

# 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 overlaps 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.

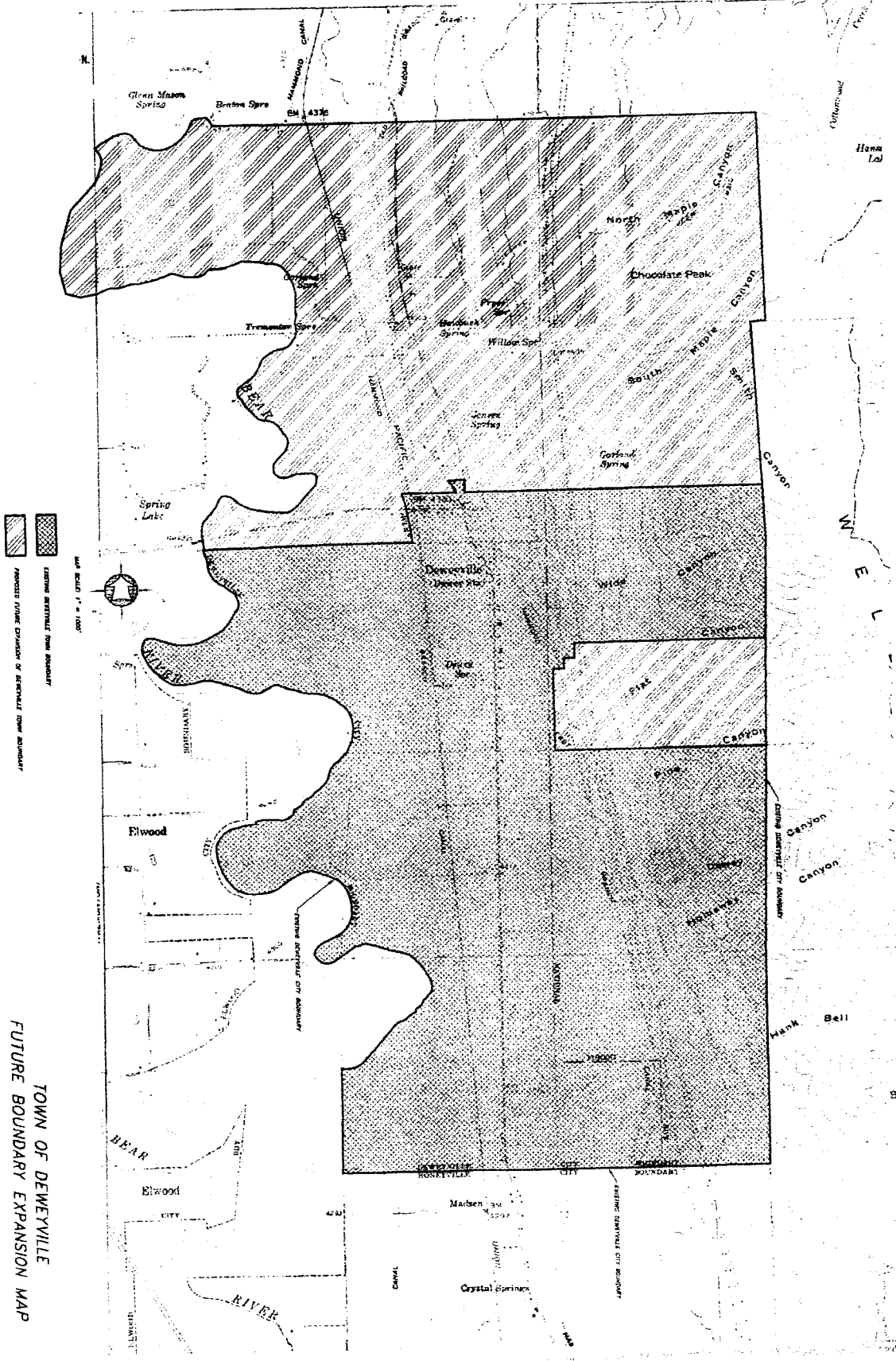
**Justification for Excluding Areas Containing Urban Development**

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 DEWEVILLE  
FUTURE BOUNDARY EXPANSION MAP

## **ANNEXATION**

### **Town of Deweyville**

#### Steps to Annexation:

1. A petition is filed with the town clerk, containing the owner's signatures, contact person and sponsors (if there is more than one property owner), Tax I.D. numbers, assessed values, zoning, etc.
2. The petition must be accompanied by 3 copies of the plat map of the area to be annexed. The map must be prepared by a licensed surveyor. One of the maps must be a recordable 24 by 36 inch mylar.
3. The petitioner pays a fee to the Town Clerk.
4. The petition, along with a plat map, must be filed by the petitioner with the County Clerk *on the same day the petition is filed with the Town Clerk of Deweyville.*
5. The petition may not propose the annexation of any area that is already the subject of another annexation petition until the other annexation petition has run its course.
6. The petition is sent to the Mayor and City Council for consideration at their next meeting. The City Council passes a resolution accepting, rejecting or suggesting modifications of the petition for annexation.
7. Once the petition is accepted, the Town Clerk certifies the petition within 30 days of acceptance. Certify means that the clerk will check the petition for accuracy and for the legal requirements for annexation. The clerk may seek the help of the county surveyor, recorder and assessor, or the city attorney if needed.
8. After the Town Clerk certifies the petition as complete, the town council is required to publish notice of this fact in a newspaper for three successive weeks.
9. The Town Clerk sends notices of the petition to the affected entities: School Board, Rock Mountain Power, Mosquito Abatement, Box Elder County Assessor, the County Commission, the County Recorder, Bear River Water Conservancy District, Utah State Tax Commission and any others.
10. The Town Recorder sends notices of the petition for annexation to each owner of property located within 300 feet of the proposed annexation area.
11. Protests can only be filed by the county or other affected entities. There is no provision for protests by city or town residents or by dissident property owners.
12. If there are no protests, the town council can proceed to annex the property. The council must hold another public hearing. This hearing is on the ordinance of annexation. A notice of the hearing must be published in a newspaper at least seven days before the public hearing.
13. Those interested in the annexation are allowed to speak their minds at the hearing. The annexation is done by ordinance.
14. If the ordinance for annexation is adopted (by majority vote of the Town Council), the Town Clerk notifies the affected entities and attends to the other filings and procedures with the county and state to make the process legal.
15. Finally – Welcome to Deweyville!!!

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# Petition for Annexation

We the undersigned owners of certain real property lying contiguous to the present municipal limits of the Town of Deweyville hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended (U.C.A);
2. That the property subject to this petition is a contiguous, unincorporated area contiguous to the boundaries of the Town of Deweyville and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. That the signatures affixed hereto are those of the owners of private real property that:
  - Is located within the area proposed for annexation;
  - Covers a majority of the private land area within the area proposed for annexation;
  - Is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
  - Is described as follows:

The property subject of this petition lies contiguous to the present boundary of the Town of Deweyville's corporate limits(describe approximate location):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

more specifically described as follows (legal description):

4. That up to five of the signers of this petition have been designated as sponsors, one of whom is designated as the "Contact Sponsor," with the mailing address of each sponsor being indicated.
5. That this petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted.

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6. That this petition does not propose annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 U.C.A., or a petition under Section 10-2-125 U.C.A. if:
  - The request or petition was filed before the filing of the annexation petition and
  - The request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed.
7. That the petitioners have caused an accurate plat or map of the above-described property to be prepared by a licensed surveyor, which plat or map is filed herewith, and
8. That the petitioners request the property, if annexed, to be zoned \_\_\_\_\_.

**WHEREFORE**, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration and that the governing body take such steps as required by law to complete the annexation herein petitioned.

DATED the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

**PETITIONER (S):**

**ADDRESS**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**RECORD OWNER:**      **NO. OF ACRES**      **ASSESSED VALUE**      **BOX ELDER TAX NO.**

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**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 12<sup>th</sup> day of October, 2006.

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Robert Thayne  
Deweyville Town Mayor

ATTEST:

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Tracie Williams  
Town Clerk