

**ORDINANCE NO. 2018-11-50**

**AN ORDINANCE AMENDING SECTION 17.2.402 OF THE AMERICAN FORK MUNICIPAL CODE RELATING TO DUTIES OF THE ZONE CLEARANCE OFFICER.**

WHEREAS, the City of American Fork desires to clarify the duties of the Zone Clearance Officers; and

WHEREAS, the City of American Fork desires to designate the City Planner as the Zone Clearance Officer for matters involving the interpretation of and application of the city's Transit Oriented Development (TOD) rules and regulations.

NOW THEREFORE BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF AMERICAN FORK CITY, UTAH, THAT SECTION 17.2.402 OF THE MUNICIPAL CODE BE AMENDED AS FOLLOWS:

**17.2.402 Powers and duties of the zone clearance officer.**

It shall be the duty of the zoning clearance officer or his designated representative:


1. To review all requests for building permits for conformance with the terms of the development code and to issue a zone clearance endorsement where, as applicable:
  - A. The proposed use complies with the relevant terms of the development code; or
  - B. The terms and conditions of approval of any large scale development and/or specific site plan constituting a portion of a large scale development project which has received the approval of the city council pursuant to Chapter 17.7 of the development code; or
  - C. The proposed use complies with the site plan approved by the planning commission pursuant to Section 17.6.101 of the development code.
2. To review all applications for business licenses, home occupancy permits, requests for release of performance guarantee (bonds), certificates of occupancy and/or any other license or permit which requires a zone ordinance compliance endorsement; to determine whether the use set forth in the application is in conformance with the terms of the development code; and to provide such endorsement when determined to be in compliance.
3. To assist the city's code enforcement officer, wherever violations of the terms of the development code have occurred, including, but not limited to, the provisions relating to subdivisions (Chapter 17.8), large scale development projects (Chapter 17.7), site plans Section 17.6.101 or other use or development project approved pursuant to the terms of the development code; and to assist the city attorney in preparing exhibits and provide testimony in the event of legal action to secure compliance.
4. To provide testimony, records and relevant materials to the board of adjustment, planning commission or city council on matters which such body is required to render a decision.

5. To adopt such forms and procedures are determined appropriate in carrying out the tasks delegated under this section.
6. The City Planner is designated as the zone clearance officer for matters involving the interpretation of and application of the city's Transit Oriented Development (TOD) rules and regulations.


**SEVERABILITY.** If any provision or clause of this Chapter or its application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications which can be implemented without the invalid provision, clause, or application. To this end, the provisions of this chapter are declared to be severable.

**EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage and publication as prescribed by law.

Passed by the American Fork City Council this 13 day of November, 2018.

  
\_\_\_\_\_  
BRADLEY J. FROST  
Mayor

ATTEST:

  
\_\_\_\_\_  
TERILYN LURKER  
Recorder

