ORDINANCE NO. 2006-13

AN ORDINANCE TO ADOPT THE DEWEYVILLE TOWN ANNEXATION POLICY PLAN BY WHICH PROERTY IS ADDED TO A TOWN FROM THE COUNTY

WHEREAS, the Deweyville Town Council desires to have an annexation policy plan as required by the Utah State Code (S 10-2-401.5) to accommodate those residents within the expansion area already using the town's facilities.

WHEREAS, the Town of Deweyville's intent is to use the east bank of the Bear River as the western boundary of the Town.

WHEREAS, Deweyville Town intends to limit the possible annexation area to unincorporated areas south of the northern boundaries of Sections 31,32, and 33 of Township 12 North; and Range 2 West and Section 36 Township 12 North; and Range 3 West, west of the Bear River. The unincorporated area of Section 9 of Township 11 North Range 2 West is also included in the Annexation Policy Plan area.

NOW, THEREFORE, BE IT ORDAINED BY THE DEWEYVILLE TOWN COUNCIL, that the Deweyville Town Annexation Policy Plan be adopted.

PASSED AND ADOPTED this 12th day of October, 2006.

Robert Thayne
Deweyville Town Mayor

ATTEST:

Tracie Williams
Town Clerk

Deweyville Town Annexation Policy Plan

Introduction

Deweyville's effort to have an annexation policy plan as required by §10-2-401.5 of the State of Utah Code began in the spring of 2006. The Planning Commission contacted neighboring communities to discuss in a general way their annexation philosophy and intent.

Deweyville's intent is to use the east bank of the Bear River as the western boundary of the Town. Deweyville intends to limit the possible annexation area to unincorporated areas south of the northern boundaries of Sections 31, 32 and 33 of Township 12 North; and Range 2 West and Section 36 Township 12 North; and Range 3 West, west of the Bear River. The unincorporated area of Section 9 of Township 11 North Range 2 West is also included in the Annexation Policy Plan area.

Issues Covered in Developing, Considering and Adopting the Deweyville Annexation Policy Plan

(1) Gaps Between or Overlaps with the Expansion Areas of Other Municipalities:

There are no gaps between or overlays with Deweyville's expansion plan and those of neighboring cities with the exception of the area north of northern boundary of the Annexation Policy Plan. This gap is reasonable because of the distance between Deweyville and any incorporated community to the north.

(2) Population Growth Projections:

Population growth projections were considered during the development of the Annexation Plan. However, officials from Deweyville and neighboring cities decided that they should determine the permanent boundary line between each pair of cities with the exception of the gap areas. Thus, future conflicts would be avoided and capital improvement plans could be developed with certainty.

(3) Current and Projected Costs of Infrastructure, Services and Public Facilities:

(a) Facilitate full development of the area within Deweyville:

Deweyville's intent in the general plan is to develop from the Town core to the outside.

(b) Expansion of infrastructure, services, and facilities into expansion area:

The level of infrastructure and services within the expansion area is compatible with the level of infrastructure and services provided within the Deweyville. Therefore, any additional demand on Town services and infrastructure is small and easily met. Residents within the expansion area already use public facilities of Deweyville (park, community center, cemetery) without being included in the Town's tax base.

(4) Need for Additional Land for Residential, Commercial and Industrial Development:

Currently, Deweyville has limited areas suitable for residential and light commercial uses. There are few industrial sites in the Town area. The Deweyville Annexation Policy Plan includes lands that are suitable for residential, commercial and industrial uses. Access to transportation modes currently available in or near Deweyville include State Highway 38, Interstate Highway 15, and the railroad.

(5) Reasons for Including Agricultural Lands:

Deweyville is surrounded by agricultural lands. Therefore, any growth inside or outside of the Town uses agricultural lands. Deweyville is in a better position to protect agricultural lands through its land management and development code than other governmental bodies have proven to be to date.

(6) Guided by the Principles set Forth in Subsection 10-2-403(5):

Subsection 10-2-403(5) If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:

(a) along the boundaries of existing special districts for sewer, water, and other services; along the boundaries of school districts whose boundaries follow Town boundaries; or school districts adjacent to school districts whose boundaries follow Town boundaries; and along the boundaries of other taxing entities,

(b) to eliminate islands and peninsulas of territory that are not receiving municipal-type services,

(c) to facilitate the consolidation of overlapping functions of local government,

(d) to promote the efficient delivery of services, and

(e) to encourage the equitable distribution of community resources and obligations.

These principles are the foundation for the Deweyville Annexation Policy Plan.

Map of Expansion Area

See Exhibit A

Statement of Annexation Criteria

(1) Character of the Community:

Areas included in Deweyville's Annexation Policy Plan have historic and cultural ties to Deweyville. Residents in the annexation plan have fully participated in Town functions and activities. A family in the annexation area is served by the Town's water company. Some in the annexation area have family members buried in the Town's cemetery.

(2) Need for Municipal Services:

Areas within the Annexation Policy Plan will have municipal service levels that are comparable with those provided within Deweyville.

(3) Plans for Extension of Services:

Deweyville's plans for extension of services is that respective areas within the annexation policy plan will continue to be served by power, natural gas and telephone companies that are currently providing services to them. Culinary water will be provided by the Town. The capital improvement plan will provide details on the extension of service from Town center outward (i.e. along State Highway 38).

(4) How Services will be Financed:

Financing of extension of services will be the responsibility of the individual companies providing services. Culinary water extensions and other improvements will be paid for by impact fees and user fees.

(5) Estimated Tax Consequences:

Addition of the Deweyville Annexation Policy Plan are tax neutral on residents within the current boundary. Residents of the annexation areas will have a small increase in property tax.

(6) Interests of all Affected Entities:

Deweyville officials met with officials from Honeyville, Elwood and Tremonton Cities on the Annexation Plan and have satisfied them on all issues relating to the annexation. Officials from Box Elder County and the Box Elder County School District have voiced no concerns about the annexation. No other entities have come forward with any concern about the Deweyville Annexation Policy Plan.

Justification for Excluding Areas Containing Urban Development

No areas with urban growth within ½ mile of the current Town boundary were excluded from Deweyville's Annexation Policy Plan.

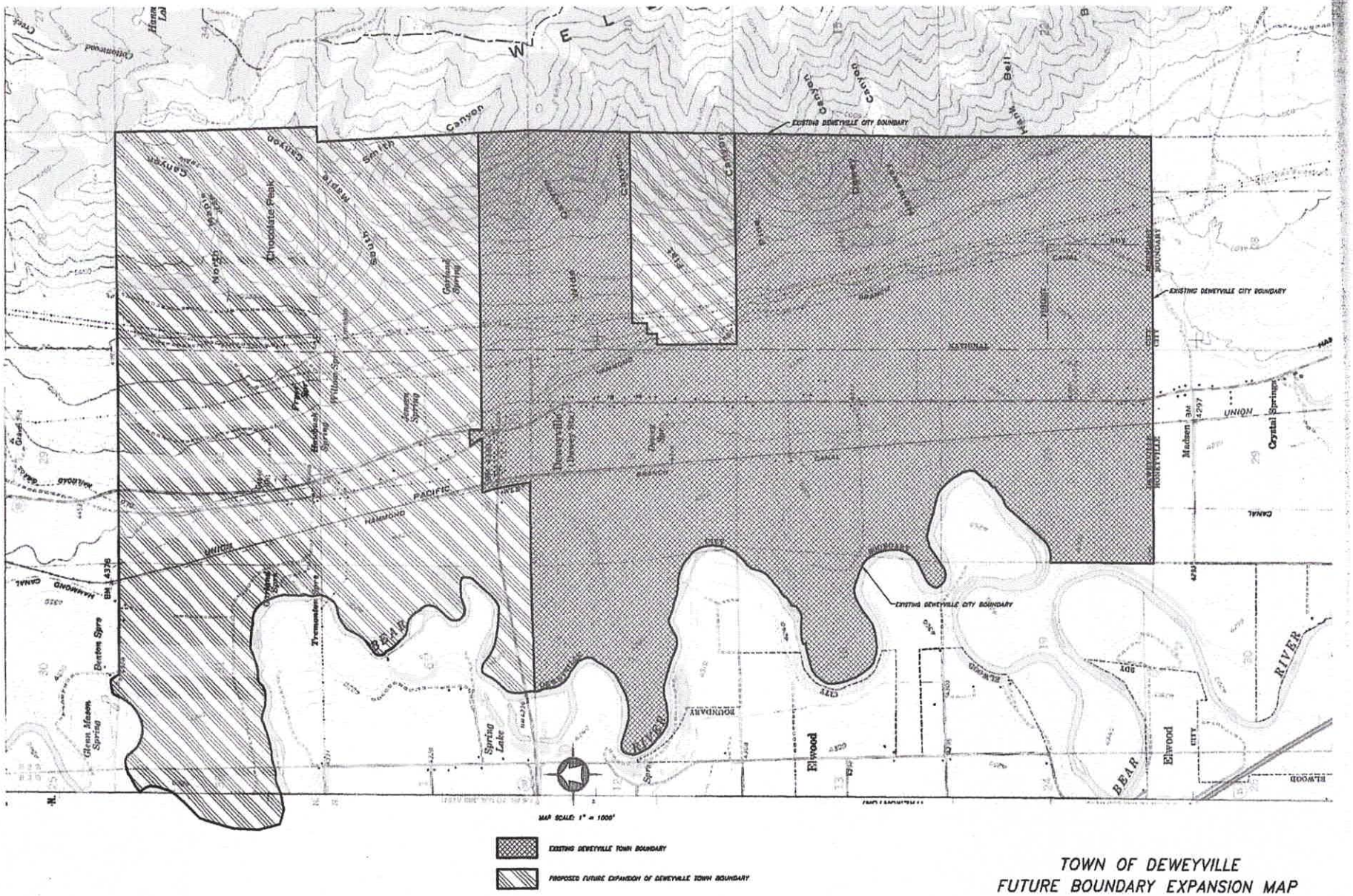
Statement on Comments Made by Affected Entities

During the development of the Deweyville Annexation Policy Plan, the concerns of the Affected Entities were successfully addressed to the mutual satisfaction of all parties. No written comments on the Annexation Plan were received by the Planning Commission or the Town Council.

Exhibit A

Town of Deweyville, Utah

Future Boundary Expansion Map



TOWN OF DEWEYVILLE
FUTURE BOUNDARY EXPANSION MAP