

**HUNTSVILLE TOWN
ORDINANCE 2021-XX-XX**

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 4 LAND USE PERMITS.

RECITALS

- A. **WHEREAS**, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. **WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;
- C. **WHEREAS**, the Town lacks the ability to issue Land Use Permits without the convening and approval of the Planning Commission, leading to unnecessary and burdensome delay for residents endeavoring to perform simple or uncomplicated projects;
- D. **WHEREAS**, the proposed change to the ordinance would allow the delegation of conditional authority to issue Land Use Permits by the Planning Commission to the Town’s Land Use Coordinator;
- E. **WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on <DATE> to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on <DATE>.
- F. **WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on <DATE> and desires to act on this Ordinance;

ORDINANCE

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

Section 1: Repealer. Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.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:

4 LAND USE PERMITS

4.1 Purpose

Building/Land Use permits are essential for the management of building construction and land use in Huntsville Town, provide an effective vehicle for complying with State laws and adopted building standards, and are necessary to effectively administrate building and construction procedures and to cover the costs of the administration thereof.

4.2 Land Use and Building Permits Required

4.2.1 Land Use Permits

A. Except as provided for under 4.2.2.1, Any owner desiring to change (i.e. build a new residence) or add a use of the land shall not proceed until a Land Use Permit has been issued by the Huntsville Town Planning Commission or the Land Use Coordinator if approved under 4.2.1.B. ~~The only exception to this requirement is for the construction of a structure under 200 square feet that does not contain any combination of gas, mechanical, or plumbing features, as explained in 4.2.2.1.~~

B. The Planning Commission may, by majority vote, delegate conditional authority to the Town's Land Use Coordinator for issuance of Land Use Permits. The delegated authority to issue Land Use Permits by the Land Use Coordinator may be further restricted, conditioned, or entirely withdrawn by majority vote of the Planning Commission or Town Council.

C. Any permanent structure being placed on land shall adhere to all land use regulations established for the zone in which that land resides. If the Huntsville Town Planning Commission deems it necessary, due to extenuating circumstances, they will submit the permit application to the Huntsville Town Council for their review and approval.

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.

VOTES:	AYES	NAYS	EXCUSED	RECUSED
Mayor Truett				
CM Max Ferre'				
CM Blake Bingham				
CM Wendy McKay				
CM Richard Sorenson				

PASSED AND ADOPTED by the Town Council on this <DATE>.

JIM TRUETT, Mayor

ATTEST:

BECKKI ENDICOTT, Recorder

RECORDED this <Month/Day/Year>