

**HUNTSVILLE TOWN
ORDINANCE 2017-03-16-1**

VARIOUS LAND USE AMENDMENTS

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 0: DEFINITIONS; UNDER BUILDING, HEIGHT OF: TO ADD THE WORD “NATURAL”. AND TO DELETE FROM DEFINITIONS, UNDER HOTEL/MOTEL OR INN: REFERENCE TO THE NUMBER OF ROOMS ALLOWED, AND % OF LODGING THAT CAN BE RENTED, AND; AMENDING TITLE 15.6.9: HEIGHT REGULATIONS; TO ADD DEFINITION OF BUILDING, HEIGHT OF, AS PARAGRAPH D. MAKING TECHNICAL CHANGES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter referred to as “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 authorizes the Town 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 the Town to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on March 15th, 2017, to take public comment on this Ordinance, and subsequently gave its recommendation to adopt this Ordinance on March 15th, 2017;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on March 16th, 2017, and desires to act on this Ordinance;

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

Section 1: Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. The *Huntsville Municipal Code* is hereby amended to read as follows:

Title 15.0 Definitions.

- A. Hotel: a building consisting of sleeping units designed for temporary lodging for compensation.
- B. Motel and Inn: a building containing lodging rooms having adjoining individual bathrooms and where the lodging rooms are not entered from a common entrance lobby.
- C. Building, Height of: the vertical distance from the average of the highest natural grade and the lowest natural grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of the ridge of a pitch or hip roof

Title 15.6.9 Height Regulations. To add paragraph D.

- D. Building, Height of: the vertical distance from the average of the highest natural grade and the lowest natural grade to the highest natural point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of the ridge of a pitch or hip roof.

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 remainder shall continue in full force and effect.

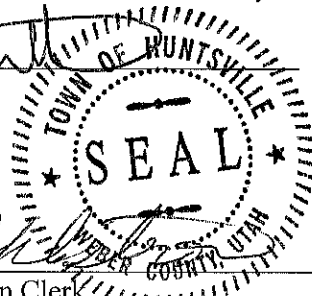
Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this 16th day of March, 2017.


JIM TRUETT, Mayor

ATTEST:


GAIL ALSTROM, Town Clerk

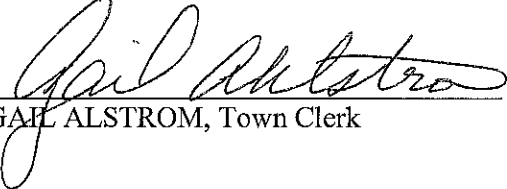


RECORDED this 28th day of March, 2017.

PUBLISHED OR POSTED this 28th day of March, 2017.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Recorder of Huntsville Town, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at 1) Huntsville Town Hall and 2) www.pmn.org on the above referenced dates.

 DATE: 03/28/2017
GAIL ALSTROM, Town Clerk