MIDVALE CITY

ORDINANCE NO. 2018-O-05

AN ORDINANCE CREATING MIDVALE MUNICIPAL CODE
CHAPTER 8.12 POST-disASTER DEBRIS COLLECTION

WHEREAS, Midvale City has several local community associations within its boundaries; and

WHEREAS, Midvale City has an interest in providing for the health, safety, and welfare of its residents, including those residing in local community associations; and

WHEREAS, the Federal Emergency Management Agency requires a municipality to have a legal obligation to remove debris from private roads and other easements in order for the municipality to qualify for reimbursement for these expenses; and

WHEREAS, Midvale City voluntarily wishes to create this legal obligation to better provide for the health, safety, and welfare of all its residents.

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

Section 1. The City Council desires to adopt Midvale Municipal Code Chapter 8.12 Post-Disaster Debris Collection as set forth in Exhibit A.

Section 2. This Ordinance shall be effective upon date of first publication.

PASSED AND APPROVED this 15th day of May 2018.

By: __________________________
   Mayor Robert M. Hale

VOTING:

Paul Glover          Yea  Nay  
Quinn Sperry         Yea  Nay  
Paul Hunt            Yea  Nay  
Bryant Brown         Yea  Nay  
Dustin Gettel        Yea  Nay  

ATTEST:

Rori L. Andreason, MMC
City Recorder
Published this 18th day of May, 2018.
Chapter 8.12

POSTDISASTER DEBRIS COLLECTION

Sections:

8.12.010 Declaration of Public Emergency.
8.12.020 Authority of City Manager.
8.12.030 Debris Removal.

8.12.010 Declaration of Public Emergency.
In the event of a natural or manmade disaster that has been declared a public emergency by the Mayor in accordance with Utah Code Ann. §52-2a-208, as amended, the City may exercise its authority to implement the measures set forth herein.

8.12.020 Authority of City Manager.
The City Manager or his/her designee has the authority and responsibility to protect the public health and safety. The City Manager or his/her designee has the authority to remove debris and significant damage which poses an immediate threat to life, public health, safety, improved public and private property, and the economic recovery of the City.

8.12.030 Debris Removal.
The City and its agents are hereby authorized to enter upon and remove debris from public and private roads, rights-of-way, utility easements, stormwater and canal easements, and ingress/egress easements within the City’s boundaries, including private communities, for the purposes of emergency vehicle travel, stormwater conveyance, protecting public health and safety, facilitating response and recovery operations, and for any other purpose the City Manager or his/her designee determines is necessary to accomplish the purposes set forth in Section 8.12.020.