

## CHAPTER 24. ANNEXATION

### 7-24-1. Procedure for annexation.

### 7-24-2. Initial zoning classifications.

### 7-24-3. Annexation Agreement.

#### 7-24-1. Procedure for annexation.

(1) Whenever a majority of the real property owners and not less than one third (1/3) of the real property owners as determined by the value of all of the parcels of real property taken together in the contiguous area proposed for annexation, according to the last assessment rolls, desire to have Tooele City annex the property to Tooele City, they shall proceed as follows:

(a) Prepare a written petition signed by the above-referenced property owners, which petition shall be directed to the Community Development Department, together with a completed City annexation application form and payment of the application fee. The petition shall include the legal description of the land area proposed for annexation, and shall otherwise comply with the requirements of U.C.A. Chapter 10-2 Part 4.

(b) Submit an accurate plat of the land area proposed for annexation. The plat shall include areas for the signatures of the Planning Commission members, including the date of recommendation, the City Council members, including the date of approval, the City Attorney approving the plat as to form, the City Recorder for plat certification, and the County Recorder for recordation. The plat shall conform to the requirements of U.C.A. Section 17-23-20, as amended, regarding final local entity plats.

(c) After the signed petition and the plat have been submitted, the petition and plat shall be presented to the City Attorney for review as to form, and to the City Recorder for certification.

(d) Following City Attorney review and City Recorder certification, the petition and plat shall be presented to the City Council, which shall approve or reject a resolution to accept the petition for further consideration.

(e) Following acceptance by resolution of the petition for further consideration, and prior to Planning Commission review and recommendation, the petitioners shall provide at their expense the following detailed studies, among others, for consideration by the City as to the impacts of the proposed annexation upon the City:

(i) culinary water system, including source, storage, transmission, distribution, treatment, and water rights;

(ii) sanitary water system, including collection and treatment;

(iii) storm water retention, detention, and drainage;

(iv) parks and recreation;

(v) police response;

(vi) fire response;

(vii) fiscal and tax;

(viii) others as determined by the City

Council.

(f) Following approval of a resolution to the accept the petition for further consideration, the petition and plat, together with the above-required studies, shall be presented to the Planning Commission for recommendation .

(g) After review and recommendation of a petition by the Planning Commission, the plat and petition, together with the above-required studies, shall be presented to the City Council to study at one or more work meetings and for final action at a business meeting, after public hearing.

(h) The petition and annexation may be approved by ordinance upon the vote of two-thirds (2/3) of the members of the City Council, which approving members shall execute their approval by signature upon the plat in the place provided.

(i) Subsequent to approval by the City Council, the City Recorder shall submit the plat and Ordinance to the Utah Lt. Governor as required by U.C.A. 10-2-25, as amended.

(Ord. 2022-10, 05-04-2022) (Ord. 1984-01, 01-04-1984) (Ord. 1975-12, 05-12-1975)

#### 7-24-2. Initial zoning classifications.

All land areas annexed to Tooele City shall receive the zoning classification the City Council identifies in the ordinance of annexation. No portion of the annexed land shall be re-classified to another zoning designation without following the procedure provided by the Utah Code and the Tooele City Code for zoning reclassification.

(Ord. 2022-10, 05-04-2022) (Ord. 1984-01, 01-04-1984) (Ord. 1975-12, 05-12-1975)

#### 7-24-3. Annexation Agreement

(1) Annexation approval is conditioned upon all annexation petitioners executing an Annexation Agreement with the City. The Agreement shall provide, among other things, for the transfer of water rights to the City in compliance with Chapter 26 of this Title. Approval of the annexation by ordinance shall occur only following approval of the Agreement by resolution. Execution of the Agreement by the petitioners shall occur prior to City Council execution of the annexation plat. Refusal by one or more of the petitioners to execute the Agreement shall be grounds for rescinding the Council's annexation approval and for not submitting the plat and ordinance to the Lt. Governor.

(2) The City Recorder shall cause the Agreement to be recorded with the Tooele County Recorder.

(Ord. 2022-10, 05-04-2022) (Ord. 1998-31, 08-18-1998) (Ord. 1996-22, 11-6-1996) (Ord. 1995-20, 12-15-1995)