



**MINUTES OF THE HUNTSVILLE TOWN  
PLANNING COMMISSION MEETING**

**MEETING DATE:** November 16<sup>th</sup>, 2022  
**PLACE:** Huntsville Library  
131 S 7400 E, Huntsville Utah  
**TIME:** 6:30 p.m.

NAME	TITLE	STATUS
Allen Endicott	Intern Chair	Present
Steve Songer	Planning Commissioner	Excused
Jeff Larsen	Planning Commissioner	Excused
Liz Poulter	Planning Commissioner	Present
Suzanne Ferree	Planning Commissioner	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

**Citizens: Amanda H. , Bill White**

1-Roll call: Chairman Endicott welcomed all who are attending the meeting.

2- Public Hearing:

**Ordinance 2022.10.27; removing noticing requirement in the  
Newspaper requirement for subdivisions  
&  
Moratorium on building on non-conforming lots- Ordinance 2022.11.16**

Bill White commented that he felt the code should clarify if a lot was annexed into town that said lot (s) are subject to the same code as any other lot in town.

Amanda Hess spoke in support of Mr. White’s comments. She felt the moratorium was appropriate at this time.

PCM Poulter motioned to close the public hearing and open regular planning commission meeting. PCM Ferre seconded the motion. All Vote Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Suzanne Ferre
NAYS:	

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Suzanne Ferre
NAYS:	

5-Approval of Minutes for Planning Commission Meeting November 3<sup>rd</sup>, 2022.  
(See Attachment #3)

**PCM Poulter motioned to approve the amended minutes from November 3<sup>rd</sup>, 2022.** PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Suzanne Ferre
NAYS:	

6- Discussion and/or action on Land Use permit for Signage and lighting for 7341 E 200 S, Parcel # 240110036 (See Attachment #3)

The picture of the proposed signage was reviewed. It was concluded that per 15.25.6 (B) no roof signs are permitted.

**PCM Ferre motioned to table the land use permit for signage and lighting, 7341 E 200 S, Parcel # 240110036.** PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Suzanne Ferre
NAYS:	

7-Discussion on Lighting: Title 15.22

PCM Poulter wanted to bring up this ordinance as a reminder of the town's lighting regulations. She also mentioned possibly revising the title. PCM Poulter is supportive of dark sky and encouraged the town to uphold the title that is currently in the code.

A suggestion from Chairman Endicott was that lighting was to be mentioned on the land use permit in the future, also discussing the issue with the building inspector and having him add that to his inspection list.

PCM Poulter feels the lighting title is not bad, but she was concerned about the enforcement of the title. She also feels that it should be added that any fixtures being replaced need to be compliant with the lighting title.

8-Public Comment. There were none.

9- Sandy's TC Updates.

TCM Hunter gave an update on enforcement. And where the Town is on hiring a nuisance officer and updating the code involving nuisance violations.

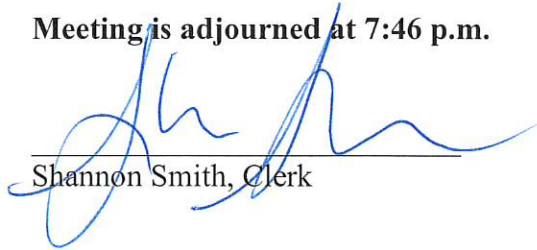
Sandy commented on the Christmas Project headed by Carol and Cathy Stoker.

10-Chairman's Remarks. Chairman Endicott thanked all for the discussion.

11-Motion to adjourn.

**PCM Poulter made a motion to adjourn the meeting.** PCM Ferre seconded the motion. All votes Aye. Motion Passes.

**Meeting is adjourned at 7:46 p.m.**



Shannon Smith, Clerk

\* for Viewing - Please leave

PC Meeting 11.16.22  
Attachment # 1

**HUNTSVILLE TOWN  
ORDINANCE NO. 2022-10-27**

**SUBDIVISION AMMENDMENTS UPDATED**

**AN ORDINANCE OF HUNTSVILLE TOWN., UTAH, REPLEALING AND RE-ENACTING CHAPTER 15.25.1.12 UPDATING AMENDMENTS TO SUBDIVISION PLATS TO COMPLY WITH CHANGES TO STATE LAW; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah.

**WHEREAS**, Part 6, Chapter 9a of Title 10 of the Utah Code Annotated governs annexation and was significantly modified in 2022 and subsequently amended;

**WHEREAS**, the Town adopted Chapter 15.25.1.12 as the procedure for amending a subdivision plat prior to the 2022 amendments;

**WHEREAS**, the Town desires to streamline the updated annexation regulations to account for future changes to state law;

**NOW, THEREFORE**, be it ordained by the Town Council of Huntsville, Utah, as follows:

**Section 1: Repealer.** Chapter 15.25.1.12 of the *Huntsville Municipal Code* is hereby repealed in its entirety. Any code, chapter, or section in conflict with this Ordinance is hereby repealed in its entirety and referenced thereto vacated.

**Section 2: Re-enactment.** Chapter 15.25.1.12 of the Huntsville Municipal Code are hereby reenacted to read as follows:

**15.25.1.12 Subdivision Amendments**

The subdivision amendment process shall comply with Part 6, Chapter 9a of Title 10 of the Utah Code Annotated, including any amendments to the same.

x for Viewing - Please see

PC Meeting 11-14-22  
Attachment #2

HUNTSVILLE TOWN  
ORDINANCE NO. \_\_\_\_\_ 2022.11.16

APPEAL AMENDMENTS, NONCONFORMING LOTS, AND WASTEWATER

AN ORDINANCE OF HUNTSVILLE TOWN AMENDING THE  
HUNTSVILLE MUNICIPAL CODE TO ELIMINATE DUPLICATIVE OR  
SUCCESSIVE APPEALS; AMENDING NONCONFORMING LOTS OR  
PARCELS OF RECORD; ADOPTING WASTEWATER REGULATIONS;  
SEVERABILITY; AND EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter "Town") 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 Town;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the Town finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare;

WHEREAS, the Utah Department of Environmental Quality adopted R317 to govern wastewater systems which the Town seeks to implement by this Ordinance;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on \_\_\_\_\_, to take public comment on the proposed Ordinance, after which the Planning Commission gave its recommendation to \_\_\_\_\_ this Ordinance;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_;

NOW, THEREFORE, be it ordained by the Town Council of Huntsville Town as follows:

**Section 1:** **Repealer.** Any code, chapter, or section in conflict with this Ordinance is hereby repealed in its entirety and referenced thereto vacated.

**Section 2:** **Appeals.** In accordance with *Utah Code* §10-9a-701(4), and comply with the state law to eliminate "duplicate or successive appeals", the Huntsville Municipal Code is amended to repeal all instances of the Town Council hearing or deciding any

appeal. Appeals of any Planning Commission decision shall be forwarded directly to the Appeal Authority.

**Section 3: Adoption.** Section 15.17.14 of the *Huntsville Municipal Code* are hereby adopted to read as follows:

**15.17.14 Nonconforming Lots or Parcels of Record.**

- A. A parcel nonconforming as to area and frontage requirements, containing a single-family residence that has not been abandoned, and was created and recorded prior to \_\_\_\_\_ ~~the July 1992 amendments to the Municipal Land Use, Development, and Management Act, Utah Code Ann. §10-9a-101 et. seq., Subdivision Law;~~ shall be considered to be a legally complying lot entitled to the same rights as lots conforming to current Huntsville Town area and frontage requirements.
- B. A parcel nonconforming as to current area and frontage requirements which was created and recorded prior to \_\_\_\_\_ ~~the July 1992 amendments to the Municipal Land Use, Development, and Management Act, Utah Code Ann. §10-9a-101 et. seq., Subdivision Law;~~ and met area and frontage requirements for the zone in which it was created at the time it was created; may submit an application for subdivision approval provided that it meets all other applicable requirements of the Huntsville Town Subdivision and Zoning Titles. The Landowner will have the burden to prove that their lot met area and frontage requirements for the zone in which it was created at the time it was created.
- C. A non-conforming lot shall be considered a legal building lot entitled to the same rights as a conforming lot, if the lot was created prior to \_\_\_\_\_ July 1992.

**Chapter 15.33**  
**Regulations Applicable to More than One Zone**

**15.33.010 Approved Septic System Required.**

The Town only permits lawful septic systems as mandated and to the extent required by state law and the regulations of local health department. Only one user is permitted to connect to a septic system which shall be wholly operated and lawfully maintained by the user.

**Section 4: 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.

**Section 5: Effective date.** This Ordinance take effect immediately upon mayoral approval and posting.

*(Signatures on the following page)*

## MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

**MEETING DATE:** November 3rd, 2022  
**PLACE:** Huntsville Library  
131 S 7400 E, Huntsville Utah  
**TIME:** 6:30 p.m.

NAME	TITLE	STATUS
Allen Endicott	Intern Chairman	Present
Steve Songer	Planning Commissioner	Excused
Jeff Larsen	Planning Commissioner	Present
Liz Poulter	Planning Commissioner	Present
Suzanne Ferre	Alt. Planning Commissioner	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

**Citizens: Ron Gault, Amanda Hessenauer, Carl Shupe, Michelle Robinson, Max Ferre, Gracey Ellison**

1-Roll call: A moment of silence was given in honor of Doug Allen. Intern Chair Endicott welcomed all commissioners in attendance.

2- Approval of Minutes for Planning Commission Meeting for August 25th, 2022.  
**(See Attachment #1)**

**PCM Poulter motioned to approve the amended minutes from August 25th, 2021.** PCM Larsen seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

<b>VOTES:</b>	
<b>AYES:</b>	Commissioner Liz Poulter Commissioner Suzanne Ferre Commissioner Jeff Larsen Commissioner Allen Endicott
<b>NAYS:</b>	

3-Discussion on Annexation Policy Plan- Ron Gault (See Attachment #2)

Mr. Gault was in attendance to present on the Annexation policy plan. He reviewed the changes that he has made. Mr. Gault explained that the current water system was a deciding factor in many ways with his changes to this plan.

The Map was presented and discussed. TCM Hunter suggested labeling the boundary line of possible incorporation a little more clearly. Adding street names as applicable.

4-Discussion and/or action on Land Use permit for Layton New build, 164 S. 7100 E., Parcel #24-015-0030 (See attachment #3)

Chairman Endicott questioned the existing structure on the property and when that would be removed. Mr. Layton was not present at the meeting. TCM Hunter disclosed that she had been looking into this property. It is in fact .74 acres, a very small amount below what is considered a buildable in town, which is .75 acres. This is a significant detail as currently the TC has placed a 6-month moratorium on building on non-conforming lots, beginning September 15<sup>th</sup>.

lot

Considering that the lot was in existence before 1992 and that Brody had turned in a request for a Land Use permit in August, TCM Hunter felt like the moratorium should not apply to his request.

**PMC Poulter motioned to the Land Use Permit for Layton new home build, 164 S. 7100 E., Parcel #24-015-0030.** Amended with the condition that the existing structure be removed within 30 days of occupancy of the new home. PCM Ferre seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter Commissioner Suzanne Ferre Commissioner Jeff Larsen Commissioner Allen Endicott
NAYS:	

5- Discussion and/or action on Land Use Permit for Tom Freeman-Barn, 384 S. 7400 E., Parcel # 240110002 (See Attachment #4)

Travis Rumsey, the contractor, was present to speak on behalf of this project. Mr. Rumsey stated that per his contract with Mr. Freeman, this barn is not specified to have plumbing and electricity. Setbacks were addressed. Any electrical work is subject to inspection and needs to be in compliance with Town lighting ordinance.

**PCM Larsen motioned to recommend for approval the Land Use Permit for Tom Freeman-Barn, 384 S. 7400 E., Parcel # 240110002.** PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter Commissioner Suzanne Ferre Commissioner Jeff Larsen Commissioner Allen Endicott
NAYS:	



6- Discussion and/or action on Land Use Permit for Robinson remodel of Barn and “Girl Cave,” 7130 E. 200 S., Parcel # 240150009 (See Attachment #5)

Mrs. Robinson is present to speak on behalf of her project. The barn will be extended a small amount but still well within the setback requirements. The structures will have electricity, but she was unsure about plumbing. TC Hunter commented that if plumbing was specified per the final plans then a septic certification would be required by Weber-Morgan. Mrs. Robinson stated that she will not put in plumbing.

The Robinson’s currently have an active Land Use Permit that is up for amendment at this meeting, based on the small changes of the footprint of the proposed barn.

**PCM Ferre motioned to amend a previously approved Land Use Permit for Robinson remodel of Barn and “Girl Cave,” 7130 E. 200 S., Parcel # 240150009.** PCM Larsen seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter Commissioner Suzanne Ferre Commissioner Jeff Larsen Commissioner Allen Endicott
NAYS:	

7-Discussion and/or action on Land Use Permit for Carl Shupe, Carport. 445 S. 7700 E., Parcel # 240090029. (See Attachment #6)

Mr. Shupe was present to speak to his carport project. He is requesting this structure to allow for more storage on his property. It will not have a foundation and will be movable.

**PCM Larsen motioned to approve the Land Use Permit for Carl Shupe, Carport. 445 S. 7700 E., Parcel # 240090029.** PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter Commissioner Suzanne Ferre Commissioner Jeff Larsen Commissioner Allen Endicott
NAYS:	

8-Discussion and/or action on a Boundary line adjustment for Steve Johnson, 7320 E. 100 S. Parcel # 240140048 (See Attachment #7)

Amanda Hessenauer spoke on behalf of her involvement in this Boundary line adjustment. Her family owns the neighboring parcel. This boundary line adjustment will allow an additional .75 acer to be include in their property. Another family on the other side of the property in discussion will also be receiving .75 acre. The boundary line adjustment (s) will not create a non-conforming lot in any way.

The PC decided on one boundary line application and one fee for this agenda item. This item will need to be moved to the next TC meeting for final approval. Mr. Johnson will also need to sign and pay in full for this application before it will be official and released to him.

**PCM Poulter motioned to recommend approval for the <sup>Boundary</sup> Bounty line adjustment for Steve Johnson, 7320 E. 100 S. Parcel # 240140048.** PCM Larsen seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter Commissioner Suzanne Ferree Commissioner Jeff Larsen Commissioner Allen Endicott
NAYS:	

9- Sandy's TC Updates

Fractional ownership is under discussing Valley wide and TC Hunter believe this is an issue that the Town should addresses. There were some updates on the updates to the C2 Zone that Mr. Janson in the process of adjusting.

The Tree issue in the park was briefly addressed. Many trees have been infected with the beetle and are being removed.

15.17.3- noncomplying lots in relation to home expansions/additions. Look at adding to R1 section.

10-Public Comment. Carl Shupe questioned shipping containers as storage. There is currently nothing in the Town code to prohibit them.

11-Chairman's Remarks. Intern Chairman Endicott thanked all for the discussion and the opportunity to serve. He also suggested planting a tree in the park in memory of Mr. Allen.

12-Motion to adjourn.

**PCM Larsen made a motion to adjourn the meeting.** PCM Endicott seconded the motion. All votes Aye. Motion Passes.

**Meeting is adjourned at 8:00 p.m.**

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Shannon Smith, Clerk



PC Meeting 11-16-22  
Attachment #4

1. 15.22 LIGHTING

- 15.22.1 Purpose
- 15.22.2 Conformance with Applicable Regulations
- 15.22.3 Definitions
- 15.22.4 General Requirements
- 15.22.5 Prohibitions
- 15.22.6 Permanent or Temporary Exemptions
- 15.22.7 Procedures for Compliance
- 15.22.8 Temporary Exemptions
- 15.22.9 Public Nuisance
- 15.22.10 Penalties

2. 15.22.1 Purpose

In order to preserve the rural character and public values of Huntsville Town, this ordinance is intended to regulate the permitted use of outdoor artificial illuminating devices emitting undesirable rays into the night sky; glare to on-coming traffic, intrusion of light onto adjacent properties, and light pollution in general, which may have a detrimental effect on the welfare and safety of the populace, as well as the ambiance and rural character of Huntsville Town.

15.22.2 Conformance with Applicable Regulations

All outdoor artificial illuminating devices, unless exempt, shall be installed in compliance with the provisions of this Title, the zoning regulations and any building codes which may hereafter be enacted, as applicable.

Where any provisions of any of the Utah State statutes or Federal law, or any companion zoning ordinance comparatively conflicts with the requirements of this outdoor light control ordinance, the most restrictive shall be applied.

15.22.3 Definitions

- A. Outdoor Light Fixtures. Outdoor artificial illuminating devices; outdoor fixtures, lamps and other devices, permanent or portable, used for illuminating or advertisement. Such devices shall include, but are not limited to light for
  - 1. Buildings and structures
  - 2. Recreation areas
  - 3. Parking lot lighting
  - 4. Landscape lighting
  - 5. Advertising or other signage
  - 6. Street lighting
- B. Individual. Individual shall mean any private individual, tenant, lessee, owner, or any commercial entity including, but not limited to, companies, partnerships, joint ventures, corporations or utility.
- C. Installed. Installed shall mean the initial installation of outdoor light fixtures defined herein.

15.22.4 General Requirements

- A. Outdoor Lighting. For outdoor lighting, low pressure sodium lamps are preferred.
- B. Shielding. All exterior illuminating devices, except for those specifically exempted from this ordinance, shall be fully or partially shielded.
  - 1. "Fully Shielded" shall mean that those fixtures shall be shielded in such a manner that light rays emitted by the fixture either directly from the lamp or indirectly from the fixture are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

2. "Partially Shielded" shall mean that those fixtures shall be shielded in such a manner that the bottom edge of the shield is below that plane center line of the light source "lamp", minimizing light above the horizontal.

**C. Filtration**

1. Those outdoor light fixtures requiring a filter shall be equipped with a filter whose transmission is less than five (5%) total emergent flux at wavelengths less than thirty-nine hundred (3900) angstroms. Total emergent flux is defined as that between three-thousand (3000) and seven-thousand (7000) angstrom units.
2. It is recommended that existing mercury vapor fixtures shall be equipped with a filter whose transmission is less than ten percent (10%) total emergent flux at wavelengths less than forty-four hundred (4400) angstroms until such time as the mercury vapor bulb burns out after which a mercury vapor bulb shall not be replaced in the fixture.
3. Low pressure sodium lamps are the preferred lamp for minimizing the adverse effects on astronomical observations.

- D. Requirements for Shielding and Filtering.** The requirements for the shielding and filtering light emissions from outdoor light fixtures shall be as set forth in the following table:

**3. REQUIREMENTS FOR SHIELDING AND FILTERING**

<b>Fixture Lamp Type</b>	<b>Shielding</b>	<b>Filtered<sup>4</sup></b>
Low Pressure Sodium <sup>1</sup>	Partially	None
High Pressure Sodium	Fully	None
Metal Halide <sup>4</sup>	Fully	Yes
Fluorescent	Fully	Yes <sup>2</sup>
Quartz <sup>3</sup>	Fully	None
Incandescent Greater than 150 W	Fully	None
Incandescent Less than 150 W	None	None
Mercury Vapor	Prohibited <sup>5</sup>	Prohibited <sup>5</sup>
Gas filled Tubes (neon, argon, krypton)	None	None
Natural Gas/Fossil Fuels	None	None
Other Sources	As approved by the Huntsville Town Planning Commission	
Footnotes:		
<ol style="list-style-type: none"> <li>1. This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.</li> <li>2. Warm white and natural lamps are preferred to minimize the detrimental effects of night lighting.</li> <li>3. For the purpose of this chapter, quartz lamps shall not be considered an incandescent light source.</li> <li>4. Metal halide display lighting shall not be used for security lighting after 11:00 p.m. (or after closing hours if before 11:00 p.m.), unless fully shielded. Metal halide lamps shall be in enclosed luminaries.</li> <li>5. The installation of mercury vapor fixtures is prohibited.</li> </ol>		

**15.22.5 Prohibitions**

- A. Searchlights. The operation of searchlights for advertising purposes is prohibited.
- B. Commercial/Recreational Facility. No outdoor commercial or recreational facility, public or private, shall be illuminated by means not conforming to this Title after 11:00 p.m., except to conclude a specific recreational activity, sporting event, or any other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 p.m.
- C. Outdoor Building or Landscaping Illumination. The unshielded, or otherwise non-conforming outdoor illumination of any building, landscaping, signage, or other purpose not specifically exempted in this Title is prohibited.

D. Mercury Vapor. The installation of mercury vapor is prohibited.

#### 15.22.6 Permanent or Temporary Exemptions

- A. Nonconforming Fixtures. All outdoor lighting fixtures shall be brought into compliance with this ordinance.
- B. Fossil Fuel Light. Fossil Fuel Light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels in service prior to September 1, 2003 shall be exempt from this ordinance provided, however, that no change in use, replacement, structural alterations, or restoration after abandonment of such fixtures shall be made unless it thereafter conforms to the provisions of this ordinance.
- C. Governmental Facilities. Those facilities and lands owned and operated as protected by the U.S. Federal Government or Huntsville Town are exempted by law from all requirements of this ordinance.
- D. R-1 Zone Exemption. The intent in R-1 zone is to comply with dark sky ordinances, however all lighting in the Huntsville Town R-1 residential zone shall be exempt from the need for permits but the requirements and regulations of this ordinance shall be complied with.
- E. Special Exemption. The Appeal Authority may grant a special exemption to these requirements only upon written finding that there are extreme geographic or geometric conditions warranting that exemption; and that there are no complying fixtures that would otherwise suffice.

#### 15.22.7 Procedures for Compliance

- A. Application
1. Any individual applying for a Land Use Permit and/or Building Permit, intending to install outdoor lighting fixtures, shall as a part of the application, submit evidence that the proposed work will comply with this Ordinance.
  2. All other individuals intending to install outdoor lighting fixtures shall submit an application to the Huntsville Town Planning Commission providing evidence that the proposed work will comply with this ordinance.
  3. Utility companies entering into a duly approved contract with the town in which they agree to comply with the provisions of these regulations, shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.
- B. Contents of Application or Submittal. The submittal shall contain but shall not necessarily be limited to the following, all or part of which may be part of, or in addition to, the information required elsewhere in the Land Use Ordinance, upon application for the required permits.
1. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, other devices, etc.
  2. Description of the illuminating devices, fixtures, lamps, supports and other devices, etc. This description may include, but is not limited to, manufactures, catalog cuts, and drawings (including sections where applicable).

The above required plans and descriptions shall be sufficiently complete to enable the Huntsville Town Planning Commission to readily determine whether compliance with the requirements of this Title may be reasonably secured. If it is not reasonably possible to make a ready determination of whether or not the lighting plan will conform, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing laboratory.

- C. Issuance of Permit. Upon compliance with the requirements of this Title, Huntsville Town shall issue a permit for installation of the outdoor lighting fixtures to be installed as in the approved application. In the event the application is part of the Land Use Permit, Building Permit, or Site Design Review, the issuance of the Land Use Permit and/or Building Permit will be made if the applicant is in compliance with this Title as well as other applicable regulations in the Huntsville Town Ordinances. Appeal of any provision in this Title will be made to the Appeal Authority.

**15.22.8 Temporary Exemptions**

- A. Request for Temporary Exemption. Any individual may submit a written request on a form prepared by the Huntsville Town Planning Commission for a Temporary Exemption to the requirements of the ordinance. Such exemption would be valid for thirty (30) days, renewable at the discretion of the Huntsville Town Planning Commission.

The request for Temporary Exemption shall contain minimally the following information:

1. Specific exemptions requested.
  2. Type and use of exterior light involved.
  3. Duration of time for requested exemption.
  4. Type of lamp and calculated lumens.
  5. Total wattage of lamp or lamps.
  6. Proposed location of exterior light.
  7. Previous temporary exemptions; if any.
  8. Physical size of exterior light and type of shielding provided.
- B. Appeal for Temporary Exemption. An appeal of a denial for Temporary Exemption may be filed within fifteen (15) days of the denial. Appeals to decisions of the Huntsville Town Planning Commission shall be heard by the Appeal Authority.
- C. Extension of Temporary Exemption. No extension shall be granted beyond the original thirty (30) days.

**15.22.9 Public Nuisance**

Any lighting fixture which violates any provision of this ordinance constitutes a public nuisance and shall be abated.

**15.22.10 Penalties**

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a separate offense for each and every day or portion thereof during which a violation of any of the provisions of this ordinance is committed, continued or permitted, and upon conviction of any such violation, such person, firm, or corporation shall be punished as prescribed by the Utah Revised Statutes.