

ORDINANCE NO. 21-02

AN ORDINANCE AMENDING THE CITY OF ELK RIDGE 10-12-26: **STORAGE OF COMMERCIAL VEHICLES AND EQUIPMENT IN RESIDENTIAL ZONES** CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Elk Ridge has adopted the Elk Ridge City Development Code Title 10, Chapter 12 Section 26 Storage of Commercial Vehicles and Equipment in Residential Zones setting forth city regulations for commercial vehicles.

WHEREAS, the Elk Ridge City held a public meeting on _____ at 7:00pm, for the purpose of the proposed amendment to Section 10-12-26 Storage of Commercial Vehicles and Equipment in Residential Zones and

WHEREAS, the public meeting was preceded by the posting of a notice of public meeting in at least three (3) public places: city office, city public works building, pole located at 11200 South and North Twilight Way along with notification to the Payson Chronicle Newspaper, a newspaper of general circulation within the city, at least 24 hours prior to the Public Meeting; and

WHEREAS, the notice of the meeting, which was posted and published, by the City Council contains specific advance notice that the proposed ordinance amendment, as set forth herein, would be considered and that copies thereof were available for inspection in the city offices; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS: (red text is added text, Strikeout text is deleted text)

10-12-26: STORAGE OF COMMERCIAL VEHICLES AND EQUIPMENT IN RESIDENTIAL ZONES ~~PROHIBITED; EXCEPTIONS:~~

- A. ~~The storage or continuous parking of: 1) trucks having a rated capacity of one and one-half ($1\frac{1}{2}$) tons or greater, or trailers intended to be pulled thereby; or 2) motorized construction, excavation or other equipment having a weight of two and one-half ($2\frac{1}{2}$) tons or greater, shall not be permitted in any residential zone except when located on a lot during the construction of a primary dwelling thereon.~~

A. Definitions: For the purpose of this section, the following shall be used as definitions:

COMMERCIAL VEHICLE: A commercial vehicle is defined as truck tractors, motor trucks, semi-trailers, or combinations of them, where the manufacturer's gross vehicle weight rating is 26,000 pounds or more, with or without business markings.

EQUIPMENT: Any machinery that by design or purpose is that other than a motorized vehicle.

B. Prohibited and limited uses:

1. Unattended parking of commercial vehicles or equipment are not permitted on the street or within any public right of way.

3. Parking of Commercial vehicles in residential only zones shall be limited to (1) per lot, providing there is adequate property to do so safely.

1. Must be maintained in operating condition, be current on registration and insurance, as required by law.

3. Be placed on a prepared surface (gravel, concrete, etc.) as to prevent any track-out (mud or debris) onto any city or neighboring property.

D. The provisions of the section shall not allow for the accumulation of junk and unsightly items.

Passed and duly adopted this _____ day of _____, 2021.

Councilmember Nelson Abbott	Voted _____
Councilmember Tricia Thomas	Voted _____
Councilmember Paul Crook	Voted _____
Councilmember Jared Peterson	Voted _____
Councilmember Jim Chase	Voted _____

Royce Swensen
Elk Ridge City Recorder

STATE OF UTAH)
COUNTY OF UTAH) ss.

I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of

Ordinance #_____, passed by the City Council of the City of Elk Ridge, Utah, on the ____ day of _____, 2021, entitled

“AN ORDINANCE AMENDING THE CITY OF ELK RIDGE 10-12-26 APPROVAL PROCESSES AND REQUIREMENTS: CONDITIONAL USE: PLANNING COMMISSION APPROVAL, AND 10-12-26 STORAGE OF COMMERCIAL VEHICLES AND EQUIPMENT IN RESIDENTIAL ZONES CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Elk Ridge City Utah this ____ day of _____, 2021.

ROYCE SWENSEN
Elk Ridge City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that I posted in three (3) public places Ordinance #_____, which is attached hereto on the _____ day of _____, 2021.

The three places are as follows:

1. The Elk Ridge City Office, 80 E Park Drive
2. The Elk Ridge Public Works Building, 645 W. Goosenest Drive
3. The pole located at 11200 South and North Twilight Way

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

ROYCE SWENSEN
Elk Ridge City Recorder

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by ROYCE SWENSEN:

My Commission Expires:

Notary Public

Residing at: Utah County