

**ESCALANTE CITY
ORDINANCE 2019-11**

AN ORDINANCE ADOPTING ESCALANTE CITY ORDINANCE NO. 2019-11 ADDRESSING SHIPPING CONTAINERS, YURTS AND TEPEES AS DWELLINGS AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE STATE OF UTAH.

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to address requests to convert shipping containers, yurts or tepees as dwellings.

WHEREAS, The City Council and Mayor wish to adopt such an Ordinance.

NOW THEREFORE, be it ordained by the City Council of the City of Escalante, State of Utah, as follows:

SECTION 1: **ADOPTION** “10.145 Shipping Containers, Yurts And Tepees*” of the Escalante Municipal Code is hereby *added* as follows:

A D O P T I O N

10.145 Shipping Containers, Yurts And Tepees*(*Added*)

SECTION 2: **ADOPTION** “10.145.010 Shipping Containers, Yurts And Tepees Used As Dwellings Prohibited” of the Escalante Municipal Code is hereby *added* as follows:

A D O P T I O N

10.145.010 Shipping Containers, Yurts And Tepees Used As Dwellings Prohibited(*Added*)

- A. It is the intent of this Ordinance to limit the placement and use of any shipping container, yurt or tepee as a living unit in the City of Escalante. This limitation is to protect the public health and safety and the aesthetic quality of the City.
- B. No person shall place or cause to be placed or use or permit a shipping container, yurt or tepee as a living unit on any land in the City of Escalante.
- C. Shipping Containers may be used as a shed, shop or storage unit following all setback requirements for the particular zone.

SECTION 3: **ADOPTION** “10.145.020 Definitions” of the Escalante Municipal Code is hereby *added* as follows:

A D O P T I O N

10.145.020 Definitions(*Added*)

Shipping Container: is a container with strength suitable to withstand shipment, storage and handling. Shipping containers range from large reusable steel boxes used for intermodal shipments to the ubiquitous corrugated boxes. Shipping containers are commonly standardized re-sealable transportation boxes for unitized freight handling with standardized equipment. The most common sizes are twenty feet long or forty feet long.

Tepee: is a tent, traditionally made of animal skins upon wooden poles. Modern tepees usually have a canvas covering.

Yurt: is a portable, round tent covered with skins or felt and used as a dwelling by several distinct nomadic groups in the steppes of Central Asia. The structure comprises an angled assembly or latticework of pieces of wood or bamboo for walls, a door frame, ribs (poles, rafters), and a wheel (crown, compression ring) possibly steam-bent. The roof structure is often self-supporting, but large yurts may have interior posts supporting the crown. The top of the wall of self-supporting yurts is prevented from spreading by means of a tension band which opposes the force of the roof ribs. Modern yurts may be permanently built on a wooden platform; they may use modern materials such as steam-bent wooden framing or metal framing, canvas or tarpaulin, Plexiglas dome, wire rope, or radiant insulation.

SECTION 4: **REPEALER CLAUSE** Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

SECTION 5: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 6: **EFFECTIVE DATE** The City Council of Escalante City, State of Utah, has determined that the public health, safety and welfare requires that this Ordinance take effect immediately. Therefore, this Ordinance shall become effective immediately upon passage and publication as required by law.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL AUGUST 20, 2019.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Louise Barnes	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Dan'l Lindsay	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Marlene Stowe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Guy Graham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Lenza Wilson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Melani Torgersen, Mayor, Escalante City



Stephanie Steed, CMC, City Recorder
Escalante City



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated 10-3-711 as amended, I hereby certify that the foregoing Ordinance was duly passed and published or posted at:

- 1) *Escalante Post Office*
- 2) *Escalante City Office*
- 3) *Griffins Mercantile*

on the above referenced dates.

Attest

A handwritten signature in cursive script that reads "Stephanie Steed". The signature is written in black ink and is positioned above a horizontal line.

Stephanie Steed, CMC, City Recorder,
Escalante City