

**CITY OF WASHINGTON TERRACE
ORDINANCE 2024-09**

STORM WATER STATE COMPLIANCE

**AN ORDINANCE OF WASHINGTON TERRACE CITY, UTAH, AMENDING
WASHINGTON TERRACE MUNICIPAL CODE (WTMC) SECTION 19.01.130
TO COMPLY WITH STATE LAW RELATING TO STORM WATER
REGULATIONS; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Washington Terrace City (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, the City is required to comply with Phase II of the Federal Clean Water Act;

WHEREAS, the Utah State Legislature adopted H.B. 507 which meddles with storm water regulations created by the United States Environmental Protection Agency and administered by the Utah Department of Environmental Quality;

WHEREAS, this City seeks to reconcile the conflict between State Law and Federal law;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City, Utah, as follows:

Section 1: Repealer. Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated. This Ordinance is automatically updated and/or repealed if H.B. 507 of the 2024 Legislative Session is amended and/or repealed.

Section 2: Amendment. WTMC §19.01.130 is amended to read as follows:

19.01.130 Federal And State Compliance.

Nothing in the storm water regulations shall be interpreted to relieve any person from an obligation to comply with an applicable federal, state, or local law. The following is adopted to be interpreted and implemented by administrative staff of the City:

1. Utah Code §19-5-105 is hereby adopted by this reference, to the extent that such does not conflict with Federal Law.
2. Utah Code §19-5-108.3 is hereby adopted by this reference, to the extent that such does not conflict with Federal Law.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

