

## **ORDINANCE NO. 2024-09-43**

AN ORDINANCE AMENDING SECTION 17.1.700 OF THE AMERICAN FORK CITY MUNICIPAL CODE, DESIGNATION OF LAND USE AUTHORITY AND APPEAL AUTHORITY, AND PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, American Fork City seeks to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork City;

WHEREAS, the American Fork City Council finds it in the best interest of the City to modify and clarify the Land Use and Appeal Authorities;

WHEREAS, the American Fork City Council finds that the adoption of this ordinance would promote the health, safety and welfare of the City and its residents.

NOW THEREFORE, be it ordained by the city council of American Fork, Utah, that:

### **PART I TEXT OF ORDINANCE**

SECTION 1. Section 17.1.700 of the Municipal Code of American Fork City, relating to Designation of Land Use Authority and Appeal Authority, shall read as follows:

#### **17.1.700 DESIGNATION OF LAND USE AUTHORITY AND APPEAL AUTHORITY**

1. In the instance of approval of a residential building permit on a lot within an approved residential subdivision or other legal lot of record, the zone clearance and land use authority shall be the American Fork City Building Division. The appeal authority for any determination made by the building division related to zone clearance and land use shall be the board of adjustment. The appeal authority for any determination made by the building division related to the International Building Code shall be as provided in the IBC.
2. In the instance of approval of conditional use application or site plan, pursuant to Chapter 17.5 or 17.6 of the Development Code, the land use authority shall be the planning commission or such other individual or department specifically designated by the terms of the code. The appeal authority for such applications shall be the city council.
3. In the instance of approval of a subdivision pursuant to the provisions of Chapter 17.8 of the development code, the land use authority shall be the Development Review Committee, acting in an administrative capacity. The appeal authority for such application shall be as set forth in 17.8.212.
4. In the instance of approval of a large scale development pursuant to the provisions of Chapter 17.7 of the development code, the land use authority shall be the Development

Review Committee, acting in an administrative capacity. The appeal authority for such application shall be as set forth in 17.7.212.

**PART II**  
**CONFLICTING ORDINANCES, SEVERABILITY, AND ADOPTION**

**SECTION 1. Conflicting Provisions.** Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution, or part thereof, the more stringent shall prevail.

**SECTION 2. Provisions Severable.** This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, it is hereby declared that the remainder of the ordinance shall not be affected thereby.  
This amended ordinance shall take effect immediately upon its passage and publication as prescribed by law.

Passed by the American Fork City Council this 24th day of September 2024.



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Bradley J. Frost  
American Fork City Mayor

ATTEST:



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Terilyn Lurker  
City Recorder

