

O-2019-04
AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
HOOPER CITY CODE

WHEREAS, Hooper City has adopted various ordinances and has organized the ordinances into a city code; and

WHEREAS, The city Council and the Mayor have found several parts of the code that should be updated, changed or deleted; and

WHEREAS, Hooper City would now like to amend various sections of the city code in order to better address the health, welfare and good management of the city and its residents.

NOW, THEREFORE, be it ordained by the Hooper City Council that the following parts of the City Code be amended as follows:

1. SECTION 1-1-5: RULES OF ETHICAL CONDUCT—B(4) and B(5) be renumbered B(3) and B(4).
2. SECTION 4-3-9: DENIAL OF APPLICATION

In the event the ~~Council~~ Mayor or City Staff shall deny any application for a license, the reason therefore shall be endorsed on the application by the ~~Chair of the Council~~ City Staff and the ~~License Director~~ City Staff shall return the fee deposited with the application to the applicant, together with notice that said applicant may appear before the Council for the purpose of presenting reasons for setting aside such denial. If applicant makes such appearance and presents adequate justification, the Council may, in its discretion, set aside the denial and approve the application. ~~In the event the Mayor shall veto any application for a license, the reason therefore shall be endorsed on the application by the Mayor and License Director shall return the fee deposited with the application to the applicant together with notice that said applicant may appear before the Council for the purpose of presenting reasons for overriding a veto by the Mayor.~~

3. SECTION 4-7-11.5: MULTI-FAMILY DWELLINGS

For the purpose of this subsection a multi-family dwelling is defined as any building(s), structure(s) or place(s) legally constructed whether attached to a residence or a separate building, structure or place to the primary residence that is intended and/or used as an additional long term dwelling for an individual, individuals or family. The license fee to rent/lease multi-family dwellings shall be indicated on Hooper City's consolidated fee schedule.

4. SECTION 4-7-20.5: LICENSING REQUIREMENTS FOR SERVICE PROVIDERS NOT BASED IN HOOPER CITY

A service provider in Hooper City (i.e. building contractor, carpet cleaner yard care) shall not enter into or operate business within Hooper City without first obtaining a license in Hooper City or in the municipality in which the business is based. The license for service providers provided for in this ordinance and licensed in Hooper City shall be indicated on Hooper City's consolidated fee schedule.

5. SECTION 4-9-5: CONDITIONS

R. Compliance

Home occupation businesses shall comply with all applicable local and state laws and regulations including, but not limited to, The Weber-Morgan Health Department, The Division of Professional and Occupational Licensing, The Utah State Tax Commission (sales tax) , Job Service (workers compensation) and The Occupational Safety and Health Administration.

6. Title VI Chapter 9 shall be amended as follows:

CHAPTER 9

USE OF TOBACCO PRODUCTS, ELECTRONIC CIGARETTES AND ALCOHOLIC BEVERAGES IN CITY PARKS, RECREATIONAL AREAS AND CEMETERIES

E. "Electronic Cigarette" means the same as defined by Utah State Law.

SECTION 6-9-3: PROHIBITIONS

A. Smoking, use of tobacco products and electronic cigarettes is hereby prohibited in city parks, city cemeteries and within 25 feet of bus stops. The possession or consumption of alcoholic beverages in city parks is hereby prohibited.

SECTION 6-9-5: POSTING OF SIGNS

“No Smoking”, “No Electronic Cigarettes” and “No Alcoholic Beverages” signs or the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every city park.

7. SECTION 6-10-4.5: RECYCLING

- A. The city or its contractor shall provide for collection of useful recyclable materials, such as paper, cardboard, plastics, and metals as determined by the City and the contractor.
- B. The time and place for pickup of recycling containers will be the same as for solid waste containers as determined in section 6-10-9. Recycling pickup will be bi-weekly or as determined by the City and the contractor.

SECTION 6-10-5: SERVICE CHARGES

A. Specified:

- 1. There shall be charged to all residents a monthly solid waste and recycling collection fee in such amount as established from time to time by resolution of the Council.
- 2. Charges shall apply to all residences whether or not they employ the services of non-city garbage haulers. Recycling fees shall apply to all those who have not opted out of the recycling program. The fees for solid waste collection and recycling collection shall be listed on the consolidated fee schedule.

8. SECTION 10-2B-4 ALLOWED USES shall be amended to make “Public infrastructure facility” a conditional use in all residential zones.

9. SECTION 11-1-1: INTERNATIONAL FIRE CODE

~~The currently adopted International Fire Code, as adopted by the State of Utah and Weber Fire District (hereinafter “the Code”) published by the International Code council, Inc. including appendices A, B, C, and D and printed in book form and it’s revisions, is hereby adopted as the Fire Prevention Code for Hooper City and by this reference is made part of this ordinance to the same extent and effect as though the code were set forth herein in full with the additions, deletions, and changes preserved in Section 11.08.015.~~

The International Fire Code, as adopted and amended by the State of Utah, and Weber Fire District is hereby adopted as the Fire Code of Hooper City and by this reference is made part of City Ordinance to the same extent and effect as though said code were set forth herein in full, with additions in sections, deletions and changes as outlined by Utah State and Weber Fire District.

Three (3) copies of the full code shall be filed for use and examination by the public in the administrative offices of the Weber Fire District, 1871 North, 1350 West, Ogden, UT 84404.

SECTION 11-3 VIOLATION AND PENALTIES

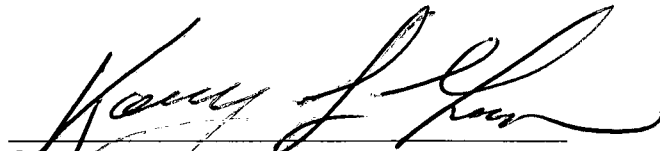
Persons who violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of the fire code, shall be guilty of a class B misdemeanor and will be punishable as set out by state law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 11-4 COMPLIANCE WITH ORDERS AND NOTICES

A notice of violation issued or served as provided by this code shall be complied with by the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

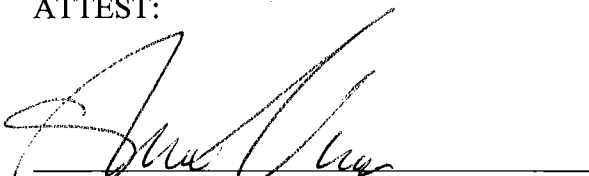
This Ordinance shall become effective upon publication as required by law, fifteen (15) days after final passage.

PASSED this 19 day of Dec., 2019.



Mayor

ATTEST:



City Recorder

Voting:

Council Member Hill	<u>YTS</u>
Council Member Paulsen	<u>YTS</u>
Council Member Cooke	<u>YTS</u>
Council Member Ostler	<u>YTS</u>
Council Member Cave	<u>YTS</u>

