

**GRANTSVILLE
ORDINANCE 2024-34**

NOW THEREFORE, be it ordained by the Council of the Grantsville, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “1.12 Enforcement” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

1.12 Enforcement

(1)

(a) Grantsville City or any adversely affected owner of real estate within Grantsville City in which violations of this chapter or ordinances enacted under the authority of this chapter occur or are about to occur may, in addition to other remedies provided by law, institute:

(i) injunctions, mandamus, abatement, or any other appropriate actions; or

(ii) proceedings to prevent, enjoin, abate, or remove the unlawful building, use, or act.

(b) A municipality need only establish the violation to obtain the injunction.

(2)

(a) Grantsville City may enforce the ordinance by withholding building permits.

(b) It is unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within Grantsville City without approval of a building permit.

(c) Grantsville City may not issue a building permit unless the plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to all regulations then in effect.

AFTER AMENDMENT

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(c) Grantsville City may not issue a building permit unless the plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to all regulations then in effect.

SECTION 2: AMENDMENT “1.15 Occupancy Permit Required” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

1.15 Occupancy Permit Required

Land, buildings or premises in any district shall hereafter be used only for a purpose permitted in such district and in accordance with district regulations. A permit of occupancy shall be issued by the zoning administrator, chief building official or designated representative to the effect that the use, building or premises will conform to the provisions of this or other related ordinances prior to occupancy, for any building that has been erected, enlarged or altered structurally, or the occupancy or use of any land, except for permitted agricultural uses. Such a permit is needed whenever the use or character of any building or use of land is to be changed. An occupancy permit is issued after the approved final inspection, which shows completion of a building permit. Upon written request from the owner, a permit shall be issued covering any lawful use of buildings or premises existing on the effective date of this ordinance and any subsequent amendments, including non-conforming buildings and uses.

AFTER AMENDMENT

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structurally, or the occupancy or use of any land, except for permitted agricultural uses. Such a permit is needed whenever the use or character of any building or use of land is to be changed. An occupancy permit is issued after the approved final inspection, which shows completion of a building permit. Upon written request from the owner, a permit shall be issued covering any lawful use of buildings or premises existing on the effective date of this ordinance and any subsequent amendments, including non-conforming buildings and uses.

SECTION 3: **AMENDMENT** “1.16 Inspection” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

1.16 Inspection

The zoning administrator or their designated representatives are authorized to inspect or to have inspected all land uses to determine compliance with zoning ordinance provisions. The zoning administrator or any authorized employee of Grantsville City shall have the right to enter any building for the purpose of determining the use, or to enter premises for the purpose of determining compliance with the said ordinance, provided that such right of entry is to be used only at reasonable hours, unless an emergency exists. In no case shall entry be made to any occupied building in the absence of the owner, representative, employee or tenant thereof, without written permission of an owner, or written order of a court of competent jurisdiction.

AFTER AMENDMENT

1.16 Inspection

The ~~Z~~zoning ~~A~~administrator or their designated representatives are authorized to inspect or to have inspected all land uses to determine compliance with zoning ordinance provisions. The ~~zoning administrator~~Building Department or any authorized employee of Grantsville City shall have the right to enter any building for the purpose of determining the use, or to enter premises for the purpose of determining compliance with the said ordinance, provided that such right of entry is to be used only at reasonable hours, unless an emergency exists. In no case shall entry be made to any occupied building in the absence of the owner, representative, employee or tenant thereof, without written permission of an owner, or written order of a court of competent jurisdiction.

SECTION 4: **AMENDMENT** “1.17 Inspection And Approval Required Prior To Occupancy” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

1.17 Inspection And Approval Required Prior To Occupancy

Buildings and structures requiring a building permit pursuant to the provisions of this code shall not be occupied nor put into use until the city building official has inspected such building or structure, finds compliance with this code and the building code of Grantsville City, and gives a written certificate of occupancy and use to the owner or his agent to occupy and/or use the building or structure in the manner approved by the issuance of a valid building permit.

AFTER AMENDMENT

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SECTION 5: AMENDMENT “1.19 Property Owned By Other Government Units - Effect Of Land Use And Development Ordinances” of the Grantsville Land Use Ordinances is hereby *amended* as follows:

BEFORE AMENDMENT

1.19 Property Owned By Other Government Units - Effect Of Land Use And Development Ordinances

(1) After the city council has adopted a general plan, no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the current general plan.

(2)

(a) Each county, municipality, school district, charter school, special district, and political subdivision of the state shall conform to this code when installing, constructing, operating, or otherwise using any area, land, or building situated within Grantsville City.

(b) In addition to any other remedies provided by law, when Grantsville City's land use ordinances is violated or about to be violated by another political subdivision, the city may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove the improper installation, improvement, or use.

(3) A school district or charter school is subject to Grantsville City's land use ordinances, except the city may not:

(a) impose requirements for landscaping, fencing, aesthetic considerations, construction methods or materials, building codes, building use for educational purposes, or the placement or use of temporary classroom facilities on school property;

(b) except as otherwise provided in this section, require a school district or charter school to participate in the cost of any roadway or sidewalk not reasonably necessary for the safety of school children and not located on or contiguous to school property, unless the roadway or sidewalk is required to connect an otherwise isolated school site to an existing roadway;

(c) require a district or charter school to pay fees not authorized by this section;

(d) provide for inspection of school construction or assess a fee or other charges for inspection, unless the school district or charter school is unable to provide for inspection by an inspector, other than the project architect or contractor, who is qualified under criteria established by the state superintendent;

(e) require a school district or charter school to pay any impact fee for an improvement project that is not reasonably related to the impact of the project upon the need that the improvement is to address; or

(f) impose regulations upon the location of a project except as necessary to avoid unreasonable risks to health or safety.

(4) Subject to Section 53A-20-1 08, a school district or charter school shall coordinate the siting of a new school with Grantsville City to:

(a) avoid or mitigate existing and potential traffic hazards, including consideration of the impacts between the new school and future highways; and

(b) to maximize school, student, and site safety.

(5) Notwithstanding Subsection (2)(d), Grantsville City may, at its discretion:

(a) provide a walk-through of school construction at no cost and at a time convenient to the district or charter school; and

(b) provide recommendations based upon the walk-through.

(6)

(a) Notwithstanding Subsection (3)(d), a school district or charter school shall use:

(i) a municipal building inspector;

(ii) a school district building inspector; or

(iii) an independent, certified building inspector who is:

(A) not an employee of the contractor; and

(B) approved and supervised by a municipal building inspector or a school district building inspector.

(b) The approval under Subsection (6)(a)(iii)(B) may not be unreasonably withheld.

(7)

(a) A charter school shall be:

(i) considered a permitted use and shall be processed on a first priority basis in all zoning districts within Grantsville City; and

(ii) subject only to objective standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging requirements.

(b) Parking requirements for a charter school may not exceed the minimum parking requirements for schools or other institutional public uses throughout the city.

(c) If Grantsville City has designated zones for a sexually oriented business, or a business which sells alcohol, a charter school may be prohibited from a location which would otherwise defeat the purpose for the zone unless the charter school provides a waiver.

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