

**HARRISVILLE CITY
ORDINANCE NO. 458**

RECREATIONAL AND UTILITY VEHICLES

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING
CHAPTER 11.20 RELATING TO REGULATIONS APPLICABLE TO
MORE THAN ONE ZONE TO ADD SECTION 11.20.250 TO REGULATE
RECREATIONAL AND UTILITY VEHICLES; SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60, 1953, as amended, allows the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by the location and use of recreational vehicles and to protect public health, safety, and welfare;

WHEREAS, after publication of the required notice the City's Planning Commission held its public hearing on November 14, 2012, to take public comment on the proposed Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on January 22, 2013, and now desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

Section 1: Repealer. Any other word, sentence, paragraph, or phrase in the municipal code inconsistent with this Ordinance along with any reference thereto is hereby vacated.

Section 2: Enactment. Chapter 11.20 is hereby amended to include Section 11.20.250 to read as follows:


11.20.250. Recreational and utility vehicles.

1. Recreational vehicles. Any recreational vehicle including but not limited to a travel trailer, boat, motor home, and/or other vehicle used for recreation purposes, which does not include facilities necessary to be classified as a manufactured home as defined in the building code adopted by the city, shall not be used, operated, or maintained for more than five (5) days in any zone or on any property in the city at any time for living quarters or occupation.
 - a. The parking of not more than three (3) recreational vehicles is permitted on a lot zoned residential or used for residential purposes. Said recreational vehicle or vehicles shall only be parked on a solid surface driveway, or gravel surface in the side or rear yard.
 - b. No parking of any recreational vehicles is allowed in the S.A.P. Zone except in areas designated for such parking as may be established by the home owners association.
 - c. Parking and use of a recreational vehicle in any non-residential zone is governed by the regulations of that zone.
2. Utility vehicles. No utility vehicle including but not limited to a semi-truck, semi-trailer, dump truck, back hoe, and/or vehicle or equipment over 15,000 gross vehicle weight shall be located for more than three (3) days on a developed residential lot less than one (1) acre. Parking of such utility vehicles on any lot over one (1) acre shall be in the rear yard.

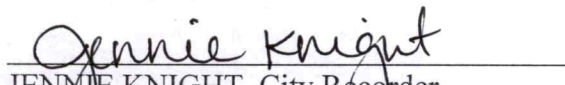
Section 3: Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and such remainder shall remain in full force and effect.

Section 4: Effective Date. This Ordinance shall be effective immediately after posting or publication.

PASSED AND ADOPTED by the City Council on this 22nd day of January, 2013.


RICHARD HENDRIX, Mayor

ATTEST:


JENNIE KNIGHT, City Recorder

RECORDED this 22nd day of January, 2013.
PUBLISHED OR POSTED this 22nd day of January, 2013.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) Martin Henderson Harris Cabin and 3) 2150 North on the above referenced dates.

Ginnie Knight DATE: 1-23-13
City Recorder