

# COTTONWOOD HEIGHTS

## ORDINANCE NO. 390

### AN ORDINANCE AMENDING SECTIONS 11.16.010 OF THE COTTONWOOD HEIGHTS CODE OF ORDINANCES CONCERNING SPEED DESIGNATIONS FOR CERTAIN ROADWAYS

**WHEREAS**, effective 14 January 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) adopted a code of ordinances (the “*Code*”) for the City; and

**WHEREAS**, the Council met in regular session on 13 December 2022 to consider, among other things, amending Section 11.16.010 of the Code concerning the designation of speeds for certain roadways in the City; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to so amend Section 11.16.010 of the Code as proposed;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. **Adoption of Amended Section 11.16.010.** The Council hereby amends Section 11.16.010 (the “*Section*”) of the Code as shown on the attached exhibit, which shows deletions to the current Section ~~struck-through~~ or otherwise shown as deletions, and additions to the current Section underlined or otherwise shown as additions.

Section 2. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this ordinance (this “*Ordinance*”), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability.** It is hereby declared that all parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. **Effective Date.** This Ordinance, assigned no. 390, shall take effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s Recorder, or such later date as may be required by Utah statute.


**PASSED AND APPROVED** this 13<sup>th</sup> day of December 2022.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By:   
Paula Melgar, Recorder



By:   
Michael T. Weichers, Mayor

VOTING:

Michael T. Weichers	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Douglas Petersen	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Shawn E. Newell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ellen Birrell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the Recorder's office this 13<sup>th</sup> day of December 2022.

POSTED this 14 day of December 2022.

**11.16.010 Designation by transportation engineer.**

A. The transportation engineer may alter or change the *prima facie* speed limits within the city set by UTAH CODE ANN. §41-6a-601, as follows:

1. The *prima facie* speed therein declared may be found greater than is reasonable or safe under the conditions found to exist at any intersection, and upon the erection of appropriate signs giving notice thereof, the speed limit may be changed to one deemed reasonable and safe.

2. Higher speeds than those therein authorized may be substituted upon through highways or portions thereof where there are no intersections or between widely spaced intersections, provided appropriate signs are erected giving notice of the authorized speed.

3. Determine that the *prima facie* speed permitting upon any highway outside a business or residential district is greater than is reasonable or safe under conditions found to exist and upon posting of appropriate signs and notices, declare a reasonable and safe limit ~~which shall, in no event, be less than 35 miles per hour~~. Wherever the drop is ten miles per hour or greater, it must be preceded by a sign giving advance notice of such reduction.

B. No changes shall be effective until the transportation engineer has made a full investigation of engineering and traffic conditions demanding such change.