

**HARRISVILLE CITY  
ORDINANCE NO. 477**

**LAND USE ORDINANCE AMENDMENT – COMMERCIAL SETBACK**

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING SECTION 11.13.020 REDUCING THE SIDE YARD SET BACK IN THE COMMERCIAL ZONE; 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 development and to protect public health, safety, and welfare; and,

**WHEREAS**, after publication of the required notice the City’s Planning Commission held its public hearing on December 9, 2015, to take public comment on this proposed ordinance, and subsequently gave its recommendation to approve this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and had held its public meeting on January 12, 2016, to act upon this Ordinance;

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

**Section 1: Land Use Ordinance Amendment.** The Land Use Ordinance is hereby amended to read as follows:

11.13.020 Main Building Development Standards.

CP-2 ZONE	Front Setback	Interior Side Setback	Interior Side Setback next to Residential Zone	Side Setback Facing a Street	Rear Setback	Rear Setback next to Residential Zone
Building	20 feet	<del>10 feet</del> None	20 feet	20 feet	10 feet	20 feet

**Section 2: Severability.** If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 3: Effective Date.** This Ordinance shall be effective immediately upon posting after final passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this 12<sup>th</sup> day of January, 2016.

Bruce Richins  
BRUCE RICHINS, Mayor  
Harrisville City

ATTEST:

Jennie Knight  
JENNIE KNIGHT,  
City Recorder



RECORDED this 13<sup>th</sup> day of January, 2016.  
PUBLISHED OR POSTED this 13<sup>th</sup> day of January, 2016.

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, Utah, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) the Harrisville Cabin and 3) 2150 North on the above referenced dates.

Jennie Knight DATE: 1/13/2016  
City Recorder