved;

3. The Subject Property is located in Salt Lake County, Utah, and is described more particularly in the attached Exhibit A, which is incorporated by reference as a part of this Resolution;

4. The withdrawal of the Subject Property shall be effective upon the Lieutenant Governor's issuance of a Certificate of Withdrawal as provided in Utah Code Ann. § 17D-1-603(2);

5. From and after the issuance of a Certificate of Withdrawal by the Lieutenant Governor and the submittal to the Salt Lake County Recorder of the original Notice of Impending Boundary Action, the Certificate of Withdrawal issued by the Utah Lieutenant Governor, the approved Final Local Entity Plat; and a certified copy of this Resolution approving the withdrawal, the Subject Property shall no longer be part of the District;

6. The Chair of the Salt Lake County Council and the Salt Lake County Clerk are hereby authorized to execute a written Notice of Impending Boundary Action, including a certification that all requirements for the withdrawal of the Subject Property from the District have been complied with, and are instructed to file with the Lieutenant Governor of the State of Utah the Notice, along with an approved Final Local Entity Plat as defined in Utah Code Ann. §§ 67-1a-6.5 and 17-23-20, and a copy of this Resolution;

7. The Chair of the Salt Lake County Council and the Salt Lake County Clerk are hereby authorized, empowered, and instructed, individually and together, to execute and deliver such additional documents and to take such additional steps as may be required to complete the withdrawal of the Subject Property from the District including, but not limited to, filing with the Salt Lake County Recorder the original Notice of Impending Boundary Action, the Certificate of Withdrawal issued by the Utah Lieutenant Governor, the approved Final Local Entity Plat, and a certified copy of this Resolution in accordance with the requirements of Utah Code Ann. § 17D-1-603;

8. This Resolution has been placed on the agenda of a meeting of the Salt Lake County Council and this action is taken in compliance with the Utah Open and Public Meetings Act; and

9. This Resolution shall take effect upon its approval and adoption by the County Council but, pursuant to Utah Code Ann. § 17D-1-603(2), the withdrawal shall not be effective until the date on which the Lieutenant Governor issues a certificate of boundary adjustment.

APPROVED and ADOPTED this _____ day of _____, 2019.

SALT LAKE COUNTY COUNCIL

BY: _____
Richard Snelgrove, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Gavin J. Anderson
Deputy District Attorney

Date: 14 May 2019

VOTING

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Ghorbani voting	_____
Council Member Granato voting	_____

Council Member Jensen voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____