

05-23

**RESOLUTION ESTABLISHING AN ADDITIONAL 180-DAY MORATORIUM
ON CONSTRUCTION IN BEE GUM GAP AREA
WHERE ELEVATION EXCEEDS 3,600 FEET**

Whereas, the City of Sky Valley has determined that a certain section of the City of Sky Valley, hereinafter referred to as "Bee Gum Gap", is an area within the corporate limits where the water pressure is insufficient to provide adequate fire protection for persons living within that area; and,

Whereas, the City of Sky Valley has plans underway to insure that adequate water pressure is available for firefighting purposes and for other public safety and health purposes; and,

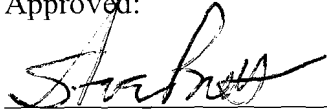
Whereas, the City of Sky Valley is unaware of any pending permits for construction in the Bee Gum Gap area as more specifically defined in Exhibit "A" attached hereto and made a part of this.

Therefore, it is hereby resolved that the moratorium enacted on July 11, 2005 is hereby extended for an additional 180 days.


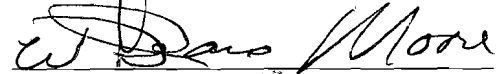
- I. Effective January 7, 2006 building permits will not be issued for construction in the Bee Gum Gap area as defined herein where the elevation exceeds 3,600 feet for a period of 180 days from the effective date of this moratorium pending action by the City of Sky Valley to provide adequate water pressure for firefighting purposes in the Bee Gum Gap area.
- II. Notwithstanding any provision in Paragraph I above the City of Sky Valley may consider issuing a building permit in the Bee Gum Gap area provided any person desiring to obtain a building permit executes appropriate documents acknowledging a waiver of any right to obtain or expect adequate fire protection from the City of Sky Valley during the pendency of this moratorium. Any permit issued under this section must be approved by the City Council of the City of Sky Valley subject to appropriate acknowledgments and hold harmless agreements from the person or entity seeking a building permit, and subject to confirmation by the person or entity seeking a permit that a policy of insurance providing coverage for the property and any improvements thereon has an appropriate endorsement recognizing the City of Sky Valley's declaration that at the present time the City of Sky Valley is unable to insure adequate water pressure for additional residences or buildings in the Bee Gum Gap area.
- III. This resolution will become effective upon adoption by the City Council and approval by the Mayor as provide by the Charter of the City of Sky Valley.

Read and introduced on the 12th day of December 2005.
Adopted on the 13th day of December 2005.

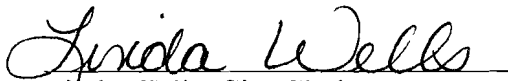
Approved:



Steve Brett, Mayor


Carolyn Burgess, Council President
David Carr, Councilor
D. Starr Raye, Councilor
Delano Moore, Councilor
Ray Becker, Councilor

Attest:


Linda Wells, City Clerk

Read and adopted on the 12th day of December, 2005.